

Culture *Without* Context



The Newsletter of the Illicit Antiquities Research Centre

Issue 17, Autumn 2005

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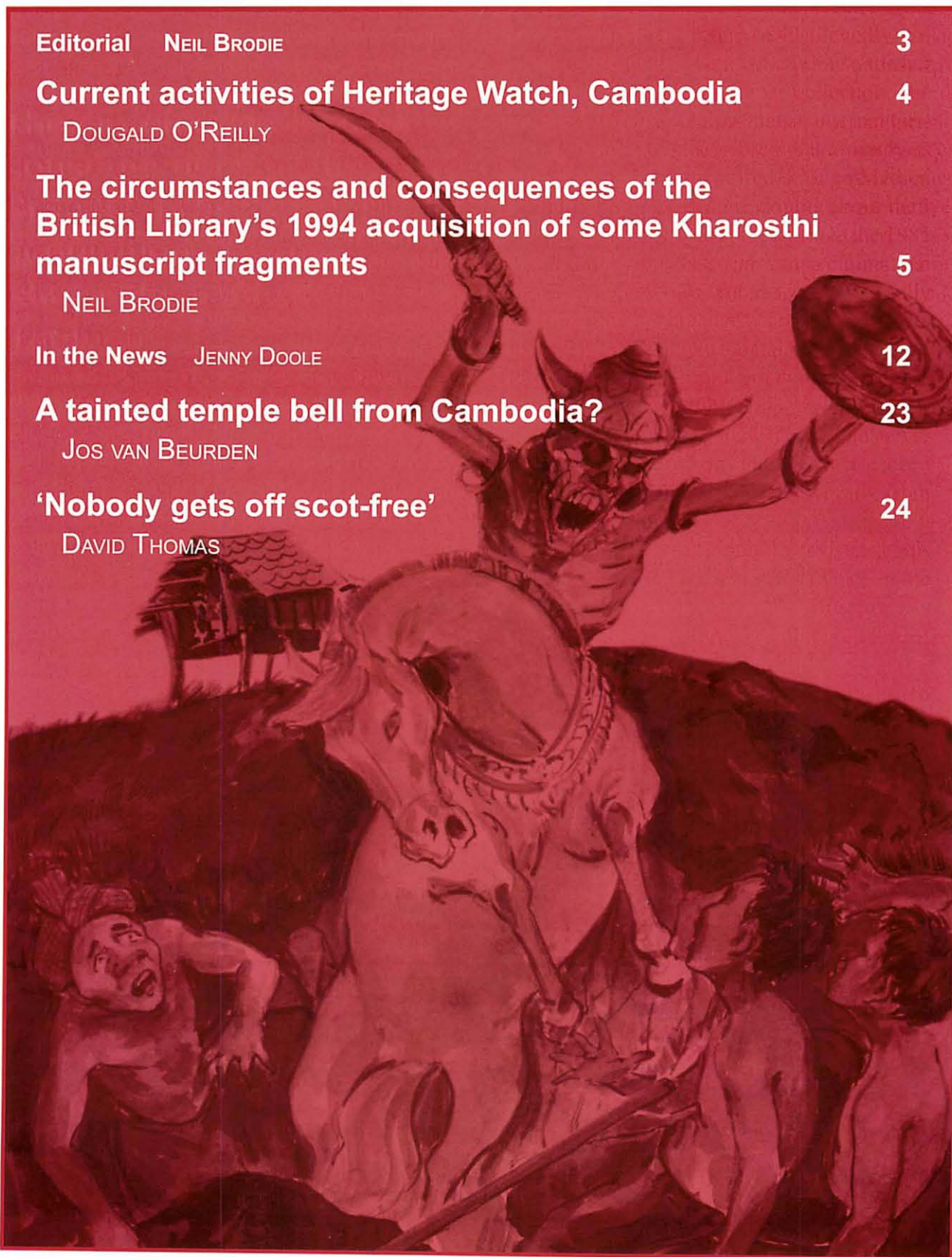
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The Illicit Antiquities Research Centre is a project of the McDonald Institute for Archaeological Research.

Illicit Antiquities Research Centre

The Illicit Antiquities Research Centre (IARC) was established in May 1996, under the auspices of the McDonald Institute for Archaeological Research in Cambridge, England, and it commenced operations in October 1997. Its purpose is to monitor and report upon the damage caused to cultural heritage by the international trade in illicit antiquities (i.e. antiquities which have been stolen or clandestinely excavated and illegally exported). The enormous increase in the volume of this trade over the past twenty years has caused the large-scale plundering of archaeological sites and museums around the world. The IARC will raise public awareness of the problems caused by this trade and seek appropriate national and international legislation, codes of conduct and other conventions to place restraint upon it.

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Jenny Doole
IARC
McDonald Institute for Archaeological Research
Downing Street
Cambridge CB2 3ER
UK
e-mail: jd244@cam.ac.uk

Front cover. Cover of the comic book *Wrath of the Phantom Army* (see p. 4).

Staff:

<i>IARC Director:</i>	Graeme Barker
<i>IARC Research Director:</i>	Neil Brodie
<i>IARC Researcher:</i>	Jenny Doole
<i>CWC Editorial Board:</i>	Neil Brodie Augusta McMahon Chris Scarre Peter Watson
<i>CWC Designer:</i>	Dora Kemp

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Address for correspondence:

CWC Editorial Board, McDonald Institute for Archaeological Research, Downing St, Cambridge, UK, CB2 3ER.
<http://www.mcdonald.cam.ac.uk/IARC/home.htm>

Correspondence relating to all aspects of the legal and illegal trade in antiquities is welcome; we will make an effort to print reasonable, non-libellous letters. No unsigned letters will be printed, but names will be withheld upon request.

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Editorial

In March 2006, Scotland Yard reported that three to four tons of artefacts plundered from Afghanistan have been seized over the last two years (Lamb 2006). It seems appropriate, therefore, that this issue once more focuses on Afghanistan with an analysis and critique of the British Library's 1994 acquisition of some Kharosthi manuscript fragments. One point made in that paper is that it is difficult to obtain reliable evidence 'on the ground' of the damage caused to archaeological sites by commercially-motivated digging. We are grateful that David Thomas (University of Cambridge), who is Director of the Minaret of Jam Archaeological Project (MJAP; see *CWC*, Issue 14, 16–20), has allowed us to quote from his 2005 preliminary report where he is describing a field survey that took place in combination with a remote-sensing analysis of looted sites using satellite imagery (to be published in more detail in Thomas & Gascoigne in press).

The looting of antiquities from Jam and surrounding archaeological sites has been severe, and the damage done is evident even from a distance. As long as the number and location of the robber holes remains unspecified, it is very difficult for the National Afghan Institute of Archaeology (NAIA) and UNESCO to monitor the situation and develop a cultural heritage management plan for the site. In 2005, we attempted to use modern technology to assist NAIA and UNESCO in this process.

The availability of high-resolution satellite images, in which each pixel represents 60 cm on the ground, and Global Positioning Systems seemed to offer one quick way of tackling this problem. A generous grant from the British Embassy in Kabul enabled us to buy two satellite images, and to devote some of our time at Jam to investigating this problem. We soon found that we were testing the limits of the technology, as well as our stamina and balance on the precarious, steep slopes.

We selected the north bank of the Hari Rud as the focus for our pilot study, as it has been particularly badly affected by the looting. The first stage of the study was to survey and record each robber hole we encountered, while scrambling across the valley side. We did this in teams of two, measuring the maximum length, breadth and depth of each robber hole, before drawing a sketch plan, describing any visible architecture and counting ceramic sherds in sample 1 m × 1 m squares, in the robber hole and on the spoil heap downslope. We also collected unusual diagnostic sherds and objects, for further analysis.

By the end of the first day, we realised that it would be impractical to attempt to survey the whole of the north bank, due to the limited time and resources available. Consequently, we decided to concentrate on a 50-m-wide strip in the west of the slope, stretching 225 m from the Hari Rud up to Qasr Zarafshan. From this intensive sample, we could extrapolate estimates for the number of robber holes on rest of the hillslope.

By the end of the season, we had recorded 121 robber holes in this 50-m-wide strip, amounting to a robbed area of 1245 m² (11 per cent of the area investigated — by way of comparison, a normal archaeological excavation at a tepe site would generally excavate only 1–2 per cent of a site in the course of many seasons). By multiplying the area of each robber hole by its maximum depth, and dividing by half (to take account of the slope), we estimate that the robbers have removed a minimum of 1310 m³ of deposits from this small area. Although the robber holes are not regular, and our calculations use maximum dimensions, we believe that this is a realistic figure, and probably an underestimation. Most of the robber holes are much deeper than they currently seem, and the large spoil heaps downslope from the robber holes probably conceal other illicit excavations.

About 69 per cent of the robber holes investigated contain definite or possible architecture; in addition to this information, we counted 386 sherds in the sample 1 m × 1 m robber holes and 485 sherds on the sample 1 m × 1 m spoil heaps. Since the north bank of the Hari Rud is c. 150 m long, we estimate that there are about 360 robber holes across the whole slope — this is the scale of the damage that the looting of antiquities has done to the archaeological remains at Jam, on one slope alone.



Another member of the MJAP project, Iain Shearer (University College London) also provides what he calls an 'unsubstantiated account' of the looting at Jam.

Informal conversations with local people indicate that there were two distinct looting periods, organised by outside dealer networks:

- Early–mid 1990s
- Very late 1990s–early 2000s

During these periods, the following objects are reported to have been removed:

Beydan Valley – all excavated during 2000:

- Two gold bracelets shaped as dragons with open mouths biting carved precious stones.
- One gold necklace manufactured as a dragon clutching and biting onto precious stones, primarily turquoise and lapis lazuli.
- Seven gold and lapis lazuli rings.
- Other unknown gold and precious stone artefacts.
- Household goods made of brass, heavily decorated (taken out during the mid-1990s).

'Bazaar' area, north bank Hari Rud — taken out from the mid-1990s onwards:

- Painted glass vessels and window-panes.
- A carved wooden door from the eastern part of this area, reportedly sold for \$21,000 some time during the late 1990s.

Sangmenar; behind Guesthouse — taken out from the mid-1990s onwards:

- Intact ceramics, particularly bowls and jugs.

From across the site — taken out from the mid-1990s onwards:

- ‘Gabri’ — small carved bead necklaces and bracelets, both complete and damaged, manufactured to resemble snakes and dragons.

West bank Jam Rud:

- Mason’s tools in metal (taken out during the mid-1990s).
- 800 gold coins in one ceramic vessel (taken out pre-1999).

East bank Jam Rud and Minaret outcrop – taken out from the mid-1990s onwards:

- Cricket-ball sized lumps of sulphur, which local people burned as flares and fireworks.

Hebrew cemetery; Koshkak – taken out pre-1999:

- Three ceramic vessels containing 2000+ gold coins. Local people are adamant that the looting has now

ended. The Ministry of Information, Culture and Tourism Guesthouse manager has been active in preventing the removal of other archaeological material from Jam: he rescued a carved wooden panel, when looters were disturbed excavating the Islamic burial at Khar Khoj. This artefact has been photographed, drawn and recorded, but we were unable to transport it safely to Kabul for conservation because of its very fragile state and the rigours of the journey. We plan to publish it in the journal *Iran*.

It is obviously impossible to verify these accounts of looted artefacts, which may well be exaggerated, but should similar objects appear for sale on the international antiquities market, or in museums and private collections, their provenance should be studied very carefully.

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- Thomas, D.C. & A. Gascoigne, in press. Recent archaeological investigations of looting at Jam, Ghur province, in *Afghanistan’s Cultural Heritage: its Fall and Survival*, ed. J. van Krieken. Leiden: E.J. Brill.

Current activities of Heritage Watch, Cambodia

Dougald O’Reilly

Currently Heritage Watch is engaged in a training programme at the Royal University of Fine Arts. Young Cambodian archaeologists are being taught research methods and analysis by Heritage Watch staff. The project involved a field component which involved the survey and excavation of the looted site Wat Jas. Regrettably little *in situ* information could be recovered from Wat Jas as the site had been completely destroyed by the activities of looters. Thousands of deep holes riddle the 120-ha site which contained an Iron Age (c. 500 BC–AD 500) cemetery. Looters are motivated to dig by the prospect of uncovering carnelian, agate and sometimes gold beads which are sold to a middleman for sale on to collectors and dealers in Thailand. The Heritage Watch project undertook a survey of the looted area and collected disturbed ceramic materials and mapped the entire site. Aerial photographs were also taken which reveal the shocking extent of looting at Wat Jas.

Heritage Watch continues to promote the preservation of Cambodia’s cultural heritage through

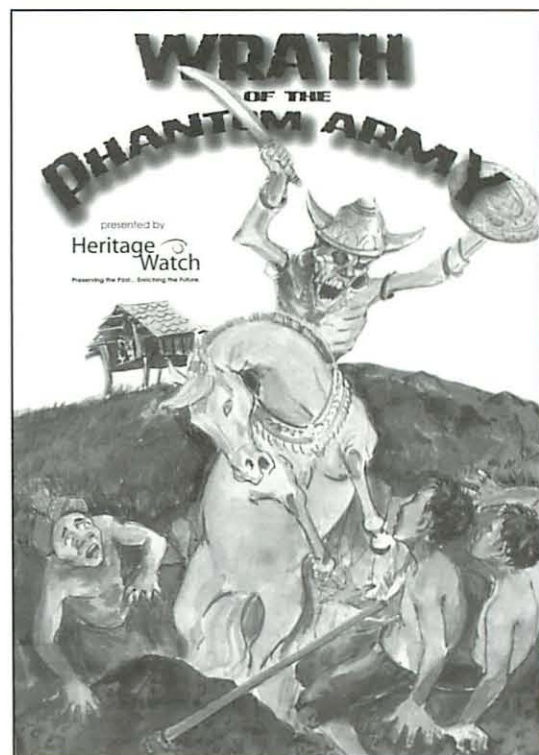


Figure 1. Cover of *Wrath of the Phantom Army*.

the distribution of *Wrath of the Phantom Army*, a comic book that tells the story of looting in a small village. The Khmer-language version is being distributed for free in areas where looting is a serious problem. The organization has also produced radio and television public service spots that are airing currently and will, hopefully, be aired on govern-

ment outlets in the near future. Education teams have also been working in areas where looting is prevalent, hosting large gatherings of locals. The purpose of these sessions is outreach, explaining the value and importance of cultural heritage. These activities have been greeted positively and after meeting surveys indicate a change in participants' attitudes. Heritage Watch is currently

applying for funds to work at Koh Ker Archaeological Park, a grouping of temples northeast of Angkor dating to the tenth century. The Sustainable Development and Heritage Preservation Project seeks to involve the local community in heritage preservation in return for training in small business management, tourism, craft production, English language and land rights.

The circumstances and consequences of the British Library's 1994 acquisition of some Kharosthi manuscript fragments

Neil Brodie

In 2004 a documentary programme made for the Norwegian television company NRK claimed that the British Library's 1994 acquisition of some Kharosthi manuscript fragments had created a market for central Asian manuscripts and triggered off a campaign of looting in Afghanistan and perhaps also in Pakistan (Lundén 2005, 7). The British Library (BL) refused to answer the claim on screen and has not answered since. The BL had also failed in 2003 to answer a letter from the IARC requesting information about the acquisition. Documents relating to the acquisition obtained from the BL under the 2000 Freedom of Information Act, together with ongoing publication of the manuscript fragments, now throw more light on the circumstances of the acquisition and its consequences. The BL has also supplied a statement on the acquisition.

British Library statement

The scrolls — written on birch bark in the ancient script of Kharosthi in the language of Gandhara, an important centre of early Buddhism in central Asia which straddled the western borders of Pakistan and the eastern borders of Afghanistan — came to the Library in 1994 at a time of great uncertainty in Afghanistan. The Library was approached by a reputable London dealer for advice on the conservation of the scrolls which had been forced into a number of modern pickle jars. Knowing that the Kabul Museum had been looted, I understand that checks

were made at the time to make sure these items had not been part of the collection of that institution; however, with the civil war continuing, it was not possible to contact institutions in Afghanistan to discuss the scrolls. (The current scholarly position remains that 'No reliable information is available as to the circumstances, location and date of the discovery of the manuscripts and associated materials'; Salomon, Richard. *Ancient Buddhist Scrolls from Gandhara*, British Library, 1999 [page 20]).

As perhaps the only body with the necessary specialist expertise, and faced with the very real prospect that the scrolls would disintegrate entirely and be lost to research forever, the Library took the difficult decision which it considered justifiable under these circumstances to acquire these unprovenanced items. In view of the absence of clear provenance, and the possibility of future claims for restitution, the Library did not apply Grant-in-aid in the acquisition of the scrolls. Instead, a benefactor funded the acquisition in full cognisance of the background and in recognition of the conservation rescue imperative. This approach was sanctioned by the Library's Director of Special Collections at the time. The Board is aware of the unclear provenance of the scrolls.

The skilled conservation work undertaken by the Library subsequently has meant that this material has remained available to the international scholarly community. The Library has also been very active in informing scholars about the scrolls and their significance (in fact they were featured in the cover photograph of the Library's 1995/96 Annual Report).

Following the *Times* report ('Library pressured to return scrolls', Monday 13 September 2004) that a documentary by the Norwegian Broadcasting Corporation had raised the issue of the Library's ownership of these Kharosthi scrolls and that the Library was facing calls for their return from the Government of Afghanistan, the Library met with the Deputy Head of Mission at the Afghan Embassy in November 2004 to set out the background to the British Library's acquisition of the scrolls with a view to opening a dialogue with the Government of Afghanistan on the issues raised. I have attached a copy of the letter sent to Dr Abdul Wahab following, what was, a constructive meeting. To date the Embassy has not yet taken up the Library's offer to inspect the manuscripts *in situ*.

British Library documents

The covering letter supplied with the documents notes that ‘there appears to be no substantive contemporaneous documentation relating to the authorisation by the Library’s senior management of the acquisition’ or ‘to the provenance checks that were undertaken at the time’. The letter also notes that the BL’s interpretation of two exemptions in the Freedom of Information Act has caused several items of information to be redacted from the documents. The documents fall into two distinct groups. The first group dates from the period April to October 1994 and relates to the acquisition of the scrolls. The second group dates from August to November 1995 and relates to the negotiations that led up to the establishment of the joint British Library/University of Washington Early Buddhist Manuscripts Project (EBMP). A few miscellaneous documents were also supplied, including a letter written to the London embassy of Afghanistan in November 2004.

The earliest document is what appears to be an internal memorandum dated to 28 April 1994. It records that two pickle jars containing rolled-up birch bark scrolls had been deposited at the BL, followed by a further 11 jars containing similar scrolls. It also notes that discussions had taken place within the BL about the source of the scrolls and that concern had been expressed that the BL could ‘run into political trouble with illegally exported material’. Various unspecified telephone and verbal enquiries into the scrolls’ provenance had ascertained that they had probably been discovered in an inscribed pottery jar in Jalalabad, Afghanistan, and brought to the UK by a dealer (no name provided, henceforth Dealer 1). Once in the UK, the scrolls had been offered to another dealer (name redacted, henceforth Dealer 2), but the high asking price had caused him/her to refuse them. At a second meeting between the dealers, Dealer 2 had been alarmed at the damage caused to the documents over the intervening period — they had been soaked in some sort of liquid ‘consolidant’ and then packed in cotton wool in the pickle jars and sealed with brown adhesive tape. Dealer 2 had agreed to take two of the jars on approval to the BL, and subsequently the remaining 11. The BL then undertook tentative but ultimately successful conservation measures on scrolls from the first two jars.

A letter dated 9 May 1994 from the BL to presumably Dealer 2, though name and address have been redacted, asks if a donation agreement can be concluded. It also asks for a copy of a photograph of what remained of an earthenware pot carrying a Kharosthi inscription and confirmation that the pot would be part of the putative donation.

An internal e-mail exchange dated to 11 May 1994 seems to have decided the acquisition. The exchange repeated the account of provenance — the scrolls had been found in an earthenware jar carrying a Kharosthi inscription that had been dug up by a farmer near Jalalabad — but also noted that this account was simply what Dealer 2 had been told by another dealer, presumably Dealer 1, and that in fact the scrolls could have been found anywhere in Afghanistan, Pakistan or Tajikistan. This e-mail exchange also reveals that Dealer 1, who had brought the material to London, was Pakistani and at the time was doing regular business with Dealer 2. The advisability of accepting the manuscripts as a donation was discussed. Against acceptance was the fact that there were ownership claims outstanding against the BL by India and Pakistan for material in pre-1947 collections, and that in general the BL would not want to accept material that might have been smuggled out of an Asian country. In favour of acceptance it was argued that the prime consideration was to preserve the documents before they disintegrated further and to make them available to scholarship. The suggested solution was that, ‘in the interests of scholarship’, the BL should acquire the scrolls as a donation but be prepared to consider any future claims for restitution should it be clearly shown that they had been illegally exported.

An internal communication dated to 28 July 1994 reveals that Dealer 2 had bought the manuscripts from Dealer 1 for £10,000, and could not therefore afford to donate the material to the BL. Various purchase options were outlined. Subsequent documents make clear that because of their deficient provenance the BL was not prepared to purchase the manuscripts outright, but would be keen to acquire them as a donation from a benevolent third party ‘sponsor’.

A letter dated 11 August 1994 approaches a potential sponsor (name and address redacted, henceforth Sponsor). It describes the manuscripts as being in the hands of a ‘well-wisher’, and em-

phasizes the BL's concern that the manuscripts should be properly conserved and made available to scholarship. No mention seems to have been made in this letter of the uncertain provenance and doubts over title, though one sentence has been redacted.

An invoice for £10,000 (presumably from Dealer 2) dated 1 September 1994 and addressed to the BL records that 'I confirm that we have full title to sell these scrolls'. There is nothing in the documents supplied by the BL to suggest that any other documentary proof of title was received. The fact that the invoice was addressed to the BL makes clear that the BL must have bought the manuscripts with money donated by the Sponsor, and did not accept them as a gift after independent purchase by the Sponsor, as originally intended. This transaction seems confirmed by a letter of 14 September from the BL to the Sponsor acknowledging receipt of a cheque for £10,000 that had made the purchase possible. Thus what had originally been offered to the BL as a donation was ultimately acquired through purchase.

The first group of documents is concluded by a 'Note for the file' dated 2 October 1994. This note recognizes that 'acquisition of items without clear provenance is contrary to the BL's accepted good practice in carrying out its collection development responsibilities as a publicly-funded national cultural institution. It can only be justified in very exceptional cases.' It goes on to state that the acquired scrolls did constitute an exceptional case, because of their brittleness and their urgent need for conservation (noting again the damage that had been caused to the scrolls by their storage and transport in the pickle jars), together with the fact that they were already in London. The note also confirms that attempts made by the BL to establish the provenance of the scrolls had been unsuccessful, but that they must have come from either eastern Afghanistan or western Pakistan (the territory of ancient Gandhara). The note also makes clear that the BL had by then explained the problem of provenance to the Sponsor, and that the Sponsor would not demand the return of his/her money should a future claim on the material by a foreign institution or country require their restitution. In November 2004 the *Art Newspaper* revealed that the Dealer 2 was Robert Senior and that the Sponsor was Neil Kreitman (Bailey 2004).

The first document from the second group is an internal note appropriately entitled 'Kharosthi manuscripts: update'. It records a preliminary meeting that had taken place in July 1995 between BL staff, Professor Richard Salomon of the University of Washington and a name-redacted individual, presumably Dealer 2, about the possible research and publication of the manuscripts. A name-redacted sponsor had agreed to part fund the work if the University of Washington would be prepared to match his contribution. Other possible sponsors were also discussed. The note records that during Professor Salomon's stay a name-redacted person, again presumably Dealer 2, had donated a 'fourth clay pot', suggesting that three other pots had by then already been accepted by the BL. The issue of provenance was only briefly touched upon with mention of 'the vendor's reference to Jelalabad'.

Another possible clue to provenance is offered in a study proposal for the joint British Library/University of Washington EBMP dated 2 October 1995 where the pickle jars that originally contained the manuscripts were identified more precisely as 'Pakistan pickle jars'. A heavily redacted sentence in this document also records that the BL had received another donation allowing it to buy four clay pots that were probably contemporary to the manuscripts, and that the Sponsor had by then donated £18,500.

A minute dated 30 October 1995 of a visit to the University of Washington by BL staff to negotiate the terms of the proposed joint EBMP reveals that a name-redacted private sponsor had pledged £75,000 to the project. An undated document that was probably written about the same time notes that the project sponsor was the same sponsor who had supported the purchase of the scrolls. By 15 November 1995 the project had been agreed.

An internal memorandum of 29 March 1996 records that the BL had purchased 26 potsherds inscribed in Kharosthi from a name-redacted person, as well as something referred to as Pot 5, which was presumably a fifth pot thought to accompany the previous four.

As already noted, the letter accompanying the BL documents states that there appears to be no documentation on record at the BL relating to provenance checks. The simple reason for this absence might be that no real provenance checks were made. In several of the documents,

when concerns are expressed about deficient provenance the suggested course of action is to ask Dealer 2 if more information might be forthcoming. No other checks are mentioned. Clearly there are people who know more about the trading history of the scrolls than is generally admitted, Dealer 1, for example, who brought the manuscripts to Britain, but no attempt seems to have been made to interview them, or through them to make further enquiries in Pakistan.

British Library press release

On 26 June 1996 the BL issued the following press release announcing the establishment of the EBMP:

The British Library has acquired birch bark scrolls which are believed to be the earliest known Buddhist manuscripts. The Library was able to make the purchase with help from an anonymous donor.

The scrolls contain sixty fragments of about 25 texts from various parts of the Buddhist canon. They are written in Gandhari, the language of the ancient region of Gandhara (modern Afghanistan/Pakistan), an important centre of early Buddhism with links to East Asia along the Silk Route.

Birch bark is one of the most fragile mediums for writing on and the task of unrolling the scrolls was a delicate and complex one. The British Library's conservation experts at the Oriental and India Office Collections have now completed this work.

The scrolls are written in an ancient script 'Kharosthi' and Prof Richard Salomon, one of the world's leading Kharosthi experts, is leading a project to study the scrolls which he has described as being potentially 'the Dead Sea scrolls of Buddhism'.

The Early Buddhist Manuscripts Project has now been set up between the British Library and the University of Washington in Seattle — the British Library has digitised the birch-bark documents; and the university has created 2 post-graduate research assistantships to work on the project. There are plans for a series of publications over the next decade. The British Library has secured a further donation from the same source to support this research.

Preliminary publication

The first publication of the EBMP was the preliminary publication of the BL scrolls which revealed more about their nature and the circumstances of their acquisition (Salomon 1999). The material comprises between 21 and 32 fragmentary birch bark scrolls carrying Gandhari texts written in Kharosthi (Salomon 1999, 20). The BL had also acquired four inscribed clay pots (pots A–D) and 26 inscribed potsherds (Salomon 1999, 15). The scrolls had arrived at the BL in 13 glass pickle

jars, but it is thought that they might have been discovered inside one of the clay pots (pot D). The basis for this surmise is a photograph said to have been taken in 1993 that 'became available' after the BL purchase (reproduced as Salomon 1999, pl. 5). It was not revealed where the photograph was taken, how it was known to have been taken in 1993, nor how it 'became available', though it has since been said to have been taken by Japanese antiquities dealer Isao Kurita in 1992 in Peshawar (Matsuda 2000, 99). Nevertheless, although the photograph was most likely taken at a point of transit rather than at the point of discovery, it was taken as evidence that the scrolls had been discovered in pot D, though it was also accepted 'remotely' possible that the scrolls might have been placed together in the pot by the discoverer or a subsequent handler (Salomon 1999, 21).

No other evidence relating to findspot or find constitution was forthcoming. It is not certain that all or any of the pots were found together, and indeed from the inscriptions on pots B and C it seems that they were discovered at different sites (Salomon 1999, 153). After full consideration and evaluation of all the information made available to him, Salomon's tentative verdict on provenance — and he was careful to say that it is provisional — was that the scrolls probably originated in a Buddhist monastery located on the Jalalabad Plain in eastern Afghanistan, possibly in the neighbourhood of the village of Hadda (Salomon 1999, 20, 83, 177, 181).

Discussion

The archaeological case for not acquiring and studying unprovenanced artefacts is based upon two arguments. First, the artefacts' reliability and value as historical documents are hopelessly compromised by the destruction of contextual relations and associated material that their unrecorded extraction has caused. Second, their acquisition and study will create or sustain a market conducive to further unrecorded and destructive excavation. Thus any knowledge gained through the acquisition and study of unprovenanced material is inherently unreliable and outweighed by the loss to knowledge caused by the circumstances of its extraction and the consequences of its study. In the case of written materials, however, the first argument could lose some of its strength, as the artefact or document

might in itself contain historical or linguistic information whose reliability and value are not compromised by the absence of find context. The Rosetta Stone is the classic example. Thus when considering the acquisition of unprovenanced written material it would appear that there are two questions that need to be answered. First, does the intrinsic information contained in the document outweigh what has been lost through its excavation and trade? Second, is the acquisition likely to legitimize or otherwise promote a market in the material in question?

Non-specialists are not in a position to judge the historical or linguistic importance of the BL Kharosthi manuscripts, but it is hard to escape the impression that they are in fact a bit of a disappointment. In the BL's June 1996 press release reproduced above, Salomon was quoted as saying that he thought the scrolls might potentially be 'the Dead Sea scrolls of Buddhism'. An internal BL document dated 18 October 1996, however, was less optimistic, suggesting that 'they are unlikely to revolutionise Buddhist studies in the way the Dead Sea Scrolls pushed back the date of a Hebrew bible and enabled the reconstruction of the pre-Christian history of Palestine'. This downbeat assessment was later echoed by Salomon, when with the benefit of preliminary study he stated that 'The survey of the new fragments carried out to date ... has revealed nothing that is startlingly at odds with early Buddhist doctrine as previously understood, nor is there much reason to expect that further analysis will turn up anything that will be' (Salomon 1999, 9).

But if it is hard to assess the real significance or importance of the scrolls, it is no easier to ascertain what material damage might have been caused by their recovery and trade. It is clear that the scrolls were damaged by their transfer into the pickle jars and during their subsequent transport. Another photograph said to have been taken in 1993 of a fragment out of pot D showed several lines of text that no longer survived when the fragment was studied after its acquisition by the BL (Salomon 1999, 21, pl. 6). There was also a large amount of 'debris' recovered from the jars, said to be significant for study of two of the scroll fragments (Salomon 1999, 52). It was also discovered, however, that the scrolls had probably already suffered damage before being buried in pot D, so it was not possible to ascertain from the

surviving fragments what had been lost prior to original deposition, and what had been lost since (Salomon 1999, 70). Some idea of what might have been lost during their excavation can be gained from an interview conducted by the NRK programme with a shepherd near the Pakistani town of Gilgit. He told of the devastation caused on the ground by one gang of looters who had visited his area looking for ancient manuscripts — pots were broken into pieces to retrieve manuscripts and more than 500 manuscript fragments were left behind scattered on the ground (Lundén 2005, 5). No doubt this scenario has been repeated at many sites in Afghanistan, including wherever it was that the BL scrolls were discovered. It is impossible to estimate how many manuscripts have been destroyed, or what archaeological and architectural damage accompanied their extraction. The Buddhist site of Hadda itself and its museum are said to have been destroyed by a combination of fighting and looting in the 1980s (Lee 2000). The Buddhist literature and the monastic landscape of Gandhara have no doubt both suffered grievously during the hunt for saleable manuscripts, but just how grievous the damage actually is will only become clear when the political situation normalizes and it becomes possible once more for archaeological projects to work in the area and to assess the damage.

In its statement the BL does not address archaeological concerns about the destruction of context and material or about the economic nexus of its acquisition. Instead the acquisition is justified by reference to the so-called 'rescue argument' — the scrolls would have disintegrated if the BL had not moved to acquire them, and as a positive result of the BL's intervention they have now been expertly conserved and made available to the scholarly community. No assessment is made of what damage might have been caused by the initial recovery and subsequent trade of the scrolls, nor of the effect on the market of their acquisition, or of how scholarship may have suffered in consequence. The BL develops the rescue argument further in a letter dated 22 November 2004 to the Afghan Embassy in London that makes reference to the BL acting in a 'world stewardship' role by providing a 'safe haven' for the manuscripts. These are concepts that are glaringly absent from the new DCMS due diligence guidelines for museums, libraries and archives on

collecting cultural material (DCMS 2005). The basic principle underpinning these guidelines is clear. Museums (including libraries) should only acquire material if it is legally and ethically sound (DCMS 2005, 4). While these guidelines have no retrospective force it is clear that in future the BL should not use the 'rescue argument' as a justification for acquiring any material with such a dubious provenance.

The BL statement also reveals an interesting ethical twist of the rescue argument when it describes Dealer 2, who mediated the acquisition, as 'reputable'. It seems a curious use of the term to describe a dealer who approached the BL with material he believed to have been smuggled out of Afghanistan, but when the dealer is considered to have taken part in a 'rescue' his reputation remains intact and is even enhanced.

The most controversial allegation of the NRK programme, however, was that the BL acquisition triggered off a campaign of looting in Pakistan and Afghanistan. The allegation was based on the testimony of a London-based Pakistani smuggler, who claimed that when manuscripts were first discovered in Afghanistan, it was not certain that there was a market for them. In the past looters had been intent on recovering sculpture and artefacts for the 'art' market, and manuscripts were something new. He maintained that this situation changed after the BL acquisition when manuscripts had come to be targeted too. The NRK allegation can probably never be verified, though there is independent confirmation that the BL's acquisition prompted the Norwegian collector Martin Schøyen to start assembling his several thousand Buddhist manuscripts including 238 fragments written in Kharosthi script (Matsuda 2000, 99).

It is clear that the BL manuscripts probably comprised the first large collection of its kind to appear on the market in recent times. With the exception of a single manuscript that was discovered in 1892, at the time of their acquisition the BL scrolls constituted the only known corpus of Gandharan Buddhist literature. Since then, a lot more material has appeared, including the Schøyen collection, and, interestingly, the so-called Senior collection of 24 birch bark scrolls or scroll fragments also in Kharosthi script. These scrolls are the property of Robert Senior and are said to have been found inside an inscribed clay pot that may have been discovered in or

around Hadda, although the exact provenance is unknown (Salomon 2003, 73–4). On its website, the EBMP estimates that the amount of material it has available for study has 'approximately tripled since the project began in 1996'.

But the fact that the BL collection was acquired before those of Schøyen and Senior and apparently heralded a flow out of Afghanistan of Gandharan manuscripts does not in itself prove that the BL created the market. As noted above, archaeological sites around Hadda were looted in the late 1980s, and if manuscripts first began reaching Britain soon after that time they might have been sold anyway without the BL's acquisition. Nevertheless, for some collectors and institutions the BL must surely set a legitimizing example, and if it had acted firmly when first offered the scrolls by publicly rejecting their acquisition and denouncing the illegal removal of manuscripts from Afghanistan, it would surely at least have exerted a dampening effect on the market. By failing to take such timely and decisive action it is probably true to say that the BL is at least partly responsible for what presently seems to be a buoyant market in smuggled manuscripts.

Another worrying consequence of the BL's acquisition might be its role in the establishment and continuing support of the EBMP, which has now turned into a small academic industry for processing unprovenanced manuscripts from Afghanistan or Pakistan. While the scholarship and industry of the EBMP are beyond reproach, it appears to be working in an ethical vacuum. Its website claims that the project has 'placed the highest priority on publishing the manuscripts as quickly as possible without compromising appropriate scholarly standards', but nowhere is there any consideration of the ethical implications or material consequences of studying material that has in all probability been removed illegally out of Afghanistan.

It is not clear what involvement the BL currently has with the EBMP, and whether it is continuing to provide financial or expert support. It is known that the so-called Senior collection which is being studied by the EBMP was conserved at the BL (Salomon 2003, 74), presumably sometime after 1994, though it has not been made public whether this was a commercial arrangement or in any way connected to the BL's acquisition of its own scrolls. It is now

government policy in the UK that libraries should not acquire or borrow material that has been illegally excavated or illegally exported since 1970 (DCMS 2005, 4)¹, and if the BL is continuing to support the trade in such material by contributing money or expertise to the EBMP, or facilitating such support, it should stop immediately.

As a result of the NRK programme, in November 2004 the BL approached the Afghan Embassy in London and indicated that it would be prepared to return the scrolls to Afghanistan if the Afghan government could 'evidentially substantiate' a claim for restitution. But it is clear that for the purposes of scholarship the BL and the EBMP have already been happy to accept an Afghan provenance. The BL is wrong to claim in its statement that the current scholarly position is that there is no reliable information available as to the provenance of the scrolls. The Salomon quote the BL statement provides is incomplete. The complete relevant section of text is as follows:

No reliable information is available as to the circumstances, location, and date of the discovery of the manuscripts and associated materials. This is highly regrettable, as the loss of a proper archaeological context seriously diminishes their scholarly value. To a certain extent, however, this damage can be undone, since some of the missing information can be partly reconstructed through comparative research. A few of the relevant points concerning this are introduced briefly in this section, and these issues are discussed at greater length in the relevant places in the following chapters.

As to the original provenance of the jars and scrolls, oral reports, received indirectly, suggested that they had come from Afghanistan. Although such reports are by no means necessarily reliable, subsequent analysis of these relics has confirmed that they are very likely to have come from eastern Afghanistan. The abundant Buddhist stupa sites in the Jalalabad Plain (the ancient Nagarahara) and particularly those in the neighbourhood of the village of Hadda have yielded many specimens of both inscribed jars and Buddhist manuscripts in Kharosthi script that seem closely to resemble the new materials, although few of the former and none of the latter have ever been properly published. Thus, as will be discussed in sections 3.2 and 3.4, the new relics can be presumed to have come from somewhere in this region, possibly from the Hadda area itself. Given the difficult conditions that have prevailed in this area for many years and continue to do so as of this writing, it has been impossible to investigate the matter on-site or even to obtain any kind of reliable information about it, so that for the foreseeable future at least, we must be content with this circumstantial but highly probable hypothesis.

Thus the current scholarly position is that it is highly probable that the scrolls came from Afghanistan and indeed they are currently listed on the EBMP's website with a 'Hadda' provenance. The government of Afghanistan should not be asked to 'evidentially substantiate' what has already been accepted for the purposes of scholarship, and the BL should start negotiations now to arrange for the return of the scrolls to Afghanistan when conditions permit, or at least as an interim measure to transfer title.

The looting and destruction of archaeological sites are now common accompaniments of modern warfare, and the fate of cultural material from war zones that is thrown up on the international market, particularly the fate of written materials such as the Buddhist manuscripts from Afghanistan that are the subject of this paper, continues to pose problems for the international community. The BL chose to 'rescue' the Kharosthi manuscript fragments by buying them, but it has since been criticized for that decision on the grounds that its purchase might have exacerbated an already parlous situation.

The archaeological perspective developed during this paper is that it cannot be known what has been lost to scholarship as a result of the scrolls' extraction and trade and thus the value of what has been 'saved' by their acquisition cannot be judged. But there is also a public security dimension. The NRK programme alleged that one Pakistani antiquities dealer then living in London had in the past dealt in guns and drugs and had subsequently maintained contacts with the Taliban regime, exchanging weapons for artefacts (Omland in press). Links between artefact looting and the mujahideen and other armed groups in Afghanistan have been known since at least the mid-1990s (McGirk 1996; Lee 2000), 'most notably in the east near the Hadda museum' (Dupree 1996, 47), and it has since been claimed that within Afghanistan the purchase and subsequent sale abroad of looted antiquities is being used to launder drugs money (Kluyver 2001). To be fair, back in the early 1990s the BL was probably unaware of these possible connections between the drugs, weapons and antiquities trades, but unfortunately today when considering an acquisition of unprovenanced material the exercise of due diligence must extend beyond ensuring the legitimacy of an object to investigat-

ing the affiliations of dealers and the destination of any money that may change hands. It is not clear from the documents supplied by the BL if the name of Dealer 1 is known to them, whether he might be the same dealer identified in the NRK programme, or if the BL is aware of who his principals might be in Pakistan and Afghanistan.

The BL has consistently defended its acquisition of the scrolls by claiming to have acted in the interests of scholarship. But there are scholars interested in subjects other than Buddhist literature, subjects that are arguably more socially relevant. The cultural and material damage caused by the extraction of the scrolls and the legal, economic and social contexts of their trade and reception are all legitimate areas of study for archaeologists, sociologists, criminologists and lawyers, and by failing to enter into a full and open debate about the circumstances of their acquisition the BL has in effect helped to stymie scholarship. If the resources that have been expended on the conservation and study of Buddhist manuscripts recently moved out of Afghanistan had been used instead to investigate their trade, the interests of scholarship and of the public would both have been better served.

Note

1. The British Library is recommended in the DCMS guidelines as a source of specialist advice on the issue of due diligence despite its reluctance to engage in discussion about the acquisition of the Kharosthi manuscript fragments.

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NEIL BRODIE

McDonald Institute for Archaeological Research
Downing Street
Cambridge
CB2 3ER

In the News

JENNY DOOLE

Robert Hecht and the Getty

On the 16 November 2005 in Rome, antiquities dealer **Robert Hecht** and J.P. Getty Museum curator **Marion True** were charged in court with **conspiring to receive stolen art** and, in the case of Hecht, with the **illegal export of antiquities**. The charges arise out of evidence obtained during the investigation of Italian antiquities dealer **Giacomo Medici**, who was himself convicted in December 2004

of receiving and illegally exporting stolen antiquities ('In the News', *CWC*, Issue 16). The court reconvened in December and dates were set for further proceedings in 2006 (M. Lufkin, 'Ex-Getty antiquities curator appears in Italian court', *Art Newspaper*, December 2005). The trial itself, however, was largely overshadowed by the associated media furor as internal Getty documents and evidence produced in court during the trial of Medici were made available to the press, including a handwritten 'memoir' of Robert Hecht, seized during a raid on his Paris apartment in 2001.

In September 2005, the *Los Angeles Times* gained access to hundreds of pages of what

the J. Paul Getty Museum described as stolen documents. The documents offer insights into Getty acquisitions and acquisitions policy as far back as 1985 (J. Felch & R. Frammolino, 'Getty kept items to itself in probe', *Los Angeles Times*, 2 September 2005; J. Felch & R. Frammolino, 'Getty had signs it was acquiring possibly looted art, documents show', *Los Angeles Times*, 25 September 2005).

In one 1985 memo the then acting Curator of Antiquities Arthur Houghton wrote that three objects under consideration for acquisition from Maurice Tempelsman had been excavated illegally in Italy and passed onto the market through Medici before being bought by Tempelsman through the mediation of Robin Symes and Robert Hecht. Despite this knowledge, the Getty acquired the objects for \$10.2 million. When contacted by the *Los Angeles Times*, Deborah Gribbon, who was the Getty's deputy director at the time, defended the acquisition on the grounds that the information offered in the Houghton memo could not be verified and that at the time patrimony laws were little known and seldom enforced. One year later, in 1986, Houghton resigned his position in protest over the Getty's acquisitions policy and what he called 'curatorial avarice'.

In a 1987 document the then CEO of the Getty Trust, Harold Williams, described Robin Symes as a 'fence', though Williams now says that it was a hypothetical characterization adopted during discussions that preceded the 1987 adoption of the Getty Museum's first formal acquisitions policy. Nevertheless, despite this policy, in 1988 the Getty paid Robin Symes \$18 million for a 400 BC south Italian or Sicilian statue of Aphrodite, with the minimal provenance of a Swiss private collector (See 'Aphrodite', *CWC*, Issue 11).

In 1996, the Getty acquired the Fleischman collection. The documents show that the Museum paid \$20 million for 33 pieces and received the remainder as a donation valued at \$40 million. Most of the objects in the Fleischman collection had no provenance, and many had been obtained through Medici, Hecht and Symes. The Getty returned three of

the Fleischman objects to Italy in 1999 after it was discovered that they had been stolen from an excavation storeroom ('In the news', *CWC*, Issue 4).

On the basis of evidence assembled during the investigations of Medici and Hecht, Italy is now demanding the return of 42 allegedly stolen objects from the Getty, including a further 11 objects from the Fleischman collection. The *Los Angeles Times* claims that an internal Getty review in 2001 discovered that as many as 82 objects had been acquired through Medici, Hecht and Symes, despite doubts about their honesty that had existed at least since the 1985 Houghton memo. The *Times* also claims that the same review discovered some potentially incriminating documents, but that they had not been made available to the Italian prosecutors, despite a Getty claim of full cooperation.

In reply to the *Los Angeles Times*' allegations, the Getty stated that it had never knowingly acquired an object that had been illegally excavated or exported illegally from another country.

In 1995 the Getty adopted a revised acquisitions policy, and there is no evidence in the published documents that the Museum has since acquired anything in contravention of that policy.

In October 2005 Marion True resigned her position as Curator of Antiquities at the Getty for reasons totally unconnected to the Italian trial. In 1995 she had bought a holiday home on the Greek island of Paros with a \$400,000 loan obtained with the help of Christos Michailidis, partner of long-time Getty supplier Robin Symes. The loan was judged to have contravened Museum rules on possible conflicts of interest (R. Frammolino & J. Felch, 'Getty curator resigns in loan flap', *Los Angeles Times*, 3 October 2005).

Hecht's memoir seized in 2001 apparently contains a new account of the provenance of the famous Euphronios krater, which was sold by Hecht to the Metropolitan Museum for \$1 million in 1972 (J. Felch & R. Frammolino, 'Italy says its proven vase at Met was looted', *Los Angeles Times*, 28 October 2005). At the time, Hecht said he had bought the krater

from a Lebanese dealer and that it had been in Lebanon since before World War Two (and thus before the enactment of Italy's 1939 patrimony law). However, in his memoir, Hecht recounts that he bought the krater from Medici for \$380,000, although both Medici and Hecht now deny that this was actually the case. Hecht claims it was a fiction designed to increase the memoir's saleability. The Italian prosecutors also have a sworn statement from Marion True that Dietrich von Bothmer, former curator at the Metropolitan, once showed her on an aerial photograph the location of the Etruscan tomb at Cerveteri where the krater was found, an occasion denied by von Bothmer.

The Italian authorities also claimed to have identified pieces sold illegally by Medici through Sotheby's at several museums (V. Silver, 'Smuggling ring used Sotheby's 110 times, Italian probes show', *Bloomberg.com*, 4 November 2005). The museums are:

- Metropolitan Museum of Art (8 pieces, including the Euphronios krater)
- Boston Museum of Fine Arts (22 pieces)
- Princeton University Art Museum (1 piece)
- Cleveland Museum of Art (1 piece)
- Toledo Museum of Art (1 piece)
- Ny Carlsberg Glyptotek (6 pieces)
- Munich Antikensammlungen (2 pieces)
- Miho Museum (1 piece)
- A Tokyo museum (2 pieces)

Many of these pieces appear on Polaroid photographs seized during the 1995 police raid on Medici's warehouse showing what appear to be freshly excavated artefacts. Further pieces known from the photographs have been identified at the Boston MFA and the Minneapolis Institute of Arts (J. Felch & R. Frammolino, 'Several museums may possess looted art', *Los Angeles Times*, 8 November 2005).

When contacted about these allegations, the Metropolitan, Boston and Princeton claimed to comply with guidelines drawn up by the Association of Art Museum Directors (V. Silver, 'Tomb-robbing trials name Getty, Metropolitan, Princeton Museums', *Bloomberg.com*, 31 October 2005).

In further response to the Italian allegations, the Boston MFA stated that it had acquired through purchase or donation 116 objects from Robert Hecht, the last piece in 2004 as a gift in honour of the retiring curator John Herrmann, and that it intended to contact the Italian authorities about the material in question (G. Edgers & S. Celeste, 'Case in Italy suggests MFA received stolen art. Museum says it received no proof', *Boston Globe*, 4 November 2005; G. Edgers, 'The MFA is approaching Italian authorities', *Boston Globe*, 5 November 2005).

On 10 November, three objects (a sixth-century BC tombstone from the Sicilian Greek settlement of Selinunte; a krater from Paestum dated to about 340 BC; and a bronze Etruscan candelabrum) arrived in Italy from the Getty. They had been on the list of 42 objects that Italy wants returned, and were returned by the Getty voluntarily (V. Silver, 'Three "illicit" antiquities from Getty Museum returned to Italy', *Bloomberg.com*, 10 November 2005).

On 22 November, the Metropolitan's director Phillippe de Montebello met with Italian government officials to discuss Italian claims on 22 objects in the Metropolitan's collection: the Euphronios krater, 6 other pots, and the Morgantina silver, a collection of 15 pieces of silver thought to have been removed illegally from the site of Morgantina in Sicily. A draft agreement was announced whereby the Metropolitan would cede title to Italy of any object for which there is incontrovertible evidence that it was illegally excavated in Italy. If an object was to be returned to Italy, Italy would provide on loan an object of equal importance (E. Povoledo, 'The Met may settle with Italy', *New York Times*, 24 November 2005). Incontrovertible evidence might, however, be difficult to come by. Writing for *Bloomberg.com*, Vernon Silver suggested that apart from the Euphronios krater there is in fact little direct evidence to link the six pots identified on the Medici photographs with illegal excavations in Italy ('Italy lacks proof Met's antique pots were looted, papers show', 30 November 2005).

On 23 November it was reported that Greece was about to join the fray by launching legal action against the Getty for the return of four pieces said to have been exported illegally (R. Frammolino & J. Felch, 'Greece vows legal action against Getty', *Los Angeles Times*, 23 November 2005).



UK

- *December 2005*: New **due diligence guidelines for museums**, galleries and libraries were published by the UK government. They are available on the Internet at http://www.culture.gov.uk/NR/rdonlyres/721E9365-38BE-4AF8-BF8D-BE5B4BF8B21C/0/CombatingIllicitTrade_v5.pdf.
- In an interview with *Archaeology* magazine (April 2005) **Roger Atwood**, author of *Stealing History: Tomb Raiders, Smugglers, and the Looting of the Ancient World* (New York: St Martin's Press, 2004) describes how he **first came into contact with archaeological looting** in the early 1980s, while working on a dig on the Channel Island of Guernsey, UK. During that time he and other archaeologists were required to sleep in tents on the site to protect it from coin hunters.
- In October, Vernon Silver of Bloomberg.com interviewed **Doreen Stoneham**, who directed Oxford University's Research Laboratory for Archaeology and the History of Art's thermoluminescence authentication service from 1970 to 1997. She recalled being **flown out to Switzerland in the mid-1980s by two Italian tombaroli** to sample for testing an Etruscan sarcophagus that had been discovered in Italy. She suggested that such practices were 'OK at the time' (V. Silver, 'Tomb-robbing trials name Getty, Metropolitan, Princeton Museums', Bloomberg.com, 31 October 2005).



Latin America

- In September the **World Monuments Fund** launched a **large-scale conservation project for seven Precolombian sites** on the Yucatán Peninsula, Mexico. One aspect will focus on arresting the destabilization of structures caused by years of looting at Ek Balam.
- **Two Mayan stone tablets**, discovered in a looters trench at the site of La Corona, northern Guatemala in April by archaeologist Marcello Canuto, **may be further proof** that the site is 'Site Q'. Over the last 40 years, scholars have speculated as to the location of Site Q as large numbers of antiquities taken from its carved monuments have appeared on the art market.
- After a two-month investigation working with Florida police, US Immigration and Customs Enforcement made their **largest ever seizure of 322 Precolombian artefacts** (including gold jewellery, pottery and textiles). One arrest was made in Miami.
- After a trek to archaeological sites in the **highlands of Peru**, explorer Sean Savoy spoke out about **damage caused by looting**. In an interview with the Associated Press (6 September 2005, MSNBC.com) he said that at Gran Saposoa, a Chachapoyas metropolitan complex north of Lima, a carved stone head had been hacked from an important structure and at another site, previously unknown to the scientific team, more than 50 stone cut tombs had been wantonly destroyed with picks and axes.
- In August 2005, Customs and Border Protection officers at Columbus port, New Mexico, discovered **two metates** (grinding stones, dated to c. AD 1200–1450) in the boot of a 1997 Chevrolet Suburban passing from **Mexico to the US**. The ancient objects were wrapped in blankets under other items. The driver, a man from the Midland-Odessa area said that he had found

them, and was not charged with possession of stolen property as officers would have to prove he was aware he was committing a crime. The metates were returned to the Mexican Consulate in El Paso.



Iran

- *The Guardian* (14 November 2005) reports on **escalating tension between farmers in the hills of Khuzestan, southern Iran and the Cultural Heritage Department**. The area is believed to be the site of the ancient Persian city of Jondishapour, which authorities would like to excavate and promote as a symbol of national pride. Not only have plans to acquire farmland by compulsory purchase and to place bans on cultivation inflamed local opinion, but feelings are running high since criminal charges have been pressed against dozens of farmers for allegedly damaging parts of the site digging for antiquities to sell. Cultural Heritage officials claim looting is rife, an argument strengthened by the frequent posting of advertisements for metal detectors in local towns and villages.
- Archaeologists at the **ancient cemetery of Tul Ralesh in Gilan Province** are struggling to work out **how many illegal excavations** are happening at the site since looters have discovered a new way to work. According to director Mohammadreza Khalatbari, the **robbers are tunnelling between graves**, so that one looter's pit can lead to five or ten other graves. He believes they are dealing with professional looters at the site, who will only be stopped when a permanent police presence is made available (see Mehrnews.com, 25 October 2005).
- *October 2005: Tehran police announced the seizure of 24 Achaemenid (first-millennium BC) items*, which had been sold to smugglers for transfer abroad. The objects, recovered from the 'bāgh-e Feyz' district, included a remarkable book made of eight

pages of gold inscribed with cuneiform, a gold statuette of an ibex, gold and bronze jewellery and buttons, stone and bronze statuettes, two stone spindle whorls, and some silver items. The farmer who allegedly found the treasure while ploughing in Rudbār was also arrested.

- **Oscar White Muscarella**, in an article in the *Bulletin of the Asia Institute* 15 (2005, 173–98) **summarizes the published and other sources currently available regarding** the recently discovered **ancient Jiroft culture**, Iran, and its plunder (see 'In the News', *CWC*, Issue 15). He suggests that lack of clear information about the circumstances of confiscation of 'Jiroft' material is hindering study of the assemblage, and that forgeries could have entered the corpus in Iran before material was smuggled out of the country.
- Ali Mahforuzi, **director of the Cultural Heritage Center, Mazandaran province, northern Iran, has recorded unprecedented levels of illicit excavation** in the area. He says (Cultural Heritage News Agency, 30 July 2005) that in one 1000 m² area, evidence of more than 250 illicit excavations was found, and a staggering 100,000 were discovered and recorded in a 100-kilometre stretch from the provincial capital, Sari, eastwards. He warns that more sites will be harmed if cultural heritage guards do not start protecting the area.



Former Yugoslav Republic of Macedonia

The **Directorate for Protection of Cultural Heritage** in Macedonia says that **illegal excavation has escalated to alarming levels** in the country, especially since independence in 1991 (see *Balkan Crisis Report*, No. 575, 16 September 2005).

- Between 1995 and 2003 around 2500 artefacts stolen from the Iron Age site of Isar

Marvinci, southeastern Macedonia were recovered, presumably a tiny proportion of what has been lost.

- Archaeologist Vikto Lilcic thinks that there is not an ancient site of the 5000 or so in the country not damaged by looters.
- Even a small item of Iron Age Macedonian bronze can make €1000 on the black market, and first- to seventh-century jewellery and coins are also in demand.
- The Interior Ministry has filed charges against nationals from Greece, Serbia and elsewhere.
- The authorities are hampered by legal loopholes, understaffing and lack of equipment.



Italy

- **71 artefacts were recovered by police** from two locations in the city of **Porto Torres**. One group of objects (including millstones, pestles and farming implements) seems to have come from a large and organized Nuragic settlement (c. 2000 BC) and shows signs of damage caused by large-scale farm machinery, despite the fact that such sites are in theory protected by law. The other objects included pieces of marble friezes from an imperial Roman temple, coins, and tombstones. According to AGI (30 November 2005), judging from the pedestal marks on its base one item, the bust of an imperial woman, may have been **stolen from a museum**.
- In June 2005 police in Verona recovered around 3000 Roman artefacts (including coins and jewellery) during a series of raids. They are believed to have been illegally excavated from sites in Italy and Bulgaria.
- *September 2005*: Roman police announced their belief that the **removal of a piece of carving from the 'Fontana della Navicella'** (Little Ship Fountain) near the Colosseum — an apparent act of vandalism — was in fact a **commissioned art theft**.

Thieves broke off and stole several pieces from the fountain, including the boar's snout-shaped prow of the carved galleon. One of the pieces was **later found in a plastic bag** in the south of the city. Had it not been broken, it may have been worth up to €4000 on the black market. Similar thefts have been reported in recent months, and pieces have been found following tip-offs (see ANSA.it, 21 September 2005).

- *October 2005*: **Italian police** said that, acting on a tip-off from archaeologists in Rome, they had **arrested five alleged tomb robbers and/or collectors** in possession of 600 ancient artefacts and traced around **3000 more illicit antiquities to the Linz home** of an 82-year-old Austrian tour guide nicknamed 'Mozart', who they allege employed the five. He was not arrested due to his advanced age. The objects were said to originate **mainly from sites around Rome** and include gold, silver and ceramic objects, marbles, bronzes, and large Etruscan vases. In a video of the raid, officers were seen digging up bin bags containing dozens of vases. The tour director claimed his pieces were merely sherds, and had been bought at fairs during his 40-year career.



India

- *December 2005* (Free New Mexican): **28 ancient Jain idols**, from among 53 which were stolen from Sri Digambar temple at Hansi in October, were **recovered and a man arrested at Bhiwani**. The accused man, who was on bail for attempted murder and allegedly also in possession of illegal arms, said that he had planned and executed the robbery with three friends he had met in jail, and that they had intended to sell the idols to international smugglers.
- The **Archaeological Survey of India (ASI)**, as part of their **efforts to curb antiquities smuggling**, are planning to **document unprotected monuments** in a country-wide

heritage mapping project. A data base of antiquities in state and private possession will also be drawn up and is also expected to be a useful tool.



Provenance problems

The Christian Science Monitor (7 November 2005), reporting on **pressures facing museums in the light of current high-profile cases** concerning acquisition of allegedly illicit antiquities (see Getty case), relates a case study from dealer **Hicham Aboutaam** of Phoenix Ancient Art. An 80-year-old woman arrived at their offices offering for sale two items which she said her step-father had obtained from the tomb of Tutankhamen. Although she had no paperwork to back up her claim, research by the dealers showed that the objects were genuine Egyptian antiquities — although not from that particular tomb — and that her step-father Frank Compton had been researching his Encyclopaedia in Egypt at the same time as the tomb was opened. The owner signed a **notarized affidavit** to this effect and with this documentation the pieces were sold to an anonymous major US museum.



Iraq

- A local not-for-profit 'culture and environment' group in the city of Kut, southern Iraq, has **rescued 287 objects** looted from the local museum following negotiations with locals — mainly families living near the museum. Abdulridha Dawood said he hoped to **form similar groups** in other provinces and launch a **nation-wide campaign** to protect Iraqi heritage (Azzaman, 7 December 2005).
- In August 2005, **Iraqi police arrested 17 people in the town of Bathaa**, west of Nasiriyah, on charges of antiquities theft and smuggling.
- In October 2005, Iraqi minister for tourism

and antiquities affairs, Hashem Al Hashemi, **demanding an amendment to the country's draft constitution** to bring Iraqi cultural heritage under central government protection. The drafting committee argued that after thorough discussion, they had decided that local authorities should have responsibility for supervising and protecting antiquities and sites in their respective regions.

- According to the Institute for War and Peace report (No. 350, October 2005) **two men were arrested in Nasiriyah, Iraq in possession of seven ancient Sumerian artefacts**. Twenty-six others were also charged and fined in connection with the thefts.



Israel

- *July 2005*, northern Israel: After two-months' surveillance and the **discovery of antiquities** (including coins, jewellery and ancient cosmetic utensils) worth thousands of dollars in his home, officers from the Israel Antiquities Authority (IAA) **questioned an Israeli Arab under police warning**. The man had been seen meeting suspected illegal antiquities dealers.
- Following a complaint from the IAA, Professor **Hanan Eshel of Bar-Ilan University was arrested in November 2005** suspected of buying pieces of a **Leviticus scroll** (Bar Kokhba period 132–135 CE) from three West Bank Bedouin for \$3000, and not reporting the purchase to the IAA. Eshel and a PhD student, **Roi Porat**, who was allegedly **shown the items**, were released after questioning. A third person, said to have provided funds, was also being questioned. The scroll has now been handed to the IAA. Eshel claims he bought the scroll pieces to save them, and had them photographed at a police laboratory afterwards, which the police deny.



Investor concerns

- *Business Week* online (26 September 2005) reports:
 - That **dwindling supplies and rising demand** for antiquities which can be traded legitimately, caused by tighter controls and heightened awareness, have **pushed up prices in auction houses**.
 - Interest in **East Asian religion** and practices has also **increased demand for Asian antiquities**.
 - Selim Dere of Fortuna Fine Arts, New York says that **prices for Gandharan material have risen 25 per cent** in two years as it is hard to come by.
 - **Hicham Aboutaam** of Phoenix Ancient Art, New York, comments that people are surprised how **affordable antiquities** are compared to modern art and jewellery.
- In December 2005, following court action, businessman **François Pinault** was ordered to **pay Egyptologist Luc Watrin €26,000 (\$30,000) as unpaid fees for research** on a statue of Sesostri III bought by Pinault in 1998 for \$500,000, Pinault now believes the statue to be modern and has been fighting to get the sale annulled.

Greece

- Giorgos Gligoris of the Hellenic Police Force's anti-trafficking unit spoke to the *Boston Globe* (11 September 2005) about **looting of underwater sites off the Greek coast**. He claims that some looters pose as wealthy tourists cruising on yachts, and that the rise of Internet auction houses has enabled criminal gangs to launder illicit antiquities. Katerina Delaporta of the Department of Marine Antiquities added that current availability of high-tech search equipment means that **thieves often beat state archaeologists to wrecks**. In face of the rise in thefts, however, state archaeolo-

gists have discovered 30 ancient wrecks in the past five years, which are now protected by coast guards, compared with five found in the previous decade.

- In October 2005, a **collector from Patras was charge with illegal trading in antiquities** when ancient coins (Byzantine, Roman, Venetian and Ottoman) were found by state inspectors at his city-centre antiquities store.
- *January 2006: Three Iranians were arrested by Greek authorities for allegedly attempting to sell three ancient Greek coins* for €17,000. Photographs of hundreds of similar coins were also seized, as well as a knife and some hashish.

Bulgaria

- *December 2005 (Sofia News Agency): Two men from Silistra, Bulgaria, were caught by police trying to sell 61 ancient coins* to a man from Razgrad. During subsequent searches of apartments owned by the latter, further artefacts were recovered, including gold, silver and bronze coins, bronze ornaments and a piece of Thracian pottery.

Spain

- Three commercial **divers from Britain who were arrested in Galicia, Spain** in May 2002 will face charges which could lead to six years imprisonment. They had won a contract to salvage 220 tons of tin from the nineteenth-century Dutch cargo vessel the *Friesland*, but are **accused of exploring the remains of the nearby wreck of a seventeenth-century galleon**, the *Dom Pedro*. Investigators found minimal disturbance and nothing of value missing from the sites, and the divers from Force 9 Salvage insist that the only items retrieved were of nominal value and for identification purposes.

USA

- *The Daily Citizen* (20 August 2005) reports on the **connection between arrowhead hunting and methamphetamine abuse**. Arkansas County Sheriff Pat Garret says that he expects to find arrowhead collections whenever he is searching homes of suspected methamphetamine users. Methamphetamine user Toby Young suggests that the tedium and concentration required when hunting for ancient artefacts appeals to those who need something to focus on while high. He says he has spent 30 hours a week searching, and on some nights ran into a dozen or so others in the same situation. According to Young, collections are often traded among drug users and dealers although he sold his to collectors for \$1250 in order to raise lawyers fees.
- Arizona state archaeologists opened an investigation in December 2005 after **signs of looting were discovered in the floor of a twelfth-century pit house in Picture Canyon**, east of Flagstaff. They suspect that the looters were disturbed because they left behind a shovel and torch, and would have been unlikely to find artefacts as the site had been thoroughly excavated in the early twentieth century.
- 'In the News', *CWC*, Issue 14 reported that **Nickolas Greer of Kayenta**, Arizona was sentenced in February to three months' probation, including 180 days of home confinement whereas according to the February 24, 2004 press release from the United States Attorney District of Arizona Mr Greer was sentenced to three years probation as well as the 180 days of home confinement.
- In October 2005, the Washington Attorney General's Office **settled charges with Thesaurus Fine Arts prohibiting them from selling antiques in Washington** and requiring them to pay more than \$350,000 in penalties and costs. The settlement re-

quires that Thesaurus refund customers a possible \$100,000 to \$200,000 because they misrepresented the age, authenticity and value of ceramic items of Asian art sold through their Seattle store and on eBay. The Attorney General says the settlement sets clear standards, serves notice to all sellers that such misrepresentation is unlawful, and reminds consumers to 'do their homework' before buying such objects. (see http://www.consumeraffairs.com/news04/2005/wa_antiques.html).

- In November and December 2005, SVA Sculpture Building, New York presented a **solo exhibition by Charles Vicent Sabba Jr.**



Photo: Charles Sabba

Designed as a '**visual investigation into the global art markets underworld**', it comprised oil paintings, sculptures, video and various mixed media. In the large street-front window space was an installation which recreated an illegal archaeological dig, with a harpy tearing pages out of a history book. Behind the 'dig' an oil painting featured another harpy, depicted as a parody of Marion True, and a dragon symbolizing the Italian police. Letters between Marion True and her co-defendant Robert Hecht surrounded the painting. Inside, another installation recreated a crime scene symbolizing the theft of the Euphronios krater and its subsequent sale to the Metropolitan Museum of New York.



Cambodia

- In October, at Angkor Wat, **Heritage Watch** opened a **two-month exhibition to educate tourists** about the disastrous effects of looting and of buying illicit antiquities.
- Terressa David of Heritage Watch (AFP, 23 September 2005) says that **increased protection at Angkor Wat, together with sustained demand for Cambodian antiquities**, has meant that **looters have moved their activities to other temples and sites**. Especially hard-hit are poor regions along the Thai border, such as Banteay Meanchey province where whole cemeteries have been ransacked.
- Meanwhile, **Culture Cambodia** (30 September 2005) tells of a **community education programme** for villagers and schools in the vicinity of the temple of Phnom Chisor, north of Phnom Penh. Unlike similar sites, the building is more or less intact.
- In October, police and government officials expressed **concern at unabated looting of cemeteries in Banteay Meanchey and Oddar Meanchey province**. They say people from neighbouring districts have been ransacking graves for the last three years, but don't really make much profit and some make no money at all. The government argues that provincial authorities must do more to stem looting in their areas of responsibility, but *Cambodia Daily* (31 October 2005) reports the deputy police chief of Banteay Meanchey province insisting that looting is on the wane, while the deputy governor of Oddar Meanchey province claimed that illegal digging had stopped there since police arrested more than 30 looters in Banteay Ampil district in September. They were detained for two days to attend an anti-looting initiative.

Ethiopia

October 2005: The **Ethiopian government publicized its ongoing efforts to stem theft and smuggling of the country's cultural heritage**. As well as a campaign to raise awareness among both tourists and locals, and increased vigilance, the Ethiopian Tourism Commission is working quickly to preserve and document important cultural objects as part of a \$5 million World Bank-funded scheme.

Syria

Antiquities stolen from Syria three years ago were **recovered in November, 2005**, from two Syrians allegedly trying to smuggle them into **Germany from Switzerland**. The objects, dating from 2000 BC to the Ottoman era, included coins, jewellery, glassware, ivory tools, arrowheads, pieces of mosaic and cuneiform-inscribed plates. The haul has been returned to Syria where a committee has been formed to study them and they will be displayed in museums. Bassam Jammous, director general of Antiquities and Museum Department told *newsfromrussia.com* (<http://newsfromrussia.com/world/2005/11/07/67143.html>) that negotiations are underway to secure the return of other antiquities — four stolen mosaic tablets — from France.

Egypt

- **Three Old Kingdom Egyptian statuettes were recovered during a police operation in Giza**. The statuettes were found to be missing after they were loaned to the Egyptian Museum for an exhibition. Two men who had been working as part of a team renovating the museum basement and so not subject to usual security checks, apparently made off with the objects. They circulated photographs to antiquities traders and were arrested by Tourism and Antiquities Police when, following a tip-

off, they sold them to an undercover agent for LE500,000.

- In August, **seven people were convicted for their part in a massive antiquities smuggling operation**, and three were acquitted ('In the News', *CWC*, Issues 13 & 15). Four of the seven, including a Swiss citizen and a German Egyptian, were convicted *in absentia*. Abdel Karim Abu Shanab, formerly head of a government department responsible for inspecting antiquities traders, was sentenced to life imprisonment for theft of records from the Supreme Council of Antiquities and facilitating the smuggling (by taking bribes and providing false certificates identifying genuine objects as fakes), as well as other sentences to run concurrently. The group are believed to have stolen around 57,000 items from state warehouses.
- In July 2005, the Supreme Council of Antiquities identified 22 **Internet sites advertising Egyptian antiquities for sale**, and 13 in October 2005. Items which had apparently gone missing from Cairo University's Faculty of Archaeology museum, the storehouse of the Faculty of Arts, and from an archaeological site at Marina on the north coast were offered for sale. Details were forwarded to Public Funds Prosecution.
- A draft of a **new Egyptian antiquities law**, which would replace the current Law 117/1983, is awaiting the approval of the People's Assembly (see *Al-Ahram Weekly*, 27 October–2 November, 2005, Issue no. 766). Under the terms of the new draft, **penalties for smuggling, stealing, hiding, collecting or owning authentic artefacts without permission will be doubled or tripled to range from 25 years to life imprisonment with hefty fines**. The new law will allow clemency in return for information about antiquities crimes that leads to convictions.
- An **alabaster block** inscribed with hieroglyphs and other carvings which was **stolen**

from a tomb in the Valley of the Kings, Luxor, was returned to Egypt in July 2005. Professor J. Graves of California State University posted the piece back with a letter explaining that he was returning it on behalf of his late friend, who had felt guilty about having taken it during a visit to Egypt in 1958.

- In October 2005 a **Briton was arrested in Egypt after Islamic manuscripts were found in his luggage** during check-in for a flight to Paris.



Ethics

ICOM News, 2005, no. 3 is devoted to and entitled **Ethics and Heritage**. It includes articles on evolving perspectives, ICOM's fight against illicit traffic in cultural heritage, legal aspects, and international partnerships and the situation in Iraq. For more information go to <http://icom.museum/>.



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A tainted temple bell from Cambodia?

JOS VAN BEURDEN

Each museum has its own ethical guidelines for acquiring objects. Many museums try to set an example, and the slightest doubt about the provenance of an object will cause its acquisition to be rejected. But sometimes a museum prefers to look the other way. That becomes easier when the Ethical Commission of the Netherlands Museum Association does not deliver proper advice.

In 2004 the Carillon Museum in the village of Asten in the Dutch province of North Brabant bought a second-century BC bronze temple bell from antique dealer Marcel Nies in Antwerp, Belgium. According to Nies, the 12 inch high bell comes from Battambang in Cambodia and shows characteristics of the Vietnamese Dong-Song culture. In order to be able to pay for the bell, the Carillon Museum applied for and received subsidies from the Brabant Museum Foundation and the Rembrandt Association. According to Nies, the bell had been exported to Thailand in 1969, in 2000 it had arrived in Italy and since 2003 it had been in Belgium. According to the Carillon Museum such bells can be purchased in Thailand without any problem, and permission to export an object like this from Thailand is not required. These bells are sold and sent all over the world. They can indeed be found for sale on the Internet.

The Brabant Museum Foundation was not certain about the acquisition. It therefore approached the Ethical Commission of the Netherlands Museum Association (NMA) and asked for it to check whether the museum had studied the provenance in a credible and careful manner. The Commission finally came to a positive conclusion

— ‘in this case illicit trade is out of the question’ — and advised the NMA to give a green light for the purchase. The Brabant Museum Foundation accepted the advice, and the Carillon Museum was able to go forward.

‘What more do you want?’ asks Dr André Lehr, former curator of the museum and responsible for the deal. ‘A prominent dealer and the positive advice of the Ethical Commission!’ Moreover, the bell is according to him ‘not part of the cultural heritage of Cambodia. It helps us to get to know other cultures.’ Lehr produces here his own definition of cultural heritage, as he explained to me: ‘Rembrandt’s *Nightwatch*, the Borobudur and Angkor Wat, yes those are cultural heritage, but not this bell.’

Yet someone who reads carefully the advice of the Ethical Commission could get an uneasy feeling. To start with, the year in which the object left Cambodia, 1969, raises some questions. It is according to the Commission ‘just before the date of the 1970 UNESCO Convention, which arranges the protection of stolen or unlawfully exported cultural heritage’. The year 1970 is often used as a watershed year: for objects acquired before 1970 no very difficult questions about provenance are asked, but for all acquisitions after that date provenance should be investigated. ‘Although the Commission is aware of doubts that could arise from the accidental succession of the dates 1969 and 1970, it has not been able to find a reason to doubt the information that has been offered by the dealer.’ Yet talking with Nies, he now says that the year 1969 is only ‘most probable’. He is not completely sure, ‘but I am not worried about it’.

A second question concerns the certainty with which it is asserted that no permission was needed for the export of the bell from Cambodia to Thailand. Upon inquiry with deputy director Hab Touch of the National Museum of Cambodia, which is responsible for the issue of export per-

mits, and Etienne Clement, head of the UNESCO mission in the Cambodian capital Phnom Penh, it appears that ancient objects cannot be exempt from licensing requirements. Based upon e-mail exchanges with both of them, it can be concluded that Cambodia has had, since the year 1925, a law which determines that art objects are only to leave the country with a permit. In 1925 Cambodia was a French colony and in the law a broad definition of 'art objects' is applied; thus André Lehr's assertion that the bell does not belong to Cambodia's cultural heritage is contestable.

Some experts doubt whether the 1925 law still is legally valid. In her 2004 study *Pillaging Cambodia: the Illicit Traffic in Khmer Art*, Masha Lafont states that the old laws have lost their validity, since they were abolished by the Khmer Rouge. Thanks to the cooperation of the UNESCO office in Phnom Penh, however, I have received a message from Tara Gutman, legal adviser of the Council of Ministers of Cambodia, who points to article 139 of the new Constitution of 1993 which determines that laws and standard documents 'shall continue to be effective until altered or abrogated by new texts'. Lyndel Prott, former Director of UNESCO's Department of Cultural Heritage and presently a law professor in Australia, confirms Gutman's interpretation. She writes: 'In my view the present government

may well regard the 1925 legislation as having remained in force and its lack of enforcement during the Khmer Rouge regime as simply due to the factual situation, rather than an abrogation'. In short, the Dutch museum could have, according to its own ethical code, acquired the ancient bell only if the Cambodian authorities had permitted it to do so.

At least one member of the NMA's Ethical Commission did not share the positive conclusion. This member argues that the museum never should have bought the bell. He 'would have been in favour of asking the opinion of the government of the country of origin in order to overcome the one-sidedness of the information available to the purchaser'. In the twenty-first century, it is a bit out of touch that neither the Carillon Museum nor the Ethical Commission have done so, particularly since Cambodia has had for years an active policy to curb the illicit trade in art and antiquities and to protect its own cultural heritage. Lafont mentions in her study 17 examples of smuggled objects that have been restored to Cambodia. That should have rung a bell.

JOS VAN BEURDEN
Utrecht
The Netherlands
jos.vanbeurden@inter.nl.net

'Nobody gets off scot-free'

A review of *Thieves of Baghdad* by Matthew Bogdanos with William Patrick.

(New York, Bloomsbury, ISBN 1-58234-645-3)

DAVID THOMAS

Although President Bush declared that 'major combat operations in Iraq have ended'¹ on 1 May 2003, the suffering of the Iraqi people continues, with over 34,000 insurgent attacks in 2005.² Controversy persists, surrounding the justifications for the war, events during and after the conflict and the most appropriate way and time for the Coalition forces to disengage. The same can be said about the looting of the Iraq Museum, although *Thieves of Baghdad* attempts to set the record straight on the events between 8

April 2003 when the last staff left the Museum, and 16 April, when the US army's C Company secured the compound.

The book is authored by Matthew Bogdanos, (with William Patrick, whose contribution to the first person narrative is unclear). Bogdanos was the US Marine who, whilst heading a multi-agency counter-terrorism unit in Basra, rushed his team to Baghdad on hearing reports of the looting. With limited cooperation from all sides, they set about unravelling the complex sequence of events.

In the Author's Note, Bogdanos states that he dislikes people who go to war and write books about themselves — this book is a personal account 'with candor and without bias or agenda' (the author's emphasis), relating to a team effort and celebrating the courage of servicemen, Iraqis and journalists, amongst others. Considering

the selection of quotes on the book's dust cover, and its somewhat provocative title, this reader wondered whether the 'complexity' Bogdanos identifies in the Museum staff applies to the author(s) too.

Indeed, *Thieves of Baghdad* is far from being the staid forensic investigation of the events of nine days in April 2003 that it might have been. The tale deviates from initial impressions of the Museum in the first two introductory chapters, to Bogdanos's childhood in New York, a detailed eye-witness account of 9/11, and his active service in the subsequent so-called 'war on terror' in Afghanistan. Bogdanos then recounts his team's counter-terrorism investigations in southern Iraq (thus perpetuating the US administration's blurring of 9/11 and the invasion Iraq), before reaching the supposed heart of the matter, the looting of the Iraq Museum, by the end of Chapter 8. These contextual chapters undoubtedly offer much of interest to the contemporary and/or military historian, as well as the general reader, but little of relevance to the archaeologist, which, considering *Culture Without Context*'s *raison d'être*, was my primary focus in reviewing this book.

Given some of the antipathies running through *Thieves of Baghdad*, I should state my biases at this point — I was at the time, and remain, firmly opposed to the war in Iraq, and I am happy to place myself within the group of 'educated non-military skeptics' that the author holds in such contempt. That said, I have also experienced my home town (in Northern Ireland) being blown up by terrorists, although significantly fewer resources and less will-power were devoted by the USA to 'hunting down and smoking out' such operatives and their backers prior to 9/11.

My archaeological fieldwork in Afghanistan is somewhat less covert than Bogdanos's mission there, and I have never been to Iraq, although I have worked on data from excavations in Iraq. In March 2002, as part of the Nimrud Database Project, I proposed that the British School of Archaeology in Iraq (BSAI) should apply to the British Academy for funding to create a unified catalogue of all the objects from Nimrud, many of which are in museums and collections scattered around the world. This project would have included the collation of data on, and digital photography of, the Nimrud objects in the Iraq

Museum. For reasons I have never been able to ascertain, the BSAI decided not to back our proposal. When the Iraq Museum was looted a year later, the lack of accurate, up-to-date inventories and photographic records of many of the Museum's objects severely hampered the investigation.

Core to the central theme of *Thieves of Baghdad*, the looting of the Iraq Museum, are the following questions:

- What really happened between 8–16 April?
- Who was involved?
- How many of the objects were stolen and how many have since been retrieved?
- What can be done in future to curtail the illicit trade in antiquities?

Bogdanos's agenda, for every author has them, are to dispel the myths and inaccuracies surrounding the reporting of the looting, and to counter what he regards as the knee-jerk reactions of many prominent Mesopotamian archaeology scholars. Although he has already done this in a 50-page paper in *American Journal of Archaeology* 109 (2005)³, Bogdanos obviously felt the need to reach a more general audience, and to his credit he is donating the royalties from *Thieves of Baghdad* to the Iraq Museum.

The investigation's teasing out of the events in the Museum is thorough, as you would expect from a District Attorney of note. Bogdanos proposes a convincing theory that the crime scene encapsulated the theft of three different categories of objects ('marquee' items removed from the galleries; random thefts from the above-ground storage areas; and high-value, smaller items looted from the secured basement storage areas) and three different groups of perpetrators (professional thieves, targeting pre-ordered collectors' lists of prestige items; petty thieves and mob looters venting anger at institutions associated with the Ba'athist regime; and 'insiders', that is corrupt and/or coerced members of the Museum staff). In his professional life, Bogdanos states that he inhabits the binary universe of guilty or not guilty: 'No one is treated with suspicion, but everyone *is* a suspect until proven otherwise.' (p. 133, author's emphasis) — the concept of innocent until proven guilty does not seem to register, possibly because he is a prosecutor. It is also noteworthy that the book is riddled with references to 'the bad guys', although as early

as p. 14 he states that ‘Nothing hinders a good investigation more than trying to affix moral labels such as *good* or *bad*, *right* or *wrong*, to the actions or actors in the mystery you are trying to solve’ (author’s emphases).

Bogdanos also uses *Thieves of Baghdad* to repeat his stout defence of the actions of the Coalition’s ground troops during the ‘chaos of regime change’, reserving some of his most withering criticisms for journalist and archaeologist ‘armchair generals’ — an example of those in his sights is Prof. (sic.) Eleanor Robson, whose article in *The Guardian* of 18 June 2003 Bogdanos describes as being ‘wrong in every respect’ (p. 200), but the quote Bogdanos uses is not precisely accurate⁴ — court cases have been lost for less. His plea for archaeologists not to fall into the trap of using hyperbole when talking to the media (p. 274) is somewhat ironic in the light of this exaggeration!

Bogdanos notes that American archaeologists briefed the Pentagon prior to the war about the threats to Iraq’s cultural heritage, as did British archaeologists, and accepts that criticism of the delay between the first appearance of Coalition forces near the Museum on 12 April, and securing the compound on 16 April is fair, although he assures the reader that nothing was taken during this period. The primary blame for the looting does lie with the looters, and as Bogdanos details, the looting of antiquities does have a long history, particularly in times of conflict. Many museums around the world do possess artefacts that by modern standards were acquired by looting — a disturbing number of these objects have been acquired in recent years, when the well-worn explanations/excuses for objects with vague or no provenances have been unacceptable. And whoever used the Iraq Museum as a military outpost did break the Geneva and Hague Conventions and protocols which ‘... *absolutely prohibit* the military use of otherwise protected cultural sites...’ (p. 202, author’s emphasis). Presumably, although he neglects to mention it, Bogdanos is similarly outraged by the Coalition’s establishment of a military camp on part of the archaeological site of Babylon and all the resultant damage⁵, particularly since he made a detour to Babylon whilst en route to Baghdad, to impress upon his team the importance of the cultural heritage of Iraq.

Some readers might quibble over the extrapolations and ‘leaps of faith’ concerning the extent of military activity in the Iraq Museum compound, or question why, if the basement looters did have Museum staff accomplices, they did not anticipate the lack of electricity — were they really so incompetent and/or under-resourced that they did not bring a single torch, and thus had to rely on makeshift lighting from burning hunks of foam? Whatever, the archaeological world has to be thankful that the keys, which ‘torment’ (p. 277) Bogdanos so much, appear to have been dropped and lost amidst the disarray of boxes, preventing the theft of thousands of more artefacts.

Bogdanos is convinced of the, at best, complicity of some Museum staff to some of the thefts (suspicions stated as early as p. 11 and oft repeated thereafter), and at the end of the book, he alludes to whom the guilty ones might be. To my non-legal mind, this section of the book (pp. 276–8) verges on the libellous and in one case offensive — none of the Museum staff have formally been charged nor given the chance to clear their names and reputations.

Ultimately, the success of any investigation is determined by its results. Bogdanos presents details of how many objects were stolen, and how many have since been recovered, although it is unclear why he uses figures dating to December 2003 for some of these data. One conviction for attempting to import artefacts from the Iraq Museum into the USA is discussed, and other international customs seizures are briefly mentioned. But ‘... at least 8,500 pieces — many of them truly priceless — are still missing’ (p. 271).

Bogdanos and his team should be congratulated for their efforts to unravel the complexity of the case and the retrieval of thousands of the looted objects. He is totally justified in correcting the inaccurate figures and reports that were bandied about in the aftermath of the looting, and to feel irritated by the antagonism some archaeologists and others have directed his way, rather than at his employers.

Thieves of Baghdad makes a valuable contribution in demonstrating the benefits that can be derived from different agencies and academics working together in the pursuit of the illicit trade in antiquities. His call for a four-fold global strategy to address the problem is, in my opin-

ion, eminently sensible. Bogdanos should also be commended for raising the touchy subject of archaeological involvement in Iraq, as the brutality of the regime became clear (see also Steele 2005, 55–61⁶), although he neglects to mention that Donald Rumsfeld twice met Saddam during the 1980s⁷, when Iraq was the West's ally against what was perceived as Islamic fundamentalism emanating from Iran. As Bogdanos rather frustratedly notes: 'In truth, everything about the war had become politicized and "spun" long before we ever got to Baghdad. Everyone had his or her own agenda ...' (p. 195).

The narrative flows well and has been generally well-edited — most readers would probably not pick up on the occasional errors that caught my eye: for example, the comment that Iraqis had invaded two other Arab countries (surely he is not referring to Iran as an Arab nation?! p. 141); the reference to the Hazara being around in Afghanistan during Alexander the Great's campaigns (p. 71) is dubious — many Hazara trace their ancestry back to Chingiz Khan's Mongol hordes; and to say that the Taliban filled the vacuum after the Soviet withdrawal from Afghanistan in 1989 (p. 67) is simplistic — Mullah Omar cited the movement's birth as dating to July 1994.

Whether you buy (in both senses of the word) this book will depend on your empathy (or lack of) for the central character, which despite his protestations, is Bogdanos himself. He repeatedly states that he is not a hero, and seeks to present a 'warts and all' portrait, although his references to Alexander the Great (p. 167) and Eliot Ness (p. 91), and abundant, inevitably selective, quotes from Classical authors and philosophers verge on the tedious. The frequent vignettes of 'Bogdanos, the family man' are of questionable relevance, other than to remind armchair generals of the personal costs of serving one's country.

To my mind, examples of Bogdanos's blinkered view of the world and internal contradictions are strewn throughout *Thieves of Baghdad* — for example, the discovery of smouldering Ba'ath

party files and identification cards in the Museum compound (p. 15) is sinister, whereas the fact that he was declared medically non-deployable and shredded the evidence after gaining possession of a 'second opinion' (p. 60) is merely an example of his circumvention of what he regards as petty military bureaucracy. More serious, given his emphasis on due process, international law and the sanctity of crime scenes is his confession to having disturbed one of Saddam's mass graves, albeit to give succour to a grieving mother, and the fact that his team confiscated over \$9 million during their investigations in the south of Iraq, and repatriated the money (surely the rightful property of the people of Iraq?) back to US military Camp Udari in Kuwait (pp. 106–7).

Ultimately, however, as Bogdanos somewhat defensively says in the case of the evacuation of a burnt Iraqi girl, his team did what they could, and the archaeological world should be grateful for that.

Notes

1. <http://www.cnn.com/2003/US/05/01/bush.transcript/index.html>.
2. http://news.bbc.co.uk/1/hi/world/middle_east/4736768.stm.
3. The pdf file of the report can be downloaded from: <http://www.ajaonline.org/index.php?ptype=content&aid=5>
4. Bogdanos inserts the word 'nest' in his quote — cf. Dr Robson's original text, available at: <http://www.guardian.co.uk/Iraq/Story/0,2763,979734,00.html>.
5. See Dr John Curtis's summary report of the damage done to the archaeological site, available at: <http://www.thebritishmuseum.ac.uk/iraqcrisis/reports/babylon.htm>.
6. Steele, C., 2005. Who has not eaten cherries with the devil?, in *Archaeologies of the Middle East: Critical Perspectives*, eds. S. Pollock & R. Bernbeck. Malden (MA): Blackwell Publishing Ltd.
7. National Security Archives: <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB82/>.

DAVID THOMAS
Department of Archaeology
University of Cambridge

