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Abstract

The illicit trade in antiquities and other cultural objects is socially harmful in several respects. Private collectors and museums are generally considered culpable in providing end demand by acquiring illicitly traded objects, but this article suggests that the facilitating actions of academic experts have previously been overlooked. Through a series of case studies, it examines different ways in which academic expertise is indispensable for the efficient functioning of the trade and suggests that a knowledge-based ethical environment for academic practice would allow scholars to make more informed choices about the propriety or otherwise of their involvement with the trade.

Keywords

Antiquities trade, antiquities collectors, university scholars

Introduction

The illicit trade in cultural objects takes material objects of aesthetic, archaeological, or spiritual importance from their original contexts and owners and passes them into the possession of private and public collections. Typically, cultural objects are stolen or looted from archaeological or other cultural sites or institutions (such as museums) in developing (source) countries, and collected in “Western,” developed (destination) countries. Thus the trade is usually transnational, though can also be “intranational” when objects are stolen from indigenous or other minority communities within a country and received by the larger and politically dominant community.

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Cultural objects usually enjoy legal protection as public or private property and so their unauthorized taking constitutes theft and their subsequent trade is illegal. However, it is accepted practice on the destination market to trade and acquire cultural objects without “provenance”—that is, without any documented history of previous ownership.¹ As a result, stolen and illegally traded objects are mixed with legitimate ones as “unprovenanced” on a “gray” market, and it is usually not possible for customs and law enforcement agencies or discriminating collectors to distinguish between illicit objects and objects that have entered the market through legal means.

The removal of cultural objects from their original contexts causes irreparable damage to the tangible and intangible cultural wholes of which they were originally a part. This material theft and its associated destruction of context can have several harmful consequences:

1. *Archaeological knowledge*: The discipline of archaeology depends for its subject matter on the scientific excavation and documentation of archaeological sites. This methodology entails the recovery of all types of evidence, whether artifactual, which is a direct indicator of human action, or environmental, which is an indirect indicator. The spatial and stratigraphical relationships of these different types of evidence form a context for archaeological objects which is crucial for their correct interpretation. It is as important to know where an object was found and what was found with it as it is to know about the object itself. Undocumented and illegal digging for saleable objects destroys archaeological contexts and thus constrains archaeological research, limiting what is knowable about the past (Brodie, 2006a; Brodie, Doole, & Renfrew, 2001; Brodie, Kersel, Luke, & Tubb, 2006; Brodie & Renfrew, 2005; Gill & Chippindale, 1993).
2. *Cultural identities*: Loss of historical knowledge is of more than academic concern. Collective memory or history is an important component of ethnic and other cultural identities, and so the destruction of archaeological and other cultural heritage can cause a weakening or refashioning of those identities (Brodie & Kersel, in press). This process has been particularly grievous for indigenous communities, when the theft or forced sale of cultural objects has been an active or passive accompaniment of assimilation policies aimed at eradicating indigenous self-determination (Vrdoljak, 2006, pp. 261-273). This fact has now been recognized in the United States by the 1990 Native American Graves Protection and Repatriation Act (NAGPRA) which introduced the idea of “cultural patrimony” to describe objects of historical, traditional, or cultural importance to a Native American group or culture (Vrdoljak, 2006, pp. 275-281), and internationally by article 11 of the 2007 UN Declaration on the Rights of Indigenous Peoples, which recognizes the right of an indigenous people to control the past, present, and future manifestations of its culture, including cultural objects.

3. *Cultural mistranslation*: The collection and curation of stolen cultural objects in destination country museums and other collections places them in a (“Western”²) context of understanding, often one that is predicated on aesthetic value. Cultural objects are transformed into art objects and judged (usually unfavorably) in relation to Western canons (Clifford, 1985; McEvilley, 1984). Cultural objects from Africa and Oceania, for example, are marketed and collected as “tribal” or “primitive” art. This aestheticization of cultural objects hinders a proper understanding and appreciation of their original function and significance (Price, 2001; Steiner, 1994, pp. 130-156; Vickers & Gill, 1994). Furthermore, the reception of cultural objects as inferior art reproduces on a cultural register the political hierarchies and inequalities of the modern world, with implicit echoes of 19th-century social evolutionist schema which linked cultural and social development (Coutts-Smith, 1991; Errington, 1998, pp. 9-17).
4. *Sovereignty*: Typically, the trade proceeds from developing countries at source to developed countries at destination. In destination countries, source country laws are either not enforced by police and customs agencies, ignored by individual or institutional collectors, or not recognized by the judiciary. As the now-well-researched examples of Sipán (Atwood, 2004; Fitzpatrick, 1992) and Medici (Watson & Todeschini, 2007) show, the gray market confounds good faith efforts to respect or enforce laws while at the same time providing cover for those who wish to ignore or evade them. Although there does not appear to be any clear statement to this effect, it seems likely that source countries would view this disregard of their laws by destination countries as a violation of their right to self-governance and an indication that they are not regarded as fully sovereign members of the international community.
5. *Economy*: Cultural objects enter the destination market as commodities, to the benefit of auction houses and other merchants, and once curated in private collections or museums, or in collections on loan to museums, they become capital assets, able to generate long-term income streams through visitor revenue, sale of image rights, and rent of museum space for corporate and private events. Publication and other media coverage of museums and their collections produce further revenue. Furthermore, in destination countries, the cultural sector has been shown to be an important generator of social capital (Daly, 2005). None of these benefits filter back to the source countries from which the objects are removed, and so the irreversible removal of these objects can constitute a real, long-term economic loss (Brodie, 2010).
6. *Criminality*: There are suspected articulations between the illicit trade in cultural objects and other organized criminal activities such as fraud and money laundering. Links with drug smuggling have been demonstrated on more than one occasion in Latin America (Gutchen, 1983, p. 227; Reuters, 2003; Yemma, 1997), and it has been shown in Afghanistan that money derived from the

trade goes to support armed groups (Brodie, 2009, pp. 49-51). In view of these potentially broader criminal associations, the UN is considering placing the trade under the purview of its 2000 Convention Against Transnational Organized Crime (Manacorda, 2011, pp. 42-44).

Thus the illicit trade in cultural objects can be harmful in several respects. Nevertheless, the harm it causes is often justified by destination museums, collectors, and academics on the grounds that it rescues “art” or “knowledge” for the public benefit (Cuno, 2009a). In consequence, the trade enjoys considerable support from wealthy individual and institutional collectors, who are reluctant for the trade to be investigated too closely and who often will not support or adopt policies or practices aimed at impeding it (Felch & Frammolino, 2011; Gross, 2009; Watson & Todeschini, 2007).

There are no reliable statistics describing either the material volume or monetary value of the trade, though a large number of studies have documented the global occurrence of often badly looted or vandalized sites and monuments (Brodie, 2006; Brodie et al., 2001), and police investigations have uncovered evidence of criminal organization and institutional collusion (Finkel, 2008; Watson & Todeschini, 2007). The adoption of national and international laws aimed at its control (e.g., 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property; 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects) is evidence of a widespread belief that the problem is a serious one.

Academic Involvement

It is only recently that criminologists have started to take an interest in the trade (Manacorda & Chappell, 2011; Mackenzie, 2005; Mackenzie & Green, 2010; Tjihuis, 2006). A theoretical input from criminology is potentially important, as debate over appropriate policy is hampered by the prevailing simple model of the trade’s operation, which envisages poor people at source being forced to steal objects that then pass through the hands of a series of intermediaries before being bought by wealthy collectors or museums. A good example of this model is shown in Figure 1. Suggested policy options are largely limited to weaker or stronger legislative control of supply or demand (Polk, 2009), though the ongoing commercial and destructive manifestations of the trade do nothing to suggest that implemented policies have been successful.³ Thus the aim of this article (written by an archaeologist) is to move beyond this simple microeconomic model by drawing attention through a series of case studies to the involvement of academic experts with the trade, which can be more intimate than is generally supposed, thereby offering a more richly textured account of demand⁴ that will facilitate further theoretical investigation and allow the design of more targeted policy responses. “Academic experts” is taken to mean academically qualified individuals working outside the museums sector.⁵

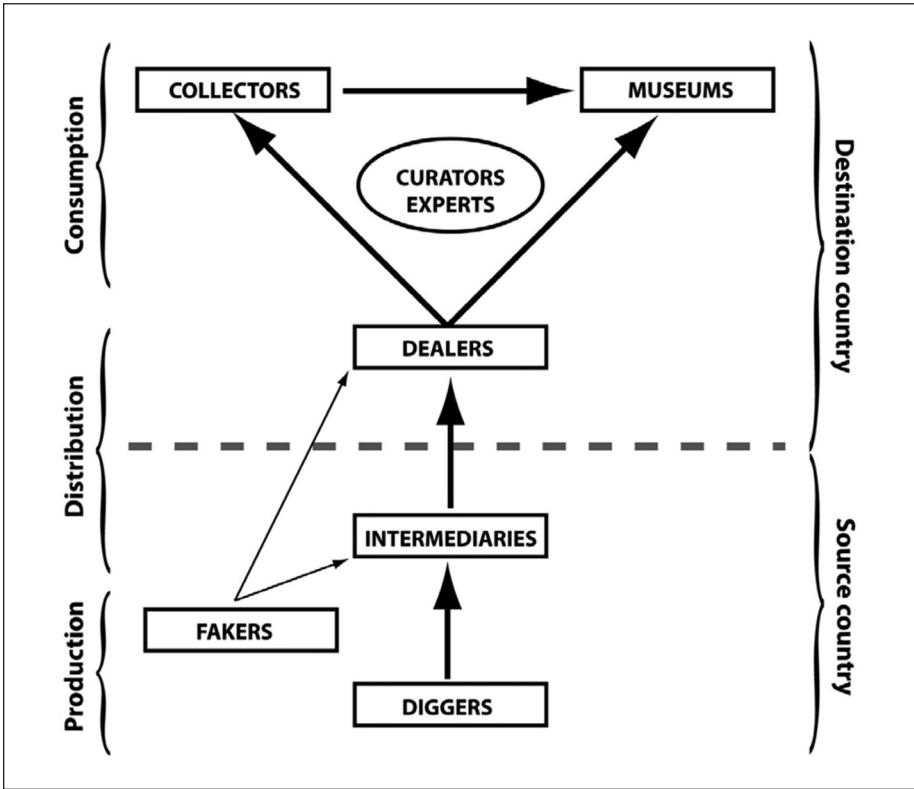


Figure 1. Model of antiquities trade (after Coe, 1993, p. 274, Figure 1)

Note: Black arrows denote passage of de facto ownership of antiquities from diggers in source countries to collectors and museums in destination countries.

Academics from several disciplines can come into contact with recently traded and unprovenanced cultural objects during the course of their research.⁶ The case studies that follow are restricted to consideration of unprovenanced objects that have most likely been looted or stolen from archaeological sites or repositories, which for convenience will be referred to as “antiquities,” and thus will feature academics working in archaeology and related disciplines such as epigraphy and art history. This focus on antiquities reflects the author’s own expertise and is not intended to suggest that the theft and trade of antiquities is of any more importance than that of other types of cultural object.

Most academic experts as defined here are not involved with the antiquities trade. Nevertheless, the minority that is involved is a significant one in at least two respects. First, many hold senior and influential positions within universities and professional bodies so that their opinions and actions carry the weight of authority and provide a normative example for junior academics to imitate. Second, a relatively small group of

individuals may exert disproportionately large commercial effects. Opinion is divided in the academic community about the propriety of relations with the trade, and relationships have been the subject of some heated debate (Alexander, 1990; Donnan, 1991). This debate has largely focused on whether or to what extent the scholarly publication of unprovenanced and presumed looted artifacts either rescues or damages historical knowledge. One opinion holds that the study and publication of unprovenanced and decontextualized antiquities is of doubtful value because their information content as objects of archaeological study has been significantly and perhaps even fatally reduced. Furthermore, their study and publication might legitimize and even provide commercial support to the antiquities market, thus promoting demand and contributing to the ongoing illicit trade and archaeological looting (Elia, 1993; Gill & Chippindale, 1993, pp. 629-658). Several archaeological journals now prohibit first publication of unprovenanced artifacts (Brodie, 2009, pp. 45-47). The counteropinion denies these propositions, arguing instead that valuable historical information can be and is extracted from decontextualized antiquities, that this information is lost if the artifacts are not studied and published, and that study and publication do not support the market and encourage further looting (Boardman, 2009).

The debate sharpened and took a new turn in the early 2000s, first because of the appearance on the market of several unprovenanced objects of apparent importance for Biblical validation (discussed below) and second because of large numbers of previously unknown cuneiform tablets from Iraq appearing on the market and in private collections (also discussed below; Brodie, 2009; Lawler, 2005). Most academic experts, whether in favor of publication or not, believed these tablets to have been looted from Iraq sometime after 1990, though this belief could never be substantiated.⁷ Opponents to publication reaffirmed their opinion that publication was not warranted. Many scholars, however, primarily epigraphists, began to argue that written materials such as cuneiform tablets constitute a special case, in that the historical information they contain exists independently of find context and thus is not compromised by loss of context (BAS, 2006, para. 2; Boardman, 2009, p. 121; Finkel, 2004, p. 42; Owen, 2009, pp. 127-128).⁸ Furthermore, they reiterated that there is no evidence to suggest that academic study and publication of unprovenanced artifacts increases their market value, thereby acting as a spur to further looting (BAS, 2006, para. 6; Owen, 2009, p. 129). In 2006, the Biblical Archaeological Society⁹ published on its website a statement of concern about the policies of nonpublication adopted by some academic journals (BAS, 2006; Eakin, 2006), and by July 2007 it had attracted 157 signatures.¹⁰

The issues omitted from this debate over publication reveal much about the worldview of the academics concerned. First, with one or two exceptions, the debate never extended beyond the subject of academic study and publication and failed to broach other and possibly more questionable forms of involvement with the antiquities trade. Second, the possibility that the antiquities trade might have broader criminal associations was raised only to be trivialized and dismissed. Finally, there was no conscious reflection on the purpose of academic scholarship—the pursuit of knowledge was consistently perceived to be a self-evident public good without any need of justification.

The second omission lies beyond the scope of this article but offers fertile ground for further research. The final omission will be discussed briefly in the concluding discussion. The main focus of this article, however, as already intimated, is to engage with the first omission—questionable forms of involvement.

Many academics with an interest in antiquities further their research by associating with collectors and dealers, often in such a way as to facilitate the trade. To further investigate the parameters of this facilitation, five case studies are presented below, each one illuminating some aspects of academic involvement with the antiquities trade. They are followed in the concluding discussion by consideration of the ethical landscape of this involvement. As will be made clear by information provided in the case studies that follow, there are at least three ways other than publication in which academic experts might support the trade: (a) participation in price formation by object identification; (b) promotion of market confidence by object authentication; and (c) obstruction of scholarly or police investigation of the trade by suppression of provenance. To guide the reader, these outcomes are described briefly here ahead of the case studies that inform them:

1. *Object identification*: Academics are repositories of expert knowledge, and their expertise is often indispensable when it comes to identifying and describing unprovenanced antiquities. Object identification and attribution are important for the trade because they establish such things as rarity and historical or artistic importance. To a large extent, rarity and importance determine price, and so, in effect, identification determines price. An efficient market cannot exist without a mechanism of value assignment and price formation, and identifications and scholarly descriptions made by academics fulfill this role. As will be demonstrated here, they can be offered directly as advice to collectors and dealers or be made during the normal course of research.
2. *Object authentication*: The authentication of an antiquity promotes customer confidence. The ultimate guarantor of authenticity is a properly excavated and well-documented archaeological context. The overwhelming majority of antiquities appearing on the market, however, have no such context, and so the antiquities trade offers an ideal environment for the reception and incorporation of forgeries. It is now believed to be badly infiltrated by forgeries,¹¹ and this belief has a direct and negative impact on profitability as customers are alienated by their fear of being duped. Again, academic expertise is invaluable. An independent assurance of authenticity from an accredited academic is generally considered more trustworthy and more reliable than one from a dealer who is trying to sell the piece and who might be suspected of self-service.
3. *Provenance suppression*: Most often, antiquities offered for sale on the market are “unprovenanced.” Unprovenanced, however, really means “no public provenance,” as, clearly, every antiquity does have a provenance, though it is often an illegal one that is deliberately kept secret. Academics might choose

not to enquire too closely about the provenance of an object under study, so as to avoid any legal or ethical entanglements that knowledge of illegal provenance might entail. Worse perhaps, they might investigate provenance for the benefit of their research but not disclose what they learn. By keeping their knowledge or even their suspicions secret, and not notifying law enforcement authorities, they impede scholarly and criminal investigation and passively condone the illicit trade. There appears to be no understanding within a large part of the academic community that there is a civic duty to report suspicion or knowledge of a crime to a law enforcement authority.

The importance of academic expertise is no secret in the commercial world. In 1998, for example, Asian Art Week was inaugurated in London. Asian Art Week is a conjunction of academic lectures with museum displays and sales of Asian antiquities and other cultural objects, deliberately aimed at promoting the market. A commentator argued at the time that

it is because members of the commercial and non-commercial worlds do not want to see London lose its role as a major centre of the Asian Art trade that museums and universities, forty independent dealers and the auction houses are all collaborating this month to focus attention on ten days of auction sales, seminars, trade and academic exhibitions, culminating in a big charity dinner at the V&A [Victoria and Albert Museum]. (Moncrieff, 1998)

A representative of Christie's auction house stated on the same occasion that "From the 1920s, there has been an unusually close link between the academic and the commercial world in London" (Moncrieff, 1998).

Apulian Vases From Italy

In 1995, an Italian Carabinieri raid on the apartment of an antiquities dealer discovered a handwritten chart setting out the organization of the illegal antiquities trade in Italy. The name at the head of the chart was U.S. dealer Robert Hecht, who appeared to be receiving material from Italy through two main supply chains, one orchestrated by Gianfranco Becchina and the other by Giacomo Medici (Mazur, 2006a; Watson & Todeschini, 2007, pp. 16-18, 362). In September 1995, the Carabinieri, in conjunction with Swiss police, raided Medici's warehouse in Geneva Freeport (Watson & Todeschini, 2007, pp. 48-52), with several more visits following between 1997 and 1999. They recovered 3,800 objects, more than 4,000 photographs of objects that had previously passed through Medici's hands, and something like 35,000 sheets of paper documenting Medici's business practices (Watson & Todeschini, 2007, pp. 54-62).¹² More raids followed as the Italian investigation progressed. In February 2001, the Carabinieri seized folders containing photographs, letters, and a handwritten memoir from Hecht's apartment in Paris (Watson & Todeschini, 2007, pp. 156-162).¹³ In May

2002, they seized another haul of documents and photographs from three warehouses in Basel belonging to Becchina and raided a fourth Becchina warehouse in 2005, which yielded yet more documents (Watson & Todeschini, 2007, pp. 290-297).

The accumulating evidence showed that a significant number of objects handled by Medici had been acquired by various U.S. art museums, causing them to be returned to Italy (Gill, 2010; Gill & Chippindale, 2006, 2007; Mazur, 2006b; Watson & Todeschini, 2007, pp. 298-300). These objects included what had been the highest-priced antiquity ever at the time of its purchase—the Attic “Euphronios” krater bought in 1972 for US\$1 million by the Metropolitan Museum of Art from Hecht, who had in turn bought it from Medici (Watson & Todeschini, 2007, pp. 169-170). In the aftermath of these investigations and returns, censure was targeted at the U.S. museums’ community for acquiring unprovenanced objects from Hecht and his associated dealers that were likely to have been illegally traded without first conducting appropriate due diligence and for encouraging private collectors to do likewise. It has generally been overlooked, however, that the investigation also uncovered evidence of academic involvement with the trade.

The nature of this academic involvement is best illustrated by the example of Apulian red-figure vases. These vases were manufactured during the 4th century BC by Greek colonists in what is today the province of Puglia in southern Italy. They are found in ancient tombs where they were placed as funerary offerings. During the 1980s and early 1990s, large numbers of unprovenanced Apulian vases appeared on the market and were acquired by museums and private collectors. It was strongly suspected at the time that most of these vases could only have been acquired through illegal excavation (Cook, 1991; Elia, 2001, pp. 145-147; Graepler & Mazzei, 1993; Nørskov, 2002, pp. 260-269), and the Italian investigations of Medici and Hecht went some way to confirming that suspicion. Apulian vases figure prominently among the objects Italy reclaimed from U.S. museums (Godart & De Caro, 2007).

Although Apulian vases were first collected in the 18th century, they were eclipsed artistically in the taste of 19th- and 20th-century collectors by vases of Attic (Athenian) Greek manufacture that were excavated in large numbers from the ancient Etruscan cemeteries of central Italy. Apulian vases came to be poorly regarded by collectors and critics as derivative and overly ornamental in style. Starting in the late 1970s, however, the scholars Dale Trendall and Alexander Cambitoglou subjected this unfashionable and undifferentiated corpus to a sustained campaign of stylistic analysis, publishing their work in a series of monographs (Trendall & Cambitoglou, 1978, 1982a, 1982b). They were able for the first time to construct an art history of the vases, identifying what they took to be the products of individual artists or workshops, and making assessments of their technical and aesthetic accomplishments. This is exactly the type of information that allows for more knowledgeable collecting and sophisticated pricing, and it was soon reflected in sales catalogues by attributions of painters and/or workshops to vases offered for sale (Nørskov, 2002, pp. 266-267, Figure 79).

The publication of these scholarly corpora coincided with the increasing number of Apulian vases surfacing on the market, but whether this increasing scholarly definition

of Apulian pottery made it more collectable and thus unintentionally and indirectly increased the incidence of grave robbing in Puglia is open to question. Nørskov (2002, pp. 288-290) suggests not, arguing instead that the increasing demand for Apulian pottery was because it was acting on the market as a substitute commodity at a time when the supply of the more desirable Attic pottery was beginning to dry up as cemeteries were robbed out. However, the association of Trendall with the trade was more intimate than this straightforward account of academic study and publication might suggest. Trendall was assiduous in his work and keen to study all available vases, whether provenanced or not. He is said to have enjoyed close contacts with London antiquities dealers and on at least one occasion advised a dealer that one of his vases was fake (erroneously, as it turned out; Nørskov, 2002, pp. 266, 340). The Carabinieri recovered correspondence between Becchina and Trendall, with Trendall asking to be sent photographs of objects and Becchina thanking him for visiting and “expertising” (P. Ferri, personal communication, 20 December 2009). The Carabinieri’s investigations also revealed that one Apulian vase had passed through Medici’s hands and been studied by Trendall who attributed it to a previously unknown painter before it was bought by a private collection. The vase was later valued at US\$185,000 (Watson & Todeschini, 2007, pp. 377-378). There is nothing to suggest that Trendall made any direct monetary gain from his association with the trade, but the relationship shows definite signs of commensality, and he must certainly have benefited professionally from his access to trade material.

This first case study establishes for the antiquities trade the basic tripartite system of demand. Figure 2 attempts to map this system with a flow diagram. The academic expert provides advice about identity and authenticity to the collector and dealer, receiving in exchange support, in the form of access to research material. The academic then profits from this support professionally, which is indicated on the chart by the in-flow of money. The dealer buys the object from an intermediary further down the trading chain, ultimately derived from a source country, and sells to the collector at a profit. The transaction is valued and secured by the knowledgeable advice of the academic. (A museum could be considered in this system as incorporating the agencies of both academic and collector, employing its own academic experts [curators] to advise on acquisitions.)

Cuneiform Tablets From Iraq

Cuneiform tablets are clay tablets measuring anything up to 30 cm (though usually with a maximum dimension in the range of 4-10 cm) inscribed with the cuneiform script in one of several different languages. They were used by the literate administrations of ancient Mesopotamia from the 3rd to the 1st millennia BC. Today, they are found mainly, though not exclusively, in Iraq. Large quantities of unprovenanced cuneiform tablets started appearing on the market and in private collections after the onset of widespread looting of archaeological sites and museums in Iraq that followed the 1991 Gulf

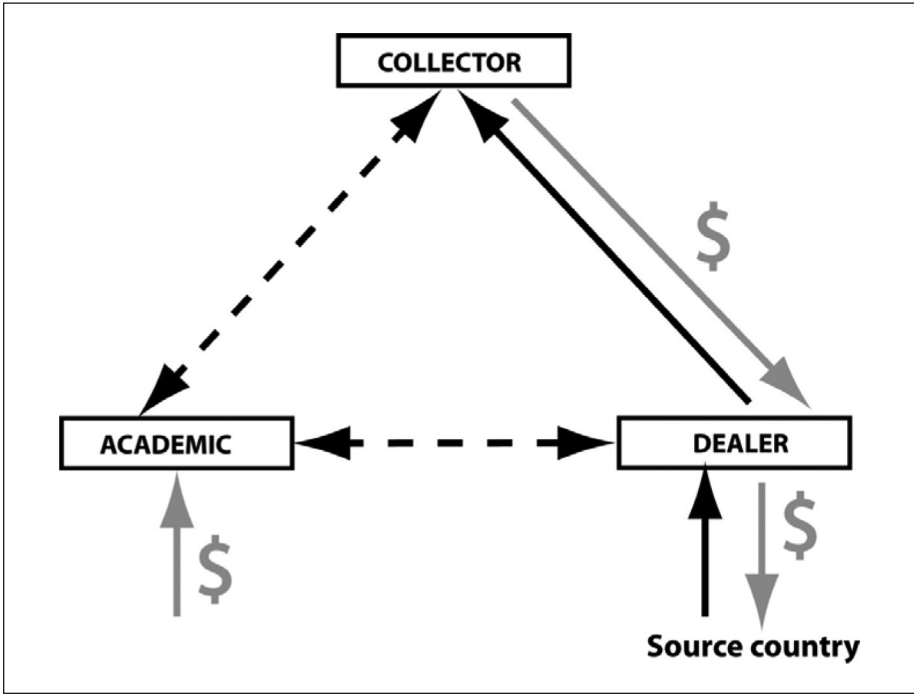


Figure 2. Antiquities demand in destination country—Commodity system

Note: Black arrows denote passage of de facto ownership of antiquities. Gray arrows denote flows of money. Dashed black arrows denote exchange of expertise and support.

War and heightened around the time of the 2003 Coalition invasion (Brodie, 2006b; Emberling & Hanson, 2008; Stone & Farchakh Bajjal, 2008).

Cuneiform tablets are easily recognized by the amateur but only decipherable by the expert. Thus, again, the interest, importance, and authenticity of a tablet can only be established with academic help, and as cuneiform tablets are usually offered for sale with a translation of their text, or at least an indication of the text's content, it is clear that academic advice is obtained prior to sale. In September 2008, for example, there were 332 unprovenanced cuneiform tablets available for purchase on the Internet, of which 211 had been translated by retired professor Wilfrid Lambert (Brodie, 2011). Lambert seems unconcerned about provenance or lack of it. When he was interviewed about object provenance by the *New York Times* in April 2003, he allegedly said, "I don't necessarily know where it comes from or how long it's been coming," and that the dealers "don't themselves, I suspect, very often" (Gottlieb & Meier, 2003a). Lambert is not alone. In March 2011, one U.K.-based trade website was offering a "cuneiform reading service" provided by an "academic Assyriologist."¹⁴ Translations

of cuneiform texts could be prepared for prices ranging from £30 to £105, depending on the length and difficulty of the text. The service also stated that “if the piece is of academic importance and interest the translator requests that you would agree to allow the images/inscription to be recorded for eventual publication, so the new information is available to scholars.” The translation could be made from a photograph, and there was no stated requirement to submit proof of legal export from Iraq or any other evidence of good provenance.

Most cuneiform scholars do not collaborate openly with antiquities dealers in this way, but many will work with unprovenanced material in private collections. In 2003, for example, it was reported that collector and sometime dealer Jonathan Rosen¹⁵ had donated a large number of cuneiform tablets to the Department of Near Eastern Studies at Cornell University in return for tax deduction (D’Arcy, 2003).¹⁶ Cornell accepted the donation on assurances that the tablets had been legally acquired (Gottlieb & Meier, 2003b). They form the subject matter of an ongoing series of academic monographs, published under the auspices of the Cornell University Studies in Assyriology and Sumerology (Owen, 2007a, p. v). There is hardly any verifiable evidence of provenance provided in these publications.

The Rosen donation includes the so-called Garšana archives, comprising something like 1,500 unprovenanced tablets believed to constitute an archive discovered at a presently unknown location in southern Iraq, but thought from a recurring toponym to have been a 3rd-millennium-BC town named Garšana. The tablets were in the possession of Rosen by 1997, at which time he was employing two academics to curate his collection. They recognized the tablets formed a coherent archive and called on Cornell’s David Owen for assistance, who subsequently organized a program of study and publication (Owen, 2007b, p. vii; Mayr, 2007, p. ix).

Owen has argued in defense of the Garšana research that he believes “scholars are obligated to preserve and publish those records of the past that are available, whether or not they have documented contexts or origins” and that

no evidence whatsoever has been presented to demonstrate that scholarly study and publication of unprovenanced inscriptions encourages the looting of sites or inflates the value of cuneiform texts in private collections any more so than the publication of excavated artifacts does. (Owen, 2007a, p. v)

Maybe Owen is right about the inflating effect of publication, but the tablets had already been identified, and preliminary analysis of their contents was underway before the 2003 donation to Cornell—Owen has stated that he started work on the Garšana tablets in 1997 (Owen, 2007b, p. vii). The issue at hand then is the potentially positive financial impact of this predonation work, not that of the ultimate publication in 2007. The source or sources of Rosen’s acquisitions are not known, nor has anything been revealed about the total cost of his purchase. Similarly, nothing has been revealed by Rosen or Cornell about valuations placed on the tablets for the purpose of estimating tax deductions. Doubtless, these two sets of financial data will not be

revealed because Rosen would not consider his personal finances to be a proper object of public scrutiny. They would, however, establish the monetary worth of the predonation scholarly intervention.

This case study confirms the basic system of demand set out in Figure 2. It also raises questions about provenance, or, more accurately, about suppression of provenance. Private collectors holding unprovenanced material must have performed some kind of diligence before buying the material and must have some knowledge of its prior provenance. Academics working closely with collectors are best placed to access that knowledge. Unfortunately, it hardly ever happens. In the case of the Garšana tablets, only minimal information has been presented and it has done nothing to clarify their provenance.¹⁷ Ultimately it seems, cuneiform scholars are not interested in provenance and unwilling to antagonize their patrons:

The undeniable importance of primary sources for the reconstruction of man's past makes it imperative that all cuneiform texts be published without prejudice, no matter what their origin, history, and present location, and whether or not their owner makes public what he knows of their recent history. (George, 2009, p. xvi)

While this is a convenient opinion for those who wish to secure access to privately held material of uncertain unprovenance, it does nothing to improve commercial and academic transparency.

Biblical Artifacts From Israel

This next case study concerns two inscribed artifacts of Iron Age date and apparent Biblical significance that appeared on the market in Israel with no satisfactory account of provenance. The first is an ivory pomegranate carrying the inscription "Holy to the priests, belonging to the T[emple of Yahwe]h" that is said to be the only surviving artifact from the First Temple of Solomon; the second is the so-called James Ossuary, a limestone burial box or ossuary from the 1st century BC bearing the Aramaic inscription "James, Son of Joseph, Brother of Jesus" (Brodie & Kersel, in press; Burleigh, 2008; Byrne & McNary-Zak, 2009; Forum, 2005; Gatehouse, 2005; Shanks, 2005). The Israel Antiquities Authority believes both these inscriptions to be fake, though other experts disagree. They include the academic epigraphist André Lemaire, who identified them both and who believes them to be genuine. In any event, the possibility that the inscriptions might be fake has not undermined the value of the artifacts as commercial assets.

Lemaire discovered the pomegranate in an antiquities dealer's shop in Jerusalem in 1979, when he recognized the possible significance of its inscription. The pomegranate was sold soon after Lemaire had seen it (though before he had published it) for something like US\$3,000. Lemaire published his identification in 1981 in a French academic journal, but in 1984 offered a more accessible account in the popular *Biblical Archaeology Review* (BAR), edited by Hershel Shanks (Lemaire, 1984). Sometime

after this publication, the pomegranate was taken out of Israel and acquired by a French private collector. In 1987, an anonymous donor allowed the Israel Museum to buy it back from the collector for US\$550,000. This prodigious increase in price over a period of 7 or 8 years can only have been due to Lemaire's identification and authentication, which transformed the pomegranate from unprepossessing and not very expensive artifact to spiritually charged and extravagantly priced relic. Shanks later claimed credit for driving up the price by publicizing the find in *BAR*, though he does not appear to have made any profit from this endeavor (other than perhaps selling more copies of *BAR*; Shanks, 1988).

Lemaire first inspected the James Ossuary in May 2002 when it was in the hands of an Israeli antiquities dealer. He recognized the possible historical significance of its inscription and announced the Ossuary as an authentic artifact in an "exclusive" article in the November/December 2002 issue of *BAR* (Lemaire, 2002). Shanks then moved quickly to realize the Ossuary's commercial potential. In October 2002, he joined with the Royal Ontario Museum (ROM) in arranging an exhibition of the Ossuary, which lasted for 6 weeks from November 2002 to January 2003, attracting 95,000 visitors. The ROM announced it had made a US\$270,000 profit, of which US\$28,000 went to Shanks (Gatehouse, 2005, p. 35). Shanks also published a book about the Ossuary and sold the television rights. A television documentary program was screened on Easter Sunday 2003 in the United States and altogether shown in 80 countries. It was released on DVD in 2004.

Again, these commercial projects and monetary profits were enabled by Lemaire's work, though Lemaire himself does not seem to have profited monetarily to any great extent (Gatehouse, 2005, p. 35). The exact nature of the inscriptions, whether they are genuine, and thus their historical importance remain matters for speculation.¹⁸ It is notable that the academic controversy raging around these Biblical objects has concerned their authenticity—it has hardly ever been mentioned that if they are authentic, they will in all likelihood have been illegally excavated (Brodie & Kersel, in press). It says much about the lax attitudes of some academics in matters of law.

This case study introduces a new player into the demand system, in the person of the entrepreneur, exemplified here by Shanks (Figure 3). The entrepreneur devises and carries through projects of commercial exploitation without necessarily owning the object, though is still reliant on the academic for expert advice. Figures 2 and 3 can also be regarded as showing different stages in an object's biography (Appadurai, 1986), with the object constituted either as a commodity (Figure 2) or as a capital asset (Figure 3). (A museum staging a large exhibition might be conceptualized as incorporating the agencies of academic and entrepreneur. In fact, Figure 2 and Figure 3 also depict in disaggregated form two aspects of museum practice—object acquisition [Figure 2] and object exhibition [Figure 3].)

The Gospel of Judas From Egypt

The Gospel of Judas is a 3rd- or 4th-century-AD Coptic translation on papyrus of an original Greek text composed in the 2nd century AD (Brodie, 2006c; Kasser, Meyer,

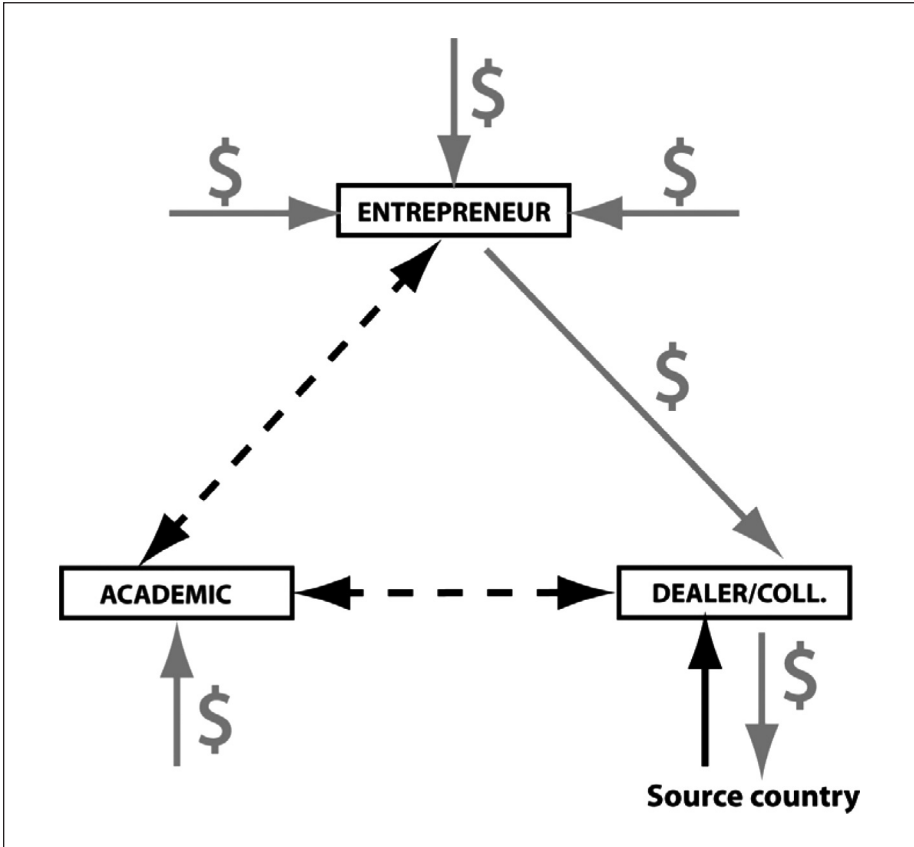


Figure 3. Antiquities demand in destination country—Capital system

Note: Black arrows denote passage of de facto ownership of antiquities. Gray arrows denote flows of money. Dashed black arrows denote exchange of expertise and support.

& Wurst, 2006; Krosney, 2006; Robinson, 2006). It records the historically attested but previously unseen Gnostic Gospel of Judas. The codex (book) containing the text was taken out of Egypt without the knowledge of the Egyptian authorities sometime around 1981. It remained on the market until April 2000, when the Swiss dealer Frieda Tchacos-Nussberger¹⁹ bought it for US\$300,000 (Gugliotta & Cooperman, 2006). At the time of her purchase, the text had still not been translated, and so neither Tchacos-Nussberger nor the vendor was aware of its importance. Tchacos-Nussberger left it with Yale University's Beinecke Library for identification and authentication. By August 2000, Yale had identified the text as the Gospel of Judas (Krosney, 2006, p. 176). After some commercial interchange with another dealer, in 2001, Tchacos-Nussberger sold the Gospel to the Maecenas Foundation of Switzerland

for US\$1.5 million and half of any proceeds that might accrue from commercial exploitation (Gugliotta & Cooperman, 2006). Maecenas assembled a team of academics to ensure that the Gospel is properly restored and conserved and its text translated and published. Maecenas also sold the publication rights to National Geographic. Full details of the financial arrangement have not been made public, though it is reported that Maecenas received at least US\$1 million and royalties from any future book sales (Gugliotta & Cooperman, 2006). Already, like the James Ossuary, there have been commercial products. By March 2011, the National Geographic website listed a DVD of a National Geographic Channel TV special, three books, an audio CD of one of the books, and a special issue of National Geographic magazine. Amazon listed at least five more books and another DVD. This commercial exploitation of the Gospel was enabled by the Beinecke Library's identification.

The Judas Gospel offers another example of the entrepreneurial system illustrated in Figure 3, with the dealer Tchacos-Nussberger acting as collector, in close alliance with the Maecenas Foundation as entrepreneur. If in the future the antiquities market becomes more constrained by laws or normative practice, it seems likely that instances of the entrepreneurial system will become more common as new ways are devised to exploit unprovenanced antiquities as capital assets rather than as commodities.

The Judas Gospel also highlights once more the lack of academic interest in provenance. Between 1981 and 2000, when it arrived at the Beinecke, the still unrecognized Gospel of Judas was seen by academics from four separate universities and by more again after its identification but before it was acquired by the Maecenas Foundation (Brodie, 2006c). Most of these academics seem to have suspected that the papyrus had been taken out of Egypt illegally. Stephen Emmel, for example, who saw the Gospel in 1983 while a member of a party of three academics sponsored by the University of Michigan to arrange the purchase of the codex, has been quoted as saying in 2005 that "... there was no question but that this material should have still been in Egypt" (Robinson, 2006, p. 97). Roger Bagnall, who was at Columbia University in 1984 when he attempted to broker a purchase by the New York book dealer Hans Kraus, has reportedly said that although it was known at the time that an Egyptian antiquities law was in effect, no one "in the manuscript trade at that point was taking that aspect seriously" (Krosney, 2006, p. 148). However, despite their suspicions of illegal provenance, not one academic appears to have alerted either the Egyptian authorities or an appropriate law enforcement agency to the Gospel's existence. Even the Beinecke, which in 2000 declined the opportunity to acquire the Gospel because there were "questions about its history and ownership" (Krosney, 2006, p. 177), seems to have failed in this regard.

In fact, the usual and thus presumably conventional academic response to encountering the codex on the market was to hunt around for a financial backer to support a purchase. Academic James Robinson, for example, has said that he first heard about the codex in 1983 from his former student Emmel and approached wealthy Norwegian manuscript collector Martin Schøyen about purchase. He attempted to mediate a meeting in 1991 between Schøyen and the dealer holding the codex but failed because of

the tense international situation at the time following the Iraqi occupation of Kuwait (Robinson, 2006, pp. 112-113). And Robinson is someone who is dismayed by the commercial secrecy that has surrounded the study and publication of the papyrus, which he feels is counter to normal academic practice and not conducive to accurate translation and exegesis (Krosney, 2006, pp. 245-246; Robinson, 2006, pp. vii-viii, 159-184).

The Maecenas Foundation has now arranged that in due course the Gospel will be returned to Egypt (Gugliotta & Cooperman, 2006), which on the face of it is a positive outcome, but neither Maecenas nor the National Geographic have commented on what money if any will be made available to Egypt to pay for the Gospel's long-term curation, or what commercial rights will accrue to Egypt along with its return (Brodie, 2006c, p. 26). In fact, both organizations seem set to draw significant monetary profit from what is now admitted to be Egyptian property to the financial detriment of the Egyptian state. If that happens, it will be in part because not one academic who came into contact with the Gospel notified an appropriate authority about its existence and location.

The Oxford University Research Laboratory for Archaeology and the History of Art

In 1955, Oxford University established what was then the innovative Research Laboratory for Archaeology and the History of Art (RLAHA), with the aim of applying scientific techniques to archaeological and art historical research. An early emphasis was placed on the development of scientific techniques for establishing authenticity, and the commercial possibilities of that application were quickly realized. By the early 1980s, the RLAHA housed a successful thermoluminescence (TL) dating service, authenticating ceramic objects for antiquities dealers and their customers.²⁰ The TL service was used by, among other people, the Italian dealer Medici, and an Oxford TL date was acquired for the Euphronios krater prior to its purchase by the Metropolitan Museum (Silver, 2009, pp. 71, 291).

In 1990, a television documentary highlighted the RLAHA's TL dating of terracotta statues that had been smuggled out of Mali. The then director of the RLAHA acknowledged that the Malian terracottas had been smuggled but defended the RLAHA's dating service on political and commercial grounds, arguing that universities were increasingly coming under pressure to develop private sources of funding (McIntosh, 1996, pp. 57-58; Tubb, 2002, pp. 286-287). The television documentary alerted the academic community to the problem and in response to the protests that followed in 1992 TL tests were banned for West African objects from private individuals (Inskeep, 1992). In 1997, commercial TL testing was stopped altogether. In a retrospective interview, the scientist who had supervised the TL service is alleged to have said about testing of unprovenanced objects that "It was OK at the time—you take your sample and you don't get on your high horse" (Silver, 2005).

This case study illustrates how the agencies of entrepreneur and academic can be combined. Instead of receiving support in the form of access to material, the academic now trades expertise for monetary payment (Figure 4). This type of collaboration

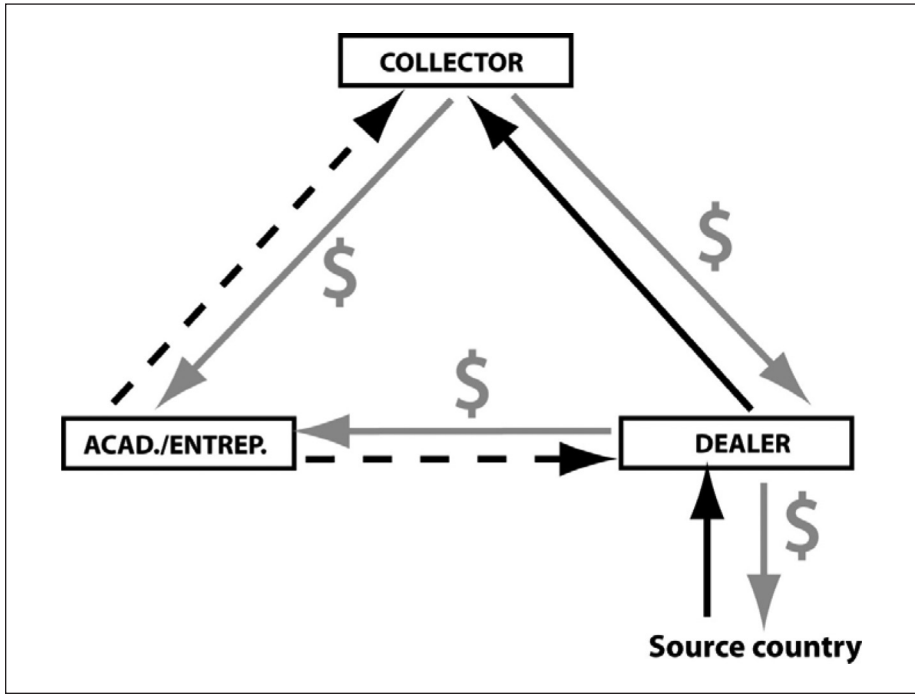


Figure 4. Antiquities demand in destination country—Academic entrepreneurs
 Note: Black arrows denote passage of de facto ownership of antiquities. Gray arrows denote flows of money. Dashed black arrows denote provision of expertise.

involving university employees is probably rare, though the cuneiform reading service mentioned earlier might be another example. In 1990, plans by the Institute of Archaeology at University College London to establish a commercial service offering analytical and conservation services to the trade attracted staff and student protest and were abandoned when it was recognized that it would not be commercially viable without unprovenanced material. In the event, a private company was offered accommodation in Birkbeck College, London (Tubb, 2002, pp. 287-288).

In 2005, the RLAHA’s TL record archive was quietly destroyed. This archive is said to have contained “papers about hundreds, if not thousands, of artifacts made of clay. The names of clients, Polaroid photographs of each object and the lab’s conclusion of whether the vases and statues were genuinely ancient” (Silver, 2009, pp. 291-292).²¹ Oxford University’s lawyers had ordered the destruction because of the confidential personal information contained in the archive. There are several issues arising from this action. First, the use of the TL service by the convicted dealer Medici demonstrates that the archive would have constituted a material source of evidence for police investigations into illegal trading or private investigations aimed at the

identification and recovery of stolen and illegally traded objects. Second, the archive would have constituted a resource for academic research into the trade—containing otherwise unavailable data relating to types of object, sources of object, and percentage of fakes, to say nothing of the identities of object holders. Reservations over the release of confidential personal information could have been met by demanding assurances that any published research would be suitably anonymized or by sequestering the archive for a suitable period of time. In the event, the decision taken by Oxford to destroy the archive has obstructed research into the trade, and another opportunity to increase commercial and academic transparency has been lost. The fact that a university ordered the destruction of what was potentially an important resource for scholarly research raises serious ethical questions about its commitment to furthering the pursuit of knowledge in the face of potentially embarrassing revelations about its previous conduct.

When the RLAHA's TL service was wound up in 1997, the scientist responsible for testing left university employ to establish her own company (Oxford Authentication UK Ltd.) and continued offering a commercial service to the antiquities trade. When interviewed about the provenance of her test samples, she is alleged to have said, "Don't ask me about the legality of it, that's not my problem. I just take the money and tell them if it's genuine or not" (Silver, 2005). In 2008, she was awarded the Gabor Medal and Prize of the Institute of Physics (IOP) for "distinguished work in the application of physics in an industrial, commercial or business context" and as "a rare case of one person very successfully commercialising complex technology from a small business on a truly global scale."²² The prize text also explained inaccurately that she had established the company in 1997 when the "RLAHA decided to move its research away from TL." In fact, after 1997, The RLAHA's decision to stop testing material of uncertain provenance did not affect its TL research into material obtained through legitimate archaeological and environmental research. No mention was made in the IOP's prize text of the controversy that had caused the closure of the RLAHA facility, nor did the IOP offer any defense of its decision to award a prize to work that was considered unethical by archaeological members of the academic community. The IOP physicists applauding the TL service probably had no idea it had previously attracted censure.

Discussion

There is one simple reason for the persistence of the illicit antiquities trade—people make good money from it. The large sums of money generated by "one-off" objects such as the James Ossuary and the Gospel of Judas might be unusual, but they illustrate how even well-meaning academic interventions can generate large profits for the dealers and entrepreneurs of the "gray" antiquities market. The same mechanisms are in play for less significant artifacts, and even though the profits generated are much smaller, on aggregate, they can still be enough to make the trade worthwhile.

None of the academics discussed in this article appears to be doing anything illegal—absence of provenance is not necessarily the same thing as illicit provenance and suspicion of theft is not knowledge of theft. Nevertheless, academics generally seem unconcerned that they might be supporting an illegal enterprise, and even unwittingly perhaps putting themselves in danger of criminal prosecution. In June 2009, for example, University College London launched a new “Cultural Property Policy,”²³ which among other things is intended to advise staff of the risks involved when working with cultural objects. It alerts staff and students to the “reputational risk” of working with cultural property but has nothing to say about the risk of criminal association. Presumably those responsible for the report were unaware of the risk themselves. However, if academics are routinely involved with collectors and dealers who are acquiring and selling unprovenanced material, they should at least be aware of the possible implications of the United Nations 2000 Convention against Transnational Organized Crime, which is aimed at small groups of people (three or more) collaborating over a period of time to commit serious transnational crimes that directly or indirectly have a financial or other material benefit. Universities and their employees seem poorly informed in general about the possibility of criminal association, and ways should be found of raising their awareness of the nature and imminence of the dangers involved.²⁴

The cases discussed have mapped out a series of systems or subsystems that go to constitute demand in the antiquities market. Academic expertise is a central component of each one of them. Figure 5 attempts to incorporate what has been learned into the simple model illustrated in Figure 1. Rather than depict a confusing network of flows, the persistent presence of academic expertise has been portrayed as a field enabling or promoting flows of material and money. From this perspective, the trade appears to be firmly embedded in academic practice, which is fundamental to its healthy operation. This suggests that soft policy options aimed at discouraging academic involvement might be cheaper and more effective than law and enforcement sanctions—“persuasion rather than punishment” (Polk, 2009, p. 22). The issue of academic involvement is largely an ethical one.

Many academics working in disciplines that are not perceived to have a physical human subject—such as archaeology and epigraphy—adopt what can be characterized as a “morally neutral” position as regard their research. They maintain that the goal of research is rational knowledge, which can be glossed as truth, and as the truth is morally unambiguous there is no need for ethical reflection (Brew, 2001, p. 103). The point of this article is to challenge the rationale for moral neutrality insofar as the study of unprovenanced cultural objects is concerned by showing that although the potential social harms of the antiquities trade are now well documented, there is little introspective concern on the part of involved academics that their work might be aggravating those harms. It highlights the need for informed investigation of and discussion about the ethical propriety of relationships between the academy and the antiquities trade. The fact that the physicists of the IOP felt free to applaud work that had attracted the ethical condemnation of archaeologists suggests that the discussion should be broadly interdisciplinary.

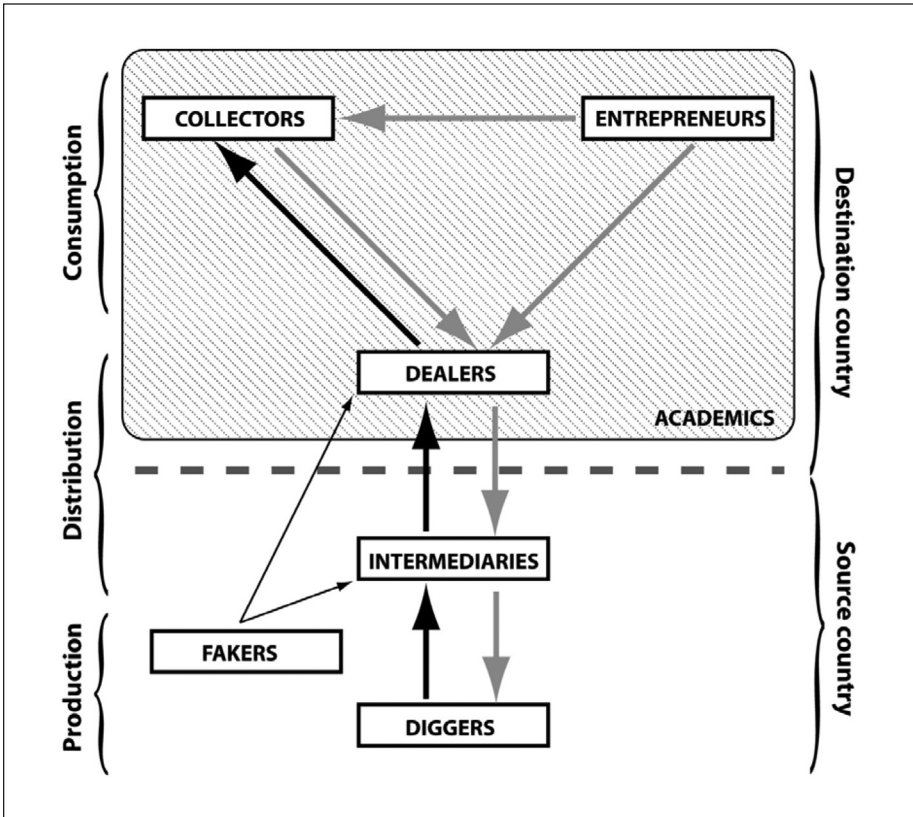


Figure 5. Improved model of antiquities trade

Note: Black arrows denote passage of de facto ownership of antiquities. Gray arrows denote flows of money.

Any attempt to persuade the academy to reflect on or to discuss publicly the possible social harm of its work will be rapidly construed and dismissed as censorship and a threat to academic freedom (Boardman, 2009, p. 114; Owen, 2009, pp. 125-126). Although it is possible to characterize that reaction as polemical or rhetorical posturing, or as discursive justification, it does suggest that situating a discussion of ethics in the context of academic freedom might offer ground for productive compromise. Those who defend academic involvement with the trade on grounds of rescuing knowledge have so far failed to demonstrate even a marginal interest in associated issues of broader philosophical or sociological concern, such as the relationship of knowledge to human well-being or the psychological and sociological reasons for engaging in value-free research (Brew, 2001). The purpose of academic research and the reasons why academic freedom guarantees that purpose need to be better

understood. Production of “knowledge” or “truth” are simply stock answers, and as such they are not good enough. Freedom implies choice, and academic freedom cannot be said to exist when scholars are oblivious to the possible harmful consequences of their work and thus cannot see the need or even existence of a choice to do otherwise. True academic freedom will only be created by the formation of a knowledge-based ethical environment for academic practice that will allow scholars to make fully informed choices about the merits or otherwise of their involvement with the antiquities trade. To achieve that goal, the nature and severity of the social harms described in the introduction to this article have to be better understood, along with the possible leavening effects of academic practice.

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Notes

1. There is some confusion in the literature about the meanings of the terms *provenance* and *provenience*, which are sometimes used as synonyms to mean the findspot and subsequent ownership history of an object. Coggins (1998, p. 65, note 2) has suggested that *provenience* should be used only to mean the original location and context of an object, reserving *provenance* to refer to its history of ownership. This article follows Coggins in using *provenance* to mean ownership history but avoids using the term *provenience*. Findspot and/or context are used instead.
2. “Western” is used here in a cultural rather than socioeconomic or political sense to denote the aesthetic tradition born out of the Renaissance and the Enlightenment, which has come to espouse a belief in the universality of aesthetic value. Increasingly, objects are also being collected in other traditions, Buddhist objects in Japan, for example, or Islamic objects in the Persian Gulf States. It remains the case, however, that most objects are destined for universalizing “Western” collections, with all the cultural and intellectual baggage that those collections entail.
3. Which is not to say that they have been totally unsuccessful. The problems caused by the trade undoubtedly would have been worse without the current mix of legislative and normative control.
4. Parallel work for the supply end can be found in Hollowell (2006) and Kersel (2006).

5. This is not to say that academic experts within the museums sector are not involved in the trade. Quite the opposite, in fact, although the propriety of relationships between museums and the trade has received a considerable amount of attention, not least from museums themselves as witnessed by the development of what are now quite sophisticated ethical codes (for introductions, see Brodie, Doole, & Watson, 2000; Cuno, 2006, 2009b). The underlying contention of this article, however, is that in contrast to museum-based experts, the involvement of university-based experts has generally been overlooked.
6. Broadly speaking, drawing exact disciplinary boundaries between archaeology, art history, and epigraphy is difficult if not impossible. People studying Greek vases, for example, might consider themselves to be archaeologists or art historians and might be found in departments of archaeology or art history. People studying Biblical inscriptions might consider themselves to be archaeologists, epigraphists, Biblical scholars, or historians.
7. The belief has not been substantiated because the necessary research has never been carried out. It is really a question of guilt by association. The tablets started appearing in quantity at a time when it was known that there was widespread looting of archaeological sites in Iraq and no convincing account of alternative provenance could be offered.
8. But see Rollston (2005) discussing the importance of context.
9. According to its website, the Biblical Archaeology Society (BAS) was founded in 1974 by Hershel Shanks as a nonprofit, nondenominational, educational organization dedicated to the dissemination of information about archaeology in the Bible lands. The BAS publishes a bimonthly magazine, *Biblical Archaeology Review*, under the editorship of Shanks (<http://www.bib-arch.org/about.asp>).
10. In March 2011, this statement and its attached list of signatories was no longer to be found on the BAS website. There is a copy of it in the author's possession.
11. The literature on recent archaeological forgeries, their presence in private collections and museums, and their debilitating effect on scholarship, is proliferating. Recent systematic treatments include Muscarella (2000a, 2000b), Bruhns and Kelker (2010), and Kelker and Bruhns (2010).
12. In 2005, an Italian court found Medici guilty of illegal export, receiving stolen goods, and conspiracy (Watson & Todeschini, 2007, p. 283).
13. In 2005, Hecht was placed on trial in an Italian court charged with conspiring to receive stolen art. As of December 2010, the trial was ongoing.
14. See <http://www.collector-antiquities.com/314/> (accessed March 29, 2011).
15. In the early 1990s, Rosen was a partner with Hecht in the antiquities trading company Atlantis Antiquities Ltd (Mazur, 2006a).
16. In the United States, donations of tangible property made to museums that are classed as not-for-profit charitable organizations are tax deductible. The donor is allowed for tax purposes to claim the fair market value of the donation as a deduction against income. If the value of a donation is said to be worth more than US\$5,000, it must be confirmed by independent appraisal. If the appraised value is more than US\$20,000, it will be reviewed for accuracy by the Art Advisory Panel of the Internal Revenue Service (Gerstenblith, 2004, pp. 264-268).
17. An author's acknowledgment implies that the Garšana tablets had not been in circulation long as he could distinguish them from other tablets that had been on the market for many

- years (Mayr, 2007, p. ix), and the main text states that they “. . . were evidently the product of clandestine excavations in Iraq sometime during the last century” (Owen & Mayr, 2007, p. 1). The fact that the tablets were baked and cleaned before study to ensure their conservation (Owen, 2007b, p. viii) and thus had not previously been conserved would suggest that the clandestine excavations occurred sometime toward the end of the 20th century.
18. As this article was going to press, another “sensational” find of Biblical significance was reported (Pigott, 2011). It comprises 70 small, 1st-century-AD lead documents (codices) written in code with Hebrew script and apparently Christian texts. The documents are said to have been found in Jordan in 2006 and are now in the possession of an Israeli Bedouin, who claims they have been the property of his family for 100 years. Jordan has expressed its desire to secure the return of the material. The Israel Antiquities Authority has pronounced them fake. Lemaire also thinks they are fake. The artifacts were first announced by press release on March 22, 2011 (Elkington & Elkington, 2011), which included academic statements in support of authenticity. Soon after it was claimed that Oxford University’s Departmental of Materials had analyzed the lead and believed that it was “not a recent production” (Rocker, 2011). The press release revealed plans for a documentary film to be made about the find and the publication of a book. Again, the academic statements of authenticity obtained before the existence of the codices was made public seem to be essential ingredients of their commercial exploitation and will no doubt add to their value if they are sold.
 19. In 2002, Tchachos-Nussberger was convicted of handling stolen and smuggled antiquities from Italy (Watson & Todeschini, 2007, pp. 194-195).
 20. TL dating authenticates objects by distinguishing those that are old (and thus genuine) from those that are recent (and thus probably forgeries).
 21. A former director of the RLAHA has stated that 40% of the artifacts tested were forgeries (Hall, 1990, p. 19).
 22. See http://www.iop.org/about/awards/subject/gabor/medallists/page_38549.html. The Institute of Physics has a worldwide membership of about 40,000 and describes itself as “a scientific charity devoted to increasing the practice, understanding and application of physics. We are a leading communicator of physics to all audiences, from specialists to the general public.”
 23. Available from <http://www.ucl.ac.uk/cultural-property/policy.shtml> (accessed March 29, 2011).
 24. On October 23, 2009, Bulgarian National Television (BNT) announced that a professor of numismatics had been charged with membership of an organized group conducting illegal archaeological excavations and with intending to profit from the sale of illegally acquired artifacts (Kostadinov, 2009). He was arrested in 2008 along with 18 other people on suspicion of illegal excavation. The charges hinged on the presence in his house at the time of his arrest of 400 archaeological coins belonging to two private collectors. The police claimed that the professor was describing the coins prior to their sale abroad. He defended himself by stating that the collection had been registered with the Bulgarian Ministry of Culture in 2007 and was therefore legitimate and that he was studying the coins in advance of publication.

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Bio

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