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Cultural Heritage Offences in Latin America: Textile Traffickers, Mummy Mailers, Silver Smugglers, and Virgin Vandals

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Introduction

Latin America has a deep and intricate history: a pre-Conquest past characterised by the brilliant florescence of numerous complex civilisations and a post-Conquest past filled with the gradual and often conflicted blending of cultures. The material remains of these pasts represent the shared cultural heritage of humanity. They are an irreplaceable record of human achievement. Because of their beauty and significance, these artefacts of Latin America's past, these antiquities, are highly desirable on the international market. As such, they are looted, stolen, trafficked, and illicitly sold.

The illicit trade in Latin American cultural objects threatens our collective understanding of cultural development and significantly undermines movements towards social justice for Latin American Indigenous communities. It threatens cultural tourism for this poor region which depends on growth in that sector. It also reinforces the power imbalance between the global North (antiquities market) and the global South (antiquities source). Although it is not the only threat to cultural heritage in the region (others include development, deforestation, people movement and cultural loss, vandalism, natural disaster, and conflict), the theft and trafficking of cultural property in the region has been a major issue for decades and has not yet been effectively arrested.

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In this chapter, I will discuss cultural heritage offences related to the theft and trafficking of archaeological and historic objects defined by relevant legislation as being the cultural patrimony of a Latin American state and, thus, not private property. The exact perimeters of category of object differ from country to country and are outside the scope of this discussion, but generally speaking, in most Latin American jurisdictions, objects of cultural patrimony include:

- all undiscovered ancient/pre-Conquest cultural objects and any discovered after the relevant state claim legislation was promulgated (e.g. any artefact uncovered after 1906 in Bolivia);
- certain categories of protected post-Conquest ethnographic material, including community-held textiles and masks;
- historic documents that are deemed significant under state-specific guidelines;
- the elements and contents of publicly held historic buildings; and
- all of the art, architectural elements, and related sacred items of the region's historic churches.

Ancient and historic heritage represents a clearly defined category in the legislative and regulatory regimes of Latin America, allowing this discussion not to linger on legal grey areas and different definitions of crime or criminality and focus on the forces and forms of cultural heritage crime in the region.

Contextualising Cultural Heritage Offences in Latin America

Discussing the functioning of heritage-related crime in such a vast area as Latin America requires a certain degree of abstraction. The countries of the region have differing legislative regimes, although most are built around the same general model. Each state has different internal pressures and concerns, any of which greatly effect heritage protection. There are vast development and financial differences in Latin America, ranging from stable states with high public confidence in public institutions (e.g. Chile) to troubled post-conflict zones navigating a difficult pathway through extreme poverty and systematic exclusion of the poor and Indigenous from public life (e.g. Guatemala). Furthermore, when speaking of cultural heritage, each Latin American state has a unique past with differing preserved physical remains. Remote jungle-covered temples present different crime and security issues

than mummies in the desert, paintings on the walls of an early Conquest church, or documents in a poorly guarded regional archive.

In this section I will discuss some of the general issues that concern the region with regard to heritage and crime. Although individual cases and context may present different patterns of threat and protection, taken as a whole, these represent the systematic issues that impede effective prevention of cultural heritage offenses in Latin America.

Market Forces

There is a strong internal and external demand for the cultural heritage of Latin America in all of its forms. The global demand for physical cultural objects from Latin America underpins the general popularity of Latin American culture. Starting in the 1940s and 1950s and significantly increasing in the 1960s and afterwards, there has been a strong market for ancient Latin American objects, particularly objects crafted by the ancient cultures of Meso-America and the Andes. This market, although seemingly concentrated outside of America, particularly in the United States and parts of Europe, was mirrored by a strong internal Latin American market for these pieces which is both understudied and poorly understood.

The primary concern about the market for Latin American antiquities is that, with few exceptions, the private ownership of pre-Conquest objects was banned and the unauthorised digging for an export of these pieces was criminalised before the art market became interested. In other words, by the time that collectors wanted to buy Latin American antiquities, it was illegal to do so. However, demand causes supply, and in this case, it was illicit supply. The strong market demand for ancient Latin American objects has directly resulted in the systematic devastation of Latin American archaeological sites from artefact looting and cultural loss from international antiquities trafficking over the last 60 years (Bator 1981; Chase et al. 1988; Coggins 1969, 1976, 1998; Gilgan 2000, 2001; Gutchen 1983; Robertson 1972; Sheets 1973; Yates 2006, 2015a, b).

Furthermore, there is an often neglected but significant and long-standing art market demand for Colonial Latin American Art, particularly the sacred art contained within Colonial and Republican period churches. There are hundreds of thousands of historic churches throughout Latin America, each filled with a local selection of devotional art from nearly 500 years of cultural contact between hispanicising Catholics and existing Indigenous belief systems. Paintings, silverwork, icons, and furniture all display regional

characteristics that are desirable on the market; they have been for decades but may have increased in popularity in the early 2000s due to global stylistic trends (Yates 2014b).

Yet within the art market, these Latin American sacred art objects have rarely been approached as either ‘antiquities’ or as ‘historical objects’; in other words, the market construes them as purely objects of art (and sometimes objects of decoration) rather than as protected cultural patrimony. Again, as with ancient objects, in most Latin American states, it is unlawful to sell or export items from historic churches in all circumstances and has been since before there was a thriving market for such pieces. They are largely excluded from academic discussion of looted and trafficked cultural heritage from Latin America and, due to the complete separation of this market from the Latin American antiquities market, it is likely that buyers are unaware of the possible crime pathways that bring these objects to the market.

In other words, there is a strong global demand for but no legal supply of ancient and historic Latin American cultural objects.

Insecurity and Theft

Because of this market demand for Latin American cultural objects for which there is no legitimate supply, theft is of primary concern. It seems obvious then to say that increased security on the ground would reduce incidence of theft, but this ignores the funding and logistical realities of the places where much of Latin America’s cultural objects are located. Many of these areas are fundamentally insecure, and governments and authorities are unable to meet the basic needs of much of the population. Locations that lack health care, education, electricity, sanitation, and roads are also locations that house heritage sites. Poorly protected heritage is only one element of the region’s more systematic issues (Yates 2014b, 2015a).

The people living in these situations engage in a number of subsistence economies, both licit and illicit, to get by. This may include at times the looting of archaeological sites or the theft of heritage items (Matsuda 1998; Paredes Maury 1999); however, poverty does not lead directly to heritage theft. Rather, poverty sustains the insecurity at heritage sites, even when communities are motivated to protect. When national-level authorities are unable or unwilling to protect heritage locations, leaving ground-level security up to individual communities, a poor community is least prepared to secure the site. They are unable to pay guards, cannot afford to install security devices (alarms, locks, fences), and do not have sufficient members with leisure time to serve as security volunteers.

And not all of Latin America's sensitive heritage sites are located near communities. The vast and varied terrain of the land mass and the varied human use of this terrain ensure that heritage sites are located literally beyond protection. Consider, for example, the Inka mummy known as the Cerro el Plomo Child, found by looters on a Chilean mountain top at an altitude of 5400 metres, along with marketable gold and silver offerings (Fuenzalida 1957), or 'Site Q', a previously unknown Maya site located so deep in the Guatemalan jungle that for decades archaeologists only knew about it from the steady stream of looted carved stone monuments that appeared on the international market (Martin 1993; Matthews 1979). It is impossible to secure an unknown site and nearly impossible to secure a known but remote site.

Heritage locations, both those located near communities and those that are remote, suffer from a lack of police reach. In the latter case, this is understandable, but, in the former, funding shortfalls for effective policing have a major influence on the effectiveness of protection efforts as well as the perception of insecurity experienced by communities. In reporting related to the theft of heritage items from Churches in the Bolivian Andes, it is common for communities to report how long it took police or the Ministry of Cultures to respond to their report of a crime and, at times, the wait is several days (Yates 2014b). Externally, this slow response can be ascribed to limited expert staff and the difficulty inherent in reaching some of the more remote communities that experience these thefts; however, internally, for communities coming to terms with the loss of sacred communally held items, slow response is experienced as the authorities not caring for the people, not protecting them. This deepens mistrust of the authorities and increases the likelihood that heritage theft will go unreported, which is a serious concern in the region.

Regulation and Law

What much of Latin America may lack in practical heritage security capabilities, it makes up for in clear heritage legislation. Most Latin American countries with marketable and desirable ancient remains enacted comparatively early legislation criminalising unauthorised digging at heritage sites, the transfer or sale of heritage items, and the unauthorised export of cultural objects. This relates as much to outside interest in the antiquities of the region as it does both to the growth of national archaeology and to high-level efforts to define, claim, and control national assets. In some Latin American countries (including the archaeology-rich countries of Mexico, Guatemala, Peru, and Bolivia), there is no legitimate pathway to privately

own and/or export any object that is considered to be *patrimonio cultural*; those pieces are always property of the nation or state in all circumstances. Thus, heritage objects found on private land are property of the state, historic pieces in churches are property of the state, and even family heirlooms pass into having their export and sale restricted under the law. In some jurisdictions (e.g. Bolivia), crimes involving the theft or destruction of heritage items are considered aggravated, carrying harsher sentences under the countries' penal codes. In all jurisdictions in Latin America, cultural heritage offenses carry both significant fines and significant jail time (Sipse 2014; RPP 2014).

Yet, in light of the previously discussed funding shortfalls not only for policing but for the whole judicial and penal systems, these laws can be characterised as aspirational. They are strict and clear, but, in many Latin American locations, they are unenforceable. In other words, they necessarily assume the availability and funding of police, public prosecutors, judges, and prisons; a justice machine that is well oiled. As it stands, in many locations in Latin America, funding for investigation is lacking. Heritage criminals are rarely caught. Those who are face long waits for trials, which, at times, lead to automatic case dismissals. And, finally, the cases themselves are perceived of as less pressing than what are seen as 'serious' crimes such as rape or murder, limited available funding, and time tends to be focused on those cases.

In response to this discrepancy between the law and the practicality of effective enforcement, some Latin American countries have experimented with alternative schemes for varying degrees of heritage crime prevention or recovery of looted or stolen heritage objects. Many countries have semi-official amnesty programmes in place where individuals who are holding illicit cultural objects can turn them over to the authorities, no questions asked. Some have even experimented with small payments for the handover of particular antiquities in an effort to keep the pieces in the country (e.g. Ecuador historically, see Howell 1992), a controversial system that many believe may encourage violation of the law in the form of continued state-sanctioned theft. Still others have developed caretaker systems where individuals can keep heritage objects in their homes, provided they accept that they are not the legal owners of the pieces, that they register them with the state, that they neither sell nor transfer them, and that they refrain from modifying them in any way (e.g. Belize; see Yates 2015a). Indeed, this excuses the past crimes involved in the acquisition of these pieces, but encourages reporting of chance finds and previous purchases and open dialogue with heritage authorities.

Transnational Issues

The theft of heritage objects in Latin America can be characterised as the first phase of transnational crime. In many, although not all, cases, the final market destination of the looted object is in another country. Furthermore, the piece is likely to pass through a third or even a fourth country on its way to a market. Like most transnational crimes, differences in policing, legislation, and regulation across jurisdictions serve as barriers to effective investigation of crimes and prosecution of criminals. While we may desire cross-jurisdictional cooperation, the reality is that such international investigations rely on good will, partnerships, and enduring positive relationships which may not always exist between states. Even in the best of situations, differences in language impede cultural property smuggling investigations, and differences in priorities result in lesser emphasis being placed on this sort of case at various points along the smuggling chain. The inadequacy of current international regulation to address the middle stages of antiquities smuggling and the trafficking phases between initial theft and final market have been addressed by numerous scholars. Latin America is no exception.

Four Cases from the Andes

The following case studies represent a snapshot of cultural heritage offences related to artefact theft in one particular region of Latin America: the Andes, in this case Peru and Bolivia. The nature of antiquities region theft and trafficking in the Andes is comparable to other areas within Latin America, but due to the nature of the cultural property available, takes on its own form. For discussion of cultural property crime in Meso-America, see Yates (2014a, 2015a).

Textile Traffickers

It is by no means hyperbolic to state that cultures of the ancient Andes produced some of the most masterful and beautiful textiles ever crafted. Woven, embroidered, painted, and dyed, these pieces represent thousands of years of cultural refinement. They were the clothing of the living and the vestments of the dead. Extensive, layered clothing for the dead is a hallmark of many Andean cultures. Mummies, bound into sitting positions, were dressed with layers of blankets, ponchos, shirts, shawls, and hats, forming so-called mummy bundles. One mummy bundle might contain dozens of textiles. As many

Andean cultures selected hot, arid locations to bury their dead, both the textiles and the mummies within them can be spectacularly preserved.

Because of their beauty and their superior preservation, Andean textiles have been desirable on the international art market for over a century. The only way that this demand is met is the literal robbing of graves and the removal of the textiles from the dead human bodies that they encase. All Andean textiles in international collections came off bodies. The surface of looted ancient Andean cemeteries is usually shattered with mutilated human remains: mummies destroyed in the looting process.

The looting of the Paracas Necropolis sites in the 1930s, although distant, illustrates how shifts in politics and the loss of key motivated site protectors can have a devastating effect on heritage preservation in Latin America. The recent political maneuverings regarding the eventual repatriation of key Paracas textiles which were looted at this time show how salient an issue cultural property crime is to the Peruvian public, even if those crimes occurred over 80 years ago. The Paracas culture was first identified and described by Peruvian archaeologist Julio Tello who excavated in Peru's Paracas region (Tello 1959); however, it is clear that looters located many Paracas sites long before Tello appeared on the scene (Tello 1959, p. 85; Dwyer 1979). Tello, himself a critic of the destruction caused by archaeological looting, had been monitoring the antiquities market for some time in hopes of discovering the source of a number of elaborate textiles being offered for sale (Dwyer 1979). Tello (1959, p. 85) records that the Ica valley was the site of the most obvious devastation caused by looting. He describes a pock-marked landscape scattered with huaquero discards. He says that at the time of his writing, the looting of tombs in the Ica region had been intensively conducted for 40 years and had caused 'irreparable damage' to the heritage of Peru. In 1925, Tello and archaeologist S.K. Lothrop heard that the site of Cabeza Larga on the Paracas Peninsula was being looted. With the help of a huaquero named Juan Quintana, the archaeologists located the fragmentary remains of textiles which matched the style of those on the market.

Tello and fellow archaeologist Toribio Mejía Xesspe returned to Paracas several months later to conduct archaeological excavations which produced over 70 mummy bundles. In 1927, they located what is commonly known as the Paracas Necropolis (also known as the Necrópolis de Wari Kayan) on the north side of Cerro Colorado (Proulx 2008, p. 569). Within this context, Tello recovered 429 mummy bundles, some of which contained several hundred textiles (Tello 1959, p. 90; Dwyer 1979, p. 106). Due to their expert craftsmanship and other-worldly iconographic themes, the textiles immediately garnered international attention.

On 26 September 1930, Tello was forced to resign the directorship of the Museum of Peruvian Archaeology for political reasons. Without an archaeological presence at the site, the Paracas Necropolis was almost immediately hit by looters. In the leadership vacuum that resulted at Paracas, Tello reports that huaqueros had taken over areas that were still marked with archaeological stakes, particularly in parts of the Wari Kayan area that had not yet been excavated (Tello 1959, p. 97). From 1931 to 1933, the cemeteries were massively looted and, based on the number of human bodies found on the surface by Tello and other archaeologists, the amount of archaeological material removed from the sites must have been great (Tello 1959, p. 97). Paracas Necropolis textiles began to appear on the international market within a year, and it is thought that the majority of the Paracas textiles in international collections were smuggled out of Peru at this time (Tello 1959, p. 97; Dwyer 1979, p. 106).

Paracas textiles appear in the collections of most major international museums and have increasingly become the focus of Peruvian repatriation requests. One particular case of note is the Paracas textile collection housed in the Museum of World Culture in Göteborg, Sweden. The collection consists of 100 textiles (eighty-nine formerly owned by the city of Göteborg and 11 formerly owned by the Swedish state) which were illegally exported' (to use the term on the Museum's own website) to Sweden between 1931 and 1933 by Sven Karell, the Swedish Consul in Peru (Trulsson 2012; Varldskultur Museet n.d.). The textiles were featured in an exhibit entitled 'A Stolen World: The Paracas Collection', which focused on the textiles' status as illicit antiquities.

The government of Peru requested the return of this collection in December 2009. The city of Göteborg acknowledged the illegal nature of the export of the textiles, and in April 2010, they informally agreed to a slow, successive return of the Paracas material (Karlzén 2010). Over a year later, no formal decision had been made about the textiles. Some museum administrators believed that the return would never take place due to a Swedish perception that Peru is not financially prepared to care for the fragile pieces (Karlzén 2010).

In July 2011, then-president of Peru Alan Garcia announced that legal action would be taken against the city of Göteborg for the return of the textiles, claiming that the city government was 'complicit in the deprecation and looting of a country and civilization' (The Peruvian Times 2011). This was seen as a rather surprising move on the part of Garcia, given the city's continued interest in the return of the Paracas material. Critics denounced his threat as being overtly political and related to Garcia's success with the repatriation of Machu Picchu artefacts from Yale. Four of the textiles were returned to Peru on 18 June 2014 with the others expected to follow as their

conservation schedule permits. The last is expected to be returned in 2021 (Blumenthal 2014).

The more recent looting of ancient Andean cemeteries for textiles shows that both the issue and the market for such cultural objects were not confined to the 1930s. Take, for example, the site of Huaca Malena, which is located approximately 100 km south of Lima in Peru's Asia Valley. It is associated with the Wari civilisation and from about AD 700 to 1100 Huaca Malena was a major Wari provincial cemetery (Meyers Breeze 2008). The site consists of a four-acre-wide manmade platform, which is augmented by six smaller terraces formed from adobe brick. It was discovered by Peruvian archaeologists Julio Tello and Toriba Mejía Xesspe in 1925, and their excavations resulted in the discovery of over 300 mummy bundles (Angeles Falcon and Pozzi Escot 2005). The dry desert climate of the region has allowed for the exceptional preservation of textiles at Huaca Malena. According to Angeles and Pozzi (2005):

Textiles recovered from Huaca Malena range from tunics of cotton and camelid threads, woven bands, bags, belts, miniature looms, and other fragments. At least 32 techniques have been identified, including very fine tapestry, double cloth, brocade, gauze, warp-faced weaves, tubular weaves, and others.

Because of their superior craftsmanship, the Huaca Malena textiles are very desirable on the international antiquities market. As a result, the site has been extensively looted.

It is unclear exactly when most of the looting occurred at Huaca Malena. Archaeologist Rommel Angeles Falcon recounts that when he started his archaeological studies in the early 1980s, Huaca Malena was largely intact. By the time he was appointed director of an archaeological project at Huaca Malena in 1997, the site was 65 per cent looted and the entire top terrace had been destroyed (Meyers Breeze 2008). Angeles' project has recovered about 4000 textile fragments, many of which had been discarded by looters on the surface of the mound (Angeles Falcon and Pozzi Escot 2005).

Angeles and his colleagues have embarked on a number of initiatives to both preserve the remaining Huaca Malena textiles and educate the public about the information loss associated with the looting at the site. They founded an 'Adopt-a-Textile' programme, which encourages locals, students, and scholars to become involved in the preservation of the recovered Huaca Malena pieces (Meyers Breeze 2008). In 2001, they opened a local museum, and in 2007, the museum organised a protest against looting in honour of the International Museums Day (Universa 2007). They have also worked

extensively with local school children to promote the value of Huaca Malena as a site of learning and local history. According to most accounts, looting at Huaca Malena has been slowed down significantly because of their efforts. This evidences that alternative security measures and participative community education may be effective in countering theft at some Latin American sites. However, this depends on the continued presence of motivated professionals and long-term funding for such projects—both seem unlikely in the majority of cases.

Mummy Mailers

In late October of 2010, officials at the main post office of the Bolivian city of El Alto searched a parcel that was in the possession of an ethnically Aymara woman. Inside the cardboard box, which was addressed to an ‘Annette Huc’ in Compiegne, France, postal officials discovered the preserved remains of a toddler (Solar 2010). The mummy, in the form of a small bundle and complete with textiles, was in good but rapidly deteriorating condition. Under questioning, the Aymara woman claimed that she had no idea that there was a mummy in the parcel. Rather, she had received the box in the village of Desaguadero on the Peru/Bolivia border, presumably after it had been smuggled across the frontier. Her instructions were simply to send the box via Parcel Post to the address on the preprinted label. The woman was arrested, but it is unclear what has happened to her. It is also unclear what happened to the person supposedly involved in this matter, Annette Huc, whose name is also associated with some documents on African antiquities sales.

In November 2012, after two years of research and repatriation negotiations, the toddler mummy was returned to Peru (Nuevo Herald 2012). Bolivian archaeologists inspecting the tiny mummy discovered some evidence that the bundle had been modified so as to be more appealing for the market. The mummy had lost its leg at some point, and the missing limb was replaced with a mummified leg from a younger child. There is also indication that three of the five textiles in the bundle had been added to the mummy. In other words, the mummy represented a composite of various artefacts and body parts—enhancements meant to raise the body’s market value and appeal.

In May 2011, a postal worker with customs in Buenos Aires, Argentina, performed a routine X-ray on a parcel which was addressed to a local resident (Camps 2011). The scan revealed the likely presence of human remains in the parcel, and when the box was opened, three ancient modified human skulls and a complete adult mummy were found within. The skulls and the mummy

had been wrapped in newspaper and tape, and the skulls had then been coated in plaster and painted to look like a cheap imitation of an ancient Nazca-style pot. In other words, the looted and smuggled skulls had been altered to look like cheap knock-off fake antiquities. The parcel had originated in Bolivia, but it was clear that the mummy and skulls had come from Southern Peru, probably from the same region where Nazca-style pottery can be found.

These two cases offer a glimpse into both the internal trafficking networks that operate in Latin America and the somewhat surprising international market for looted and trafficked ancient human remains. In both instances, we can document human remains being looted in Peru, being moved overland into Bolivia, and then being posted from Bolivia. This evidences a perception among smugglers that the Bolivia post is laxer than the Peruvian post. While both of these cases were detected, one must question the number of cases which were not detected. The disguising of the skulls seized in Argentina as tourist-style ceramics indicates organisation and experience.

Very little is known about the contemporary trade in ancient Latin American human remains. Past research into Peruvian antiquities has almost entirely focused on non-human objects, for example, the previously discussed textiles that would have covered mummies. Yet the mummies themselves have been desirable for decades (e.g. there is indication that both Munch and Gaugin were inspired by Peruvian mummies they saw on display in France, including their form in some of their best-known paintings). Contemporary desirability, though, is only noticeable in mummy seizures or the remains of unsuccessful looting attempts.

One such attempt occurred in May 2015 at the archaeological site of San Antonia near Locumba, Peru (Correo 2015). Managers of the area's archaeological project witnessed two men fleeing the site and, upon investigation, found that these unknown men had left behind three large sacs. One sac contained looted archaeological objects (textiles, pots); the other two contained human remains: one a whole mummy and the other a various mummified child remains. Following this theft, allegations were made that around 250 tombs had been ransacked in the region in the past seven years (Chavez León 2015), both for artefacts and, seemingly, for marketable human remains.

Virgin Vandals: The Virgin of Copacabana

The Virgin of Copacabana is the patron Saint of Bolivia. Her origin story is planted in the earliest days of Christianity in South America, representing contact and conflict between cultures. She is strongly associated with Lake

Titicaca, the pre-Conquest birthplace of the Sun, and with miracles granted from prayer to her in the form of an icon carved in the late sixteenth century by the Indigenous sculptor Francisco Tito Yupanqui. A chapel and then a basilica were built around her image at Copacabana, Bolivia, and the statue has not left the church in the centuries since it was made. She is the most holy item in the country. It is difficult to overstate her significance to Bolivians.

In the early hours of Monday 22 April 2013, an unknown number of individuals entered the Basilica of the Virgin of Copacabana, and proceeded to steal the silver and gold devotional items off the sacred image (Linared 2013). These items included a crown, a resplendor, a crescent moon base, the crown of the baby Jesus in her arms, and other devotional pieces. The theft was noticed when the Basilica was opened for morning prayer. Notably, the thieves only removed the silver; they did not move the image of the Virgin from her holy spot. As she had for hundreds of year, the Virgin of Copacabana remained inside her Basilica.

Bolivia was devastated by the news. The President of the country, Evo Morales, vowed on numerous occasions to bring the thieves to justice. Under extreme pressure, the president pushed for intense police investigation, raids, and arrests (BBC 2013). As of the time of writing (2016), these arrests have led to no convictions, all suspects have been freed, and none of the jewels of the Virgin have been recovered (Charca 2015). Replacement silver has since been placed on the Virgin, but insecurity which led to a theft at Bolivia's most important heritage site and the inability of the government to bring the investigation of the case to a satisfying close have tarnished the reputation of the authorities.

While a theft at Copacabana was shocking, it was part of a string of major heritage thefts at Colonial- and Republican-era Bolivian churches recorded at the time (AP 2013). In the first four months of 2013 alone, there were five other widely reported incidents of the theft of sacred art from Bolivian churches (Yates 2014b). In August 2012, 110 silver sacred items were stolen from the historic church at Guaqui (La Razón 2012). In December 2012, five historic paintings were stolen from the church at Tomavi. In 2011, 12 silver items were stolen from the Conquest-era church within the UNESCO World Heritage Site of Tiwanaku (Iglesia Viva 2011). Based on media reports alone, I was able to record 34 major thefts from historic Bolivian churches in the five years leading up to the Virgin of Copacabana robbery (Yates 2014b).

Many speculate that the silver items are melted down and sold as scrap; however, statements made by Bolivian heritage officials and former police officers during interviews I conducted in 2013 in the months following the Copacabana theft showed professionals doubt that scenario. It doesn't explain the theft of colonial paintings and icons from churches, they noted, and most

importantly, as one interviewee put it, ‘the thieves can get much more money for a complete artefact’. Yet it remains unclear where the market for looted Andean church art is located. Our final case study may shed some light on that question.

Silver Smugglers: The Challapampa Altarpiece

The village of Challapampa is a small indigenous village located in the district of Juli, in the Puno region of Peru. Challapampa is situated around the Capilla de San Pedro de Challapampa, a sixteenth-century Spanish Colonial church which was declared to be the cultural patrimony of the nation of Peru in 1972. The church houses a mannerist-style altarpiece, carved by Pedro de Vargas and painted by the Jesuit Priest Alonso Bernardo Joan Democrito Bitti sometime between 1575 and 1591 which was originally constructed for the Picchu hacienda in Cuzco before being transferred to Challapampa in 1700. The altarpiece is made out of gilt cedar and maugay wood, and it fills the church wall being approximately 4 meters long and 3 meters high; and it weighs 450 kilograms.

In January 2002, the altarpiece was disassembled and stored in a nearby medical post as part of an ongoing restoration project within the church. The altarpiece was stolen shortly after it was transported to the medical post, and initial speculation was that thieves had moved the piece into Bolivia. In previous years, the church at Challapampa had been robbed of 14 paintings of archangels which some sources allege are now in Brazil (Frasier 2006).

In April 2003, the Embassy of Peru in the United States was notified that the altarpiece had been trafficked to the United States and was being offered for sale on the Internet. In May 2003, United States Immigration and Customs Enforcement (ICE) traced the piece to Ron Messick Fine Arts and Antiquities, a dealer operating out of Santa Fe, New Mexico (Washington Times 2005). ICE seized the altarpiece under suspicion that its import violated the 1997 Memorandum of Understanding between the United States and Peru, concerning the import of certain classes of cultural property. When the piece was seized, the statue of the Virgin which once stood in the central niche of the altarpiece was found to be missing. It has not been recovered.

The ICE, Interpol, and the US attorney’s office in New York sought a criminal complaint against Ron Messick for his alleged hand in the trafficking and attempted illegal sale of the stolen altarpiece (Washington Times 2005). The charges were dropped when Ron Messick died, and his estate voluntarily surrendered the altarpiece to the US Department of Homeland Security

(Washington Times 2005). On 20 January 2006, the altarpiece was returned to Peru, and on 27 June 2006, it was restored to the Capilla de San Pedro de Challapampa.

Thus, in this case, we see demand for South American church art coming from the United States (and perhaps Brazil) and, apparently, existing trafficking pathways that allow the movement of very large stolen cultural pieces across several borders.

Moving Forward

While some Latin American states such as Mexico (Sipse 2014) and Peru (RPP 2014) are choosing to respond to their ongoing heritage crime issues with increasing fines and jail time within the relevant local legislation, there is little evidence that this will act as a deterrent, prevent looting, or break up smuggling networks. The law, of course, is only as strong as law enforcement, and due to the limitations discussed previously, I do not believe that these strong laws can be effectively enforced in most Latin American contexts; increased sanctions will not decrease looting and trafficking.

The question remains, what will? What would be an effective response to the ongoing problem of Latin American cultural property crime? Targeted interventions at specific sites might be locally effective. These could range from community education to minor changes in police or community security procedures. The continued or modernised documentation of known cultural heritage objects, for example, those within historic churches, would certainly aid in the recovery of stolen property and might, if combined with community education, reduce incidents of theft under the banner of 'a documented antiquity is unsellable'.

Ultimately, though, any of these small fixes would necessarily be context-specific. They do not represent an effective disruption to the system that supports the illicit trade in Latin American cultural objects. At the moment, I can identify only two measures which would significantly disrupt Latin American antiquities-related crime and neither of them are particularly feasible.

The first is the reduction of demand for antiquities on the international market. Demand causes supply. Cultural property will not be stolen and smuggled if there is no market for it. Criminalising and sanctioning at source is ineffective everywhere, and that ineffectiveness is particularly clear for Latin America where strong laws are thwarted by poverty, corruption, ineffectual authorities, and the impossibility to secure heritage sites. Furthermore, a focus on the sources does not address transnational factors such as organised

criminal involvement in the trade, nor criminality at the market end. It certainly places the investigative, judicial, and even legislative burden unsustainably on the developing world with no clear evidence that focusing on antiquities sources prevents global antiquities crime.

To shift our focus to the market and away from source would mean that traditional power holders would have to admit some degree of fault and the expense of regulating and enforcing would fall on countries that have not experienced a loss. Why would they do so? There is very little in the way of motivation to criminalise, sanction, or effectively dissuade the market from dealing in illicit Latin American cultural property on anything but a limited scale.

Second, the single most effective way to reduce cultural heritage offences in Latin America, in particular theft and trafficking, is to improve quality of life across the board: improved education, improved sanitation, increased economic opportunities, improved security, the integration of Indigenous groups into public life in a meaningful way, reduction of corruption; in other words, real, sustained development. Indeed, this would relieve many of Latin America's most pressing problems and, of course, it is beyond the scope of a well-meaning group of archaeologists or a dedicated Ministry of Culture. Very little in the way of intervention of any kind will be effective in the poorest parts of Latin America; it is a sad reality that is difficult to accept during cultural heritage policy formulation, especially at an international level.

While that pronouncement is dire, all is not lost. The inclusion of cultural heritage education, protection, and preservation into wider, long-term development initiatives should be our goal and that goal is perfectly reasonable. This means not siloing our discussion of cultural heritage protection amongst targeted NGOs and stakeholders that have already identified themselves and not discussing the destruction and protection of heritage as an issue separate from the rest of Latin Americas issues. Rather, it means reaching out to government bodies, international organisations, and influential individuals who are not traditionally included within heritage policy discussions and pushing to make the protection of heritage part of a greater whole.

Bibliography

- Angeles Falcon, R., & Pozzi Escot, D. (2005). The archaeological project of Huaca Malena. *L.I.C News: Working Group on Legal Issues in Conservation*, pp. 6–9.
- AP. (2013, August 26). Sacred art stolen from Andean churches. *The Telegraph*. Retrieved March 23, 2016, from <http://web.archive.org/web/20160323085036/http://www.telegraph.co.uk/culture/art/10267122/Sacred-art-stolen-from-Andean-churches.html>.

- Bator, P. (1981). *The international trade in art*. Chicago: The University of Chicago Press.
- BBC. (2013, July 26). Bolivia: Detienen a sacerdote por robo de joyas a la Virgen de Copacabana. *BBC Mundo*. Retrieved March 23, 2015, from http://web.archive.org/web/20160323085033/http://www.bbc.com/mundo/ultimas_noticias/2013/07/130725_ultnot_bolivia_sacerdote_robo_joyas_jrg.
- Blumenthal, R. (2014, June 5). Sweden returns ancient Andean textiles to Peru. *The New York Times*. Retrieved March 21, 2016, from http://web.archive.org/web/20160321162624/http://artsbeat.blogs.nytimes.com/2014/06/05/sweden-returns-ancient-andean-textiles-to-peru/?_r=5.
- Camps, S. (2011, May 28). Frenaron el contrabando de una momia y tres calaveras. *Clarín*. Retrieved March 21, 2016, from http://web.archive.org/web/20110825070310/http://www.clarin.com/sociedad/titulo_0_488951279.html.
- Charca, H. R. (2015, August 4). Cierran el caso de robo a Virgen de Copacabana. *La Prensa*. Retrieved March 23, 2016, from http://web.archive.org/web/20160323085037/http://www.laprensa.com.bo/diario/actualidad/seguridad/20150804/cierran-el-caso-de-robo-a-virgen-de-copacabana_69305_116903.html.
- Chase, A., Chase, D., & Topsey, H. W. (1988). Archaeology and the ethics of collecting. *Archaeology*, 41(1), 58–87.
- Chavez León, D. (2015, May 6). Tacna: Profanaron más de 250 tumbas de cementerio prehispánico. *Correo*. Retrieved March 21, 2016, from <http://web.archive.org/web/20150804125733/http://diariocorreo.pe/ciudad/tacna-profanan-mas-de-250-tumbas-de-cementerio-prehispanico-585254/>.
- Coggins, C. (1969). Illicit traffic of pre-Columbian antiquities. *Art Journal*, 29(Autumn), 94–114.
- Coggins, C. (1976). New legislation to control the international traffic in antiquities. *Archaeology*, 29(1), 14–15.
- Coggins, C. (1998). United states cultural property legislation: Observations of a combatant. *International Journal of Cultural Property*, 7(1), 52–68.
- Correo. (2015, May 4). Desconocidos profanan tumbas prehispánicas y roban momias de 'Huaca (FOTOS). *Correo*. Retrieved March 21, 2016, from <http://web.archive.org/web/20160208041614/http://diariocorreo.pe/ciudad/desconocidos-profanan-tumbas-prehispanicas-y-roban-momias-de-huaca-fotos-584878/>.
- Dwyer, J. P. (1979). The chronology and iconography of paracas-style textiles. In A. P. Rowe, E. P. Benson, & A.-L. Schaffer (Eds.), *The Junius B. Bird Pre-Columbian Textile Conference, May 19th and 20th, 1973* (pp. 105–128). Washington, DC: Dumbarton Oaks.
- Fuenzalida, V. H. (1957). Historia del Hallazgo, La Momia del Cerro el Plomo. *Boletín del Museo Nacional de Historia Natural, Tomo XXVII*(1), 3–8.
- Gilgan, E. (2000). *Archaeological heritage management in Belize: A case study*. Master's dissertation, Boston University Department of Archaeology.

- Gilgan, E. (2001). Looting and the market for maya objects: A Belizean perspective. In N. Brodie, J. Doole, & C. Renfrew (Eds.), *Trade in illicit antiquities: The destruction of the world's archaeological heritage* (pp. 425–442). Cambridge: McDonald Institute.
- Gutchen, M. A. (1983). The destruction of archaeological resources in Belize, Central America. *Journal of Field Archaeology*, 10, 217–227.
- Howell, C. L. (1992). Daring to deal with huaqueros. *Archaeology*, 45(3), 56–58.
- Iglesia Viva. (2011, October 12). La Paz: Robo en iglesia de Tiwanaku. *Iglesia Viva*. Retrieved March 23, 2016, from <http://web.archive.org/web/20160323085025/http://www.antiguo.iglesiaviva.net/ultimas/497-la-paz-robo-en-iglesia-de-tiwanaku.html>.
- Karlzén, K. (2010). *Cultural property and claims for repatriation*. Master's Dissertation, Göteborgs Universitet.
- La Razón. (2012, November 5). Mafias de traficantes operan en Bolivia. *La Razón*. Retrieved March 23, 2016, from http://web.archive.org/web/20160323085030/http://www.larazon.com/index.php?_url=/suplementos/informe/Mafias-trafficantes-operan-Bolivia_0_1716428485.html.
- Linared, I. (2013, April 28). Los tesoros de la Virgen carecen de seguro antirrobo. *La Razón*. Retrieved March 23, 2016, from http://web.archive.org/web/20160323085032/http://www.la-razon.com/la_revista/tesoros-Virgen-carecen-seguro-antirrobo_0_1822617812.html.
- Martin, S. (1993). Site Q: The case for a classic maya super-polity. *Mesoweb*. Retrieved March, 21, 2016, from <http://www.mesoweb.com/articles/martin/SiteQ-OCR.pdf>.
- Matsuda, D. (1998). *Subsistence digging in and around Belize*. Doctoral dissertation, Union Institute.
- Matthews, P. (1979). *Notes on the inscriptions of site Q*. Unpublished Report.
- Meyers Breeze, C. (2008). A Peruvian-American conservation collaboration. *Textile Specialty Group Postprints*, 18, 88–99.
- Nuevo Herald. (2012, November 6). Bolivia devuelve a Perú momia prehispánica. *El Nuevo Herald*. Retrieved March 23, 2016, from <http://web.archive.org/web/20160323085042/http://www.elnuevoherald.com/ultimas-noticias/article2018798.html>.
- Paredes Maury, S (1999). Surviving in the rain forest: The realities of looting in the rural villages of El Petén, Guatemala. *FAMSI Reports*. Retrieved March 21, 2016, from <http://www.famsi.org/reports/95096/95096ParedesMaury01.pdf>.
- Peruvian Times. (2011, July 6). Garcia surprises Sweden with plan for legal action to recover Paracas textiles. *The Peruvian Times*. Retrieved March 21, 2016, from http://web.archive.org/web/20160321164345/http://www.cultureindevelopment.nl/News/Discussing_Looting/1165/Garcia_surprises_Sweden_with_plans_for_legal_action_to_recover_Paracas_textiles.
- Proulx, D. A. (2008). Paracas and Nasca: Regional cultures on the south coast of Peru. In H. Silverman & W. H. Isbell (Eds.), *Handbook of south American archaeology* (pp. 563–585). New York: Springer.

- Robertson, M. G. (1972). Monument thievery in Mesoamerica. *American Antiquity*, 37(2), 147–155.
- RPP. (2014, April 9). Piden hasta 15 años de prisión por atentar contra patrimonio cultural. *RPP Noticias*. Retrieved March 22, 2016, from <http://web.archive.org/web/20160322143149/http://rpp.pe/politica/actualidad/piden-hasta-15-anos-de-prision-por-atentar-contra-patrimonio-cultural-noticia-683345>.
- Sheets, P. D. (1973). The pillage of prehistory. *American Antiquity*, 38(8), 317–320.
- Sipse. (2014, June 14). Hasta 10 años de cárcel a quien dañe monumentos históricos. *Sipse*. Retrieved March 22, 2016, from <http://web.archive.org/web/20160322142747/http://sipse.com/mexico/preven-fuertes-sanciones-a-quien-dane-monumentos-artisticos-o-arqueologicos-de-mexico-96384.html>.
- Solar, I. I. (2010, October 27). Woman arrested while attempting to mail a mummy by parcel post. *Digital Journal*. Retrieved April 14, 2017, from <https://web.archive.org/web/20170414125709/http://www.digitaljournal.com/article/299467>.
- Tello, J. (1959). *Paracas: Primera Parte*. Publicación del Proyecto del Programa 1941-1942 de The Institute of Andean Research de New York. Lima: Empresa Gráfica T. Scheuch, S.A.
- Trulsson, N. (2012). *Stulet Kulturarv?* Master's Dissertation, Lunds Universitet.
- Universa. (2007, May 18). Por el Día de los Museos se busca rescatar la Huaca Malena. *Universa*.
- Varldskultur Museet. (n.d.). A stolen world: The Paracas collection. Retrieved March 21, 2016, from <http://web.archive.org/web/20160321164554/http://noticias.universia.edu.pe/tiempo-libre/noticia/2007/05/18/748446/dia-museos-buscar-rescatar-huaca-malena.html>.
- Washington Times. (2005, July 26). Colonial artwork stolen in 2002 returned to Peru. *The Washington Times*. Retrieved March 21, 2016, from <http://web.archive.org/web/20160321165203/http://www.washingtontimes.com/news/2005/jul/26/20050726-113114-5091r/>.
- Yates, D. (2006). *South America on the block: The changing face of pre-Columbian antiquities auctions in response to international law*. Master's dissertation, University of Cambridge Department of Archaeology.
- Yates, D. (2014a). Displacement, deforestation, and drugs: Antiquities trafficking and the narcotics support economies of Guatemala. In J. Kila & M. Balcells (Eds.), *Cultural property crimes: An overview and analysis on contemporary perspectives and trends* (pp. 21–36). Leiden: Brill.
- Yates, D. (2014b). Church theft, insecurity, and community justice: The reality of source-end regulation of the market for illicit Bolivian cultural objects. *European Journal on Criminal Policy and Research*, 20(4), 445–457.
- Yates, D. (2015a). Reality and practicality: Challenges to effective cultural property policy on the ground in Latin America. *International Journal of Cultural Property*, 22(2–3), 337–356.
- Yates, D. (2015b). Looting, trafficking, and sale of illicit cultural property from Latin America. In F. Demaris (Ed.), *Countering illicit traffic in cultural goods: The global challenge of protecting the world's heritage* (pp. 33–46). Paris: ICOM.