



Research Article

The illicit trade in antiquities is not the world's third-largest illicit trade: a critical evaluation of a factoid

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The claim that the illicit trade in antiquities is the third largest, second only to arms and narcotics, is widely repeated. But where does this claim originate and what is the evidence for its veracity? The authors present a 'stratigraphic excavation' of the claim by systematically searching through academic articles, popular press and policy literature to reveal the factoid's use and reuse over the past five decades. The authors find that the claim is not based on any original research or statistics, and it does not originate with any competent authorities. The analysis demonstrates how the uncritical repetition of unsubstantiated 'facts' can undermine legitimate efforts to prevent looting, trafficking and illicit sale of antiquities.

Keywords: antiquities trade, cultural heritage, factoids, intellectual genealogy

Introduction

Factoid, n. and adj.

1. An item of information accepted or presented as a fact, although not (or not necessarily) true; spec. an assumption or speculation reported and repeated so often as to be popularly considered true; a simulated or imagined fact (Oxford English Dictionary (OED)).

Factoids [...] that is, facts which have no existence before appearing in a magazine or newspaper, creations which are not so much lies as a product to manipulate emotion in the *Silent Majority* (Norman Mailer, *Marilyn*, 1973; creator of the term).

In October 2020 UNESCO published a special edition of its publication *The UNESCO Courier* in celebration of the fiftieth anniversary of the 1970 UNESCO Convention (UNESCO 2020). The publication was panned in the art press for repeating unsubstantiated claims related to the volume and financial impact of the illicit trade in antiquities (e.g. Noce 2020). Among these claims were two assertions that are perennially attached to discussions of this illicit trade, despite a complete lack of evidence and, indeed, the inherent unknowability of the numbers involved. The first claim—that the illicit trade in antiquities is worth billions of US dollars annually, ranging anywhere from \$4bn to \$11bn—has been thoroughly debunked. Reports sponsored by the Rand Corporation and the European Commission

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estimate respectively that the total (legal and illegal—the two are inseparably mixed, Mackenzie & Yates 2016) antiquities trade, excluding coins, is globally worth a few hundred million US dollars annually (Sargent *et al.* 2020: 84) or, within Europe, between €64m and €318m a year (e.g. see Brodie *et al.* 2019: 79–80). The second claim—an assertion that the illicit trade in antiquities is the third-largest in terms of volume, after drugs and arms (UNESCO 2020: 4), is the focus of this article.

In the several decades that we, the authors, have been researching and publishing on the illicit trade in antiquities, we have observed the ‘third-largest’ claim appear repeatedly and consistently in submissions to academic journals and in grant applications we are asked to peer review, in policy development documents, in reports from Intergovernmental Organisations (IGOs), in statements from law enforcement, from the mouths of high-ranking government officials, and in countless student papers. Sometimes the claim is made with no source cited. At other times, the origin of claim is ascribed generically to an organisation or individual who is considered a trusted source (e.g. FBI, Interpol, or sometimes one of the authors of this paper (e.g. replies to <https://twitter.com/DrDonnaYates/status/1488439686506979328>). Even when a published source is cited, it is usually only one or two links back in the citation chain until a claim with no citation is reached. This is a factoid, defined by the OED as “an assumption or speculation reported and repeated so often as to be popularly considered true”.

To explore this factoid, which has circulated in some form or other since the 1970s, we start with a critique of the idea of valuing and ranking illicit trades on the basis that the size of the illicit trade in antiquities is inherently unknowable. We then conduct a ‘stratigraphic excavation’ of this factoid, stripping back the layers of reuse and repetition to find its origin. We track back the claim in academic, popular and policy literature over the past five decades, but we never hit bedrock as the claim has no solid foundation: the ‘third largest’ factoid is not based on any research ever conducted, any statistics ever collected, nor does it originate with any competent authorities. We conclude with an argument that the uncritical repetition of this and other false ‘facts’ undermines legitimate efforts to prevent the looting, trafficking and illicit sale of antiquities worldwide. The illicit trade in antiquities might be the world’s third-largest illicit trade, but we have no evidence of that, and until any such evidence is presented and scrutinised, we ask everyone to stop saying that it is.

Methods

To trace back the origins of the factoid, we have combined queries into our own libraries of documentary sources related to the illicit trade in antiquities with targeted database searches (e.g. Google Scholar, Lexis) and regular Google searches. Our searches were conducted in English, as English language sources are always referenced, even when it is being repeated in another language. The search terms used were informed by our experience with targeted keyword searches for the collection of popular media and academic articles related to this phenomenon (see news.culturecrime.org and stolengods.org). Search terms included all common permutations of terminology (e.g. antiquities, cultural property, cultural heritage, cultural goods, as well as art works, art, paintings, heritage, etc.), along with variations on ‘third largest’ (e.g. third, second largest, biggest, volume, etc.) and synonyms for drugs and arms (e.g. narcotics, weapons). This searching of the academic literature, popular

media and the outputs of governmental, intergovernmental and non-governmental organisations produced multiple variations on the ‘third largest’ claim. For each new or significant use of the claim, we traced the string of cited sources as far back as they would go towards a hypothetical original source. In most cases, the chain of sources could not be traced back more than one or two steps before ending in either an unsourced claim in the popular press, or a vague ascription of the factoid to either Interpol or the FBI with no further detail. We also used the Wayback Machine on archive.org to explore the version history of key websites that have been cited as the origin of the claim. The results of searches may not be exhaustive, but we believe that any source that we have not detected is unlikely to have been particularly influential.

Origins of the factoid

It is clear that the primary purpose of this factoid in academic, popular and governmental literature is to assert the gravity of the harms related to the illicit trade. As such, those who use it seek to connect the illicit trade in antiquities with other illicit trades that the public views as harmful (drugs and latterly weapons). This is the case in all instances of the claim’s use from its first appearance. The exact form of the third-largest claim, however, has changed both over time and as it has passed through different contexts. Sometimes the claim is applied to ‘art’, sometimes to ‘antiquities’, sometimes to ‘cultural property’, but rarely with any discussion of precise definition or material demarcations. Sometimes the claim refers to the ‘value’ or ‘total value’ of the trade (or the ‘illicit trade’ or the ‘illegal trade’), and sometimes it refers to the trade’s ‘dollar amount’, again without qualification as to what these terms mean and how they are bounded. The UNESCO claim that we reproduce in our first paragraph refers to volume, which is something else entirely. The claim is so vague as to be useless. While there are some temporal trends within these variations (see below), for the most part, this factoid remains malleable and can be moulded to fit any applicable situation, with significant variations still seen in contemporary sources.

The earliest recorded instance of the factoid that we located is a note in the *Journal of Field Archaeology* in 1974:

The Regional Director of Investigations of the Bureau of Customs, Department of the Treasury, John H. Riley, formally acknowledged a working relationship between the Journal of Field Archaeology and the Customs Bureau in a letter to the Journal dated July 18, 1974.

In his letter, Riley refers to the great concern of the scholarly world with the destruction and theft of cultural property in all nations to feed the very lucrative and expanding art market whose estimated yearly sales exceed a billion dollars. He points out that the international traffic in art is believed to be second only to the traffic in narcotics, and the United States is considered one of the world’s largest consumers of plundered art (*Journal of Field Archaeology* 1974).

There is no indication in this text, referring to ‘art’ and ranking the trade as ‘second largest’, from where Riley obtained this information or if it was based on any real evidence. More

importantly, the article in which the claim is made does not seem to have been particularly influential, as neither it nor Riley are cited by any later sources that repeat the claim. This does indicate that the claim was being made within US government circles at the time, perhaps as part of wider discussions related to the signing and implementation of the 1970 UNESCO Convention. Later in the 1970s, the claim first appears in the popular press, still referring to ‘art’ and the ‘second largest’. Examples include:

- Reported art thefts total at least 42,000 a year, ranking second only to narcotics traffic as an international crime activity (U.S. News & World Report 1978).
- French police dealing with stolen art say it is the biggest international racket after narcotics, netting \$33 million a year (Associated Press 1979).

In all instances, the cited sources for the factoid are either vague or absent, a trend that continues to the present. These media pieces are the farthest back we could trace citation chains relating to the factoid.

Starting in the early 1980s, legal researcher James A.R. Nafziger published a series of academic papers that included the claim in various forms, relating to ‘art’ or ‘cultural property’ and still ranking the trade as ‘second largest’. These publications proved to be widely influential within academic and legal scholarship. Nafziger’s academic reputation clearly lent credence to the claim, and most subsequent authors accept him as a reliable source without further comment. Nafziger’s first use of the factoid is sceptical, but his later works display uncritical acceptance of the factoid:

- Somewhat melodramatically, the narrator [of an ABC news documentary] expressed the ‘most generally accepted view’ that smuggled art is second in total value only to narcotics (Nafziger 1983: 372).
- The total value of stolen or smuggled objects d’art involved in international trafficking, running over \$1 billion annually, is second only to narcotics (Nafziger 1985: 835).
- Illegal trafficking in stolen cultural property is second in value only to narcotics and generates its own transboundary tensions (Nafziger 1987: 636).

Through the 1980s and 1990s, the popular press continued to promote the claim. However, unlike in the previous decade, named expert sources were offering the factoid to reporters during interviews. This is likely to be a by-product of the factoid becoming embedded in the academic literature, and a journalistic tendency to push experts to quantify the unquantifiable—the persistent editorial demand to ‘put a number on it’. Examples of the claim attributed to professional sources named in popular press features include:

- The *New York Times* (1981) quoting Robert Volpe, detective in the New York City Police Department: “The black market for stolen art and art frauds is enormous, amounting to hundreds of millions, or

even billions, of dollars a year, according to Mr. Volpe. 'It is second only to narcotics traffic in size as a criminal activity,' he said".

- The *Globe and Mail* (Mittelstaedt 1987) citing the director of the International Foundation for Art Research (IFAR): "The value of the international traffic in stolen cultural property has reached about \$1-billion a year, a volume of illegality that places art theft second only to the global trade in narcotics, said Constance Lowenthal ...".
- *The Guardian* (Pugh *et al.* 1992) citing Patrick Boylan of London's City University that "antiquities are second only to drugs and arms in terms of value in the international catalogue of crime".
- The AFP (Agence France-Presse) (Carmichael & Dakhakhny 1993) quoting Caroline Wakeford of the Art Loss Register that: "The worldwide market for all stolen art is estimated at \$3 billion annually and growing—which is second only to drug trafficking."

During this time, academics also cited what purported to be authoritative sources, though without providing data to back up the claim. When legal scholar Norman Palmer (1995: 2) wrote that "of illicit world markets, that in stolen art is said to be second in turnover only to drug-trafficking" he cited "evidence from the Council for British Archaeology" (1995: 29, note 13), though without actually revealing what the evidence was. Patrick Boylan (1995: 95), writing in the same book as Palmer, stated that antiquities were "almost certainly the world's *third* largest field of international crime—after trafficking in drugs and the illegal arms trade" (emphasis added), citing no supporting evidence. As noted above, Boylan had already been quoted in the *Guardian* article (Pugh *et al.* 1992).

Boylan seems to have been the first person to narrow down the third-largest claim to antiquities. This is a significant modification to the claim that is repeated by many subsequent authors and which displays both the malleability of the factoid in different contexts and its lack of factual sourcing. Boylan also seems to be the first to have promoted 'arms' to second on the list of illicit trades alongside narcotics, with antiquities ranked third. The exact provenance of the addition of arms is unclear. In some instances of the newly expanded claim, Nafziger is cited as the source even though he only mentioned narcotics (e.g. Kaye 1996). But for whatever reason arms were added to the list, the addition has endured. During this period, a particularly influential piece was published by Lisa Borodkin, which continues to be cited by law students and academics to this day. Borodkin (1995) wrote "Measured in dollars, the illegal art trade is larger than any other area of international crime except arms and narcotics trafficking"; however, her source for this assertion is the *Guardian* article quoted above containing Boylan's unverifiable statement (Pugh 1992).

The factoid established: trusted (false) sources

By the later 1990s, and extending to the present, Interpol becomes the most commonly mentioned (but not specifically cited) source of the factoid in the popular press, academic literature and governmental documentation, with quotes switching effortlessly between 'art', 'cultural property' and 'antiquities'. Examples include:

- But while museums and auction houses are nearing consensus on how to handle World War II disputes, there remain deep disagreements over how to resolve the issue of antiquities looting, which now rivals trafficking in drugs and illegal arms, according to INTERPOL (Chaddock 1998).
- Interpol, the international police agency, says the global market in looted and stolen antiquities ranges from \$4 billion to \$5 billion a year. That puts the smuggling of antiquities on a par with illegal arms, and second only to international traffic in narcotics (Toner 1999).
- [W]hereas, according to Interpol, the black market for works of art is becoming as lucrative as those for drugs, weapons and counterfeit goods (The European Parliament 2017).

While the exact origin of Interpol as the source for this information is unclear, the organisation has a complicated history of involvement with this factoid. As far back as 10 December 2011, which is the earliest version of the site on the Wayback Machine (see <https://web.archive.org/web/20111210131420/http://www.interpol.int/Crime-areas/Works-of-art/Frequently-asked-questions>), the Interpol website hosted a FAQ section that directly addressed the factoid's problematic nature:

[Question:] Is it true that trafficking in cultural property is the third most common form of trafficking, after drug trafficking and arms trafficking?

[Answer:] We do not possess any figures which would enable us to claim that trafficking in cultural property is the third or fourth most common form of trafficking, although this is frequently mentioned at international conferences and in the media.

In fact, it is very difficult to gain an exact idea of how many items of cultural property are stolen throughout the world and it is unlikely that there will ever be any accurate statistics ...

Kate Fitz Gibbon (2005: 179) had already noted the existence of this Interpol disclaimer in 2005, so it dates back at least that far. However, between 24 September and 27 October 2016, a contradictory addition was made to the front page of Interpol's targeted *Works of Art* website, although the FAQ section remained unchanged:

Over the past decade we have seen an increasing trend of illicit trafficking in cultural objects from counties [*sic*] in the Middle East affected by armed conflict. The black market in works of art is becoming as lucrative as those for drugs, weapons and counterfeit goods (<https://web.archive.org/web/20151027041700/http://www.interpol.int/Crime-areas/Works-of-art/Works-of-art>).

This contradiction remained on the Interpol website until the whole page was removed and redesigned between February and March of 2019 (see: <https://web.archive.org/web/20190329225952/> and <https://www.interpol.int/Crime-areas/Works-of-art/Works-of-art>). People associated with the antiquities trade criticised the presence of the factoid on the

Interpol site and noted its removal (Macquisten 2019b). Prior to this, the factoid had appeared within Interpol news briefs and in public statements made by Interpol representatives, for example:

- “For criminals, the black market in works of art is becoming just as lucrative as for drugs, weapons and counterfeit goods. Ancient artefacts also represent a potential source of great wealth for terrorist groups” said Secretary General Stock [of Interpol] (Interpol 2018a).
- “With stolen works of art fast becoming as lucrative as drugs, weapons and counterfeit goods trafficking, the crime area is increasingly attractive for organized crime groups” said Corrado Catesi, INTERPOL Works of Art Unit coordinator” (Interpol 2018b).

Interpol representatives have repeated this claim at various times, even though their own source for the factoid does not appear to have been related to any research or statistics and they, themselves, state in their FAQs that such a claim is impossible to make. This appears to be an unfortunate example of the repetition of a factoid dislodging a reputable organisation’s own prior scepticism, and Interpol bears some of the blame for the pervasiveness of this claim.

Interpol is not the only law enforcement organisation that is cited as an authority for the factoid; the FBI is another commonly claimed source. There are indications that at least part of the reason for this relates to an article published in 2012 in the FBI’s *Law Enforcement Bulletin*. Importantly, the authors of the article are not FBI agents and they do not cite the FBI as their source for the factoid. They state: “Over the last 50 years, the US Department of Justice (DOJ) has ranked art crime behind only drugs and arms in terms of highest-grossing criminal trades” (Charney *et al.* 2012: 1); however, the link they provide is to the website of the DOJ’s US National Central Bureau of Interpol. That website makes the claim as far back as at least July 2008 (see https://web.archive.org/web/20080713003948/http://www.justice.gov/usncb/programs/cultural_property_program.php) stating: “The annual dollar value of art and cultural property theft is exceeded only by the trafficking in illicit narcotics and arms.” Again, there is no indication as to where the authors of that website sourced the claim and no indication that it was made as the result of research or crime statistics.

Most recently, UNESCO has also been presented as the source of this factoid, and its promotion of this claim has prompted significant criticism in trade and academic circles. While we can see UNESCO being presented as the factoid’s source in earlier written work and policy documentation (e.g. the European Commission’s ‘Questions and Answers on the Illegal Import of Cultural Goods Used to Finance Terrorism’ which cites both Interpol and UNESCO; European Commission 2017a), UNESCO’s public problems with the factoid mostly started in 2020. To mark the fiftieth anniversary of the 1970 UNESCO Convention, UNESCO devoted a special issue of *The UNESCO Courier* to the illicit trade in antiquities (UNESCO 2020). In it, the factoid is repeated twice, both times referring to ‘cultural goods’:

- In an editorial by Ernesto Ottone Ramírez, Assistant Director-General for Culture, UNESCO: “The illicit flow of cultural goods is now believed

to be the third-largest in terms of volume, after drugs and arms” (Ramírez in UNESCO 2020).

- In a piece by Agnès Bardon: “In spite of the lack of precise figures, it is generally estimated that the illegal trade in cultural goods is the third-largest international criminal activity—after drugs and arms trafficking” (Bardon in UNESCO 2020).

This and other unsupported claims were heavily criticised in the art press (e.g. Noce 2020) and beyond. While people associated with the trade felt that that UNESCO was spreading rumours and lies about their business, we believe that UNESCO’s significant platform on this issue was being wasted on baseless claims that could have easily been corrected by experienced researchers if UNESCO had consulted them.

To draw a line under this, the ‘third largest’ claim is not based on research by any academic or other business or professional expert, is not drawn from crime statistics or from any relevant organisation or government, and no one has verified it. While its exact source is unclear, it has existed for at least five decades in the service of a narrative that equates harm with monetary value, and severity with more ‘dangerous’ illicit trades.

This claim is dangerous. Please stop making it

‘By basing its policies on false figures and inaccurate data, Unesco risks precious resources being directed to the wrong objectives’ says Vincent Geerling, the chairman of the International association of dealers in ancient art, who stresses that ‘the use of false data from Unesco can influence major policy’ (Geerling quoted in Noce 2020).

While we have certainly been critical of the trade in antiquities, we agree with the trade’s hostility towards the various unsubstantiated factoids that are used to describe the antiquities trade, including the ‘third largest’. For researchers and experts in this field, the employment of the factoid evidences at least some degree of uncritical and under-researched work on the part of whoever is making the claim. It means that they have not established the reliability of the information that they are using by evaluating its source, or lack thereof, and they have not engaged with the topic on a deep enough level to realise that ranking illicit trades by financial worth is impossible. The factoid has become a shibboleth, a flag of unreliability that draws closer attention during the peer review of a paper or to other claims made by those who share the factoid. As the claim has been and continues to be repeated by mandated institutions, from UNESCO to Interpol and others, we are left frustrated. If our mandated institutions cannot be trusted to fact check, who can we believe?

Returning to our ‘excavation’ of the appearance of this factoid over the past five decades, it is its appearance in policy development that we find the most disturbing and dangerous. Policy that has its basis in unsound or unsubstantiated evidence is fundamentally flawed. The widely held belief among policymakers that this factoid comes from a trusted source creates the risk that important decisions will be made based on it. While this is more a diffuse than a specific harm, the danger lies in the implementation of anti-illicit trade policy which does not

accurately reflect the realities of market focus, directionality and volume. This leaves antiquities poorly protected as it is unlikely to prevent the true manifestations of this form of crime. We know from our own experience that this claim is commonly made in high-level discussions within governments, intergovernmental and non-governmental organisations, and we can see it in the resulting outputs, a few of which we discuss below.

In evidence submitted to a British Parliamentary enquiry in 1999, the European Association of Archaeologists (EAA) noted that “As the illicit trade is largely clandestine it is not open to systematic quantification and estimates of total value are usually extrapolations from what few official statistics are available” before going on to say that “Interpol suggests that the illicit trade in cultural property is third only in value to drugs and arms” (European Association of Archaeologists 1999; one of the authors (Brodie) advised the EAA on this submission). The EAA cited their source as Maria Kouroupas, who was the long-time director of the US State Department’s Cultural Heritage Center and chair of the US Government’s Cultural Antiquities Task Force. Kouroupas (1998) wrote “according to Interpol, it now ranks with drugs and arms as one of the three most serious illicit international trading activities, valued at approximately \$4.5 billion annually”. In a response to the same enquiry, the Italian Carabinieri stated that “illegal trafficking of cultural goods is second only to the ‘black market’ of illegal drugs and weapons” with the figure attributed to “the results of a survey conducted by a leading British magazine in 1994 or 1995 the profit deriving from the illegal movement of works of art is second only to the profits of drug trafficking” (Carabinieri 1999). The magazine article is not cited, and we wonder if it is the 1992 *Guardian* article (Pugh *et al.* 1992).

This factoid has also infiltrated recent EU documents and reports related to the illicit antiquities trade and has seemingly become embedded in the policy discourse related to this issue. For example, a report commissioned by the European Commission to inform policy development states:

The trafficking in cultural goods is among the biggest criminal trades, estimated by some to be the third or fourth largest (a recent version of the third largest claim includes ‘counterfeit goods’ on the list, making it a fourth largest claim), despite the fact that, as INTERPOL notes, there are hardly any instruments for measuring this trade or any data on illicit commerce. The information dossier that UNESCO produced for the fortieth anniversary of the 1970 Convention observes that, together with the drugs and armaments trades, the black market in antiquities and culture constitutes one of the most firmly rooted illicit trades in the world (CECOJI-CNRS 2011).

A 2017 report prepared by Deloitte and commissioned by the EU Directorate-General for Taxation and Customs Union to consider customs-related issues regarding antiquities states:

The illicit trafficking in cultural goods is generally recognized as one of the biggest criminal trades, notwithstanding the fact that there are few reliable quantitative data available on the matter (Directorate General for Taxation and Customs Union & Deloitte 2017).

An impact assessment prepared by European Commission staff which accompanied a ‘Proposal for Regulation of the European Parliament of the Council on the import of cultural goods’ states:

There are hardly any data or instruments for measuring illicit commerce. Nevertheless, according to Interpol, the black market in works of art is becoming as lucrative as those for drugs, weapons and counterfeit goods. The information dossier that UNESCO produced for the 40th anniversary of the 1970 Convention states that, together with the drugs and armaments trades, **the black market in antiquities and culture constitutes one of the most firmly rooted illicit trades in the world** [emphasis in original] (European Commission 2017b).

We even see this factoid in emerging international agreements and conventions appearing, for example, in the Explanatory Report that accompanies the official text of the Council of Europe Convention on Offences relating to Cultural Property: “After arms and drugs trafficking, according to some estimates, the illicit trade in cultural objects is one of the most profitable forms of transnational organised crime” (Council of Europe 2017).

Considering the statement at the start of this section, attributed to International Association of Dealers in Ancient Art chairperson Vincent Geerling, we agree that the employment of this and other factoids seriously undermines the idea that policy and policing related to the illicit trade in antiquities is being made based on real data (see Brodie *et al.* 2022). Indeed, the prevalence of unsubstantiated claims in this area gives people involved in the trade something to legitimately criticise and, by doing so, opens the door for real data, accurate information and discussion of harms to be dismissed as further ‘bad data’.

This problem was made all too clear in a pair of programmes produced by the BBC World Service’s *Business Daily*. The first, broadcast on 18 September 2018, presented an investigation into the illicit trade in antiquities (BBC 2018). Following a complaint from the Antiquities Dealers Association (ADA) that the programme had exaggerated the scale of the problem, there was follow-up coverage broadcast on 20 February 2019 (BBC 2019). From the outset, speaking for the ADA, Ivan Macquisten attacked the Interpol claim that cultural artefacts were the third-most-trafficked good, even though that claim had not been mentioned in the first programme. Lazare Eloundou Assomo, representing UNESCO, was caught on the back foot facing questions from the presenter about Interpol’s ‘zombie statistics’ while struggling to get his own argument across. It was an excellent example of the factoid being used by the ADA in support of aggressive public relations aimed at discrediting UNESCO, with Macquisten stating that UNESCO, Interpol and the European Commission “don’t know what they are talking about” (BBC 2019). It is hard to disagree with him (see also Macquisten 2019a). Yet, as we have described, the following year UNESCO officials were once again quoting what should have been by then a discredited factoid (e.g. Ramirez & Bardon in UNESCO 2020).

The factoid is also a source of friction between the trade and non-trade researchers, which rightfully makes both hesitant to consider working with ‘the other side’ on this issue. Yet this is a burning bridge that many researchers wish was not on fire. Perhaps our agreement that these factoids are false can be a point of trust to build upon.

Conclusion

The idea that the severity of crime should be measured in comparative terms through monetary value rather than through harms to society is upsetting. Antiquities and other cultural objects are fundamental components of our heritage and identity. We do not need to rank their illicit trade financially to render the social harms more damaging. All told, the persistence of this and related factoids focused on quantifying the illicit trade in antiquities and cultural objects more generally through financial comparison evidences a serious flaw in public understanding and thus in our public presentation of the harms related to looting and trafficking. Public understanding and policy need to be based on evidence, not rhetoric. To that end, we need high-quality data and expert analysis (see Brodie *et al.* 2019) to replace the factoids that are presently embedded in the public discourse. We also need to communicate the results of this analysis in clear and meaningful ways and to stop lazily repeating what should by now be a discredited factoid.

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References

- Associated Press. 1979. No Headline. *Associated Press*, 17 April 1979.
- BBC. 2018. How corrupt is the antiquities trade? *BBC World Service*.
<https://www.bbc.co.uk/programmes/w3cswgw0>
- 2019. Zombie statistics. *BBC World Service*.
<https://www.bbc.co.uk/programmes/w3cswh1c>
- BORODKIN, L.J. 1995. The economics of antiquities looting and a proposed legal alternative. *Columbia Law Review* 95: 377–417.
<https://doi.org/10.2307/1123233>
- BOYLAN, P. 1995. Illicit trafficking in antiquities and museum ethics, in K.W. Tubb (ed.) *Antiquities: trade or betrayed*: 94–104. London: Archetype.
- BRODIE, N., M.M. KERSEL, S. MACKENZIE, I. SABRINE, E. SMITH & D. YATES. 2022. Why there is still an illicit trade in cultural objects and what we can do about it. *Journal of Field Archaeology* 47: 117–30.
<https://doi.org/10.1080/00934690.2021.1996979>
- BRODIE, N., D. YATES & ECORYS. 2019. *Illicit trade in cultural goods in Europe. Characteristics, criminal justice responses and an analysis of the applicability of technologies in the combat against the trade*. Brussels: European Commission.
<https://op.europa.eu/en/publication-detail/-/publication/d79a105a-a6aa-11e9-9d01-01aa75ed71a1>
- Carabinieri. 1999. *Memorandum submitted by Major General Roberto Conforti, Italian Carabinieri. (Cultural Property: Return and Illicit Trade, Volume III, Appendices to the Minutes of Evidence)*. London: Stationery Office.
- CARMICHAEL, L. & M. DAKHAKHNY. 1993. Thieves plunder Egypt's tombs; dealers sell treasures worldwide. *Jordan Times*, 19 August 1993.
- CECOJI-CNRS. 2011. Study on preventing and fighting illicit trafficking in cultural goods in the European Union. UMR 6224 Contract No. Home/2009/ISEC/PR/019-A2.
<https://op.europa.eu/en/publication-detail/-/publication/ca56cfac-ad6b-45ab-b940-e1a7fa4458db>
- CHADDOCK, G.R. 1998. Art world wary of new rules. *The Christian Science Monitor*, 10 February 1998.
<https://www.csmonitor.com/1998/0210/021098.feat.arts.1.html>
- CHARNEY, N., P. DENTON & J. KLEBERG. 2012. Protecting cultural heritage from art theft. *Law Enforcement Bulletin*.
<https://leb.fbi.gov/articles/featured-articles/protecting-cultural-heritage-from-art-theft-international-challenge-local-opportunity>.
- Council of Europe. 2017. *Council of Europe Convention on Offences Relating to Cultural*

- Property and Explanatory Report 19.V.2017 (CETS 221)*. Nicosia: Council of Europe.
<https://rm.coe.int/council-of-europe-convention-on-offences-relating-to-cultural-property/1680a5dafb>
- European Association of Archaeologists. 1999.
Memorandum submitted by the European Association of Archaeologists. (Cultural Property: Return and Illicit Trade, Volume III, Appendices to the Minutes of Evidence). London: Stationery Office.
- European Commission. 2017a. Questions and answers on the illegal import of cultural goods used to finance terrorism.
https://ec.europa.eu/commission/presscorner/detail/en/MEMO_17_1954
- 2017b. *Commission Staff Working Document Impact Assessment. Accompanying the document Proposal for a Regulation of the European Parliament and of the Council on the import of cultural goods*. Brussels: European Commission.
<https://edz.bib.uni-mannheim.de/edz/pdf/swd/2017/swd-2017-0262-en.pdf>
- European Commission. Directorate General for Taxation and Customs Union & Deloitte. 2017. *Fighting illicit trafficking in cultural goods: analysis of customs issues in the EU: final report*. Brussels: Publications Office.
<https://data.europa.eu/doi/10.2778/243134>
- FITZ GIBBON, K. (ed.). 2005. Editor's note. The illicit trade—fact or fiction? in *Who owns the past? Cultural policy, cultural property, and the law*: 179–82. New Brunswick (NJ): Rutgers University Press.
- Interpol. 2018a. Over 41,000 artefacts seized in global operation targeting trafficking of cultural goods. *News and Events, Interpol Website*, 21 February 2018.
<https://www.interpol.int/fr/Actualites-et-evenements/Actualites/2018/Over-41-000-artefacts-seized-in-global-operation-targeting-trafficking-of-cultural-goods>
- 2018b. Protecting cultural heritage by disrupting the illicit trade. *News and Events, Interpol Website*, October 24.
<https://www.interpol.int/en/News-and-Events/News/2018/Protecting-cultural-heritage-by-disrupting-the-illicit-trade>
- Journal of Field Archaeology. 1974. The antiquities market: news and commentary on the illicit traffic in antiquities. *Journal of Field Archaeology* 1: 215–24. <https://doi.org/10.1179/jfa.1974.1.1-2.215>
- KAYE, L.M. 1996. The future of the past: recovering cultural property. *Cardozo Journal of International and Comparative Law* 4: 23–42.
- KOUROUPAS, M. 1998. Illicit trade in cultural objects. *Getty Conservation Institute Newsletter* 13.1 (Spring 1998).
http://www.getty.edu/conservation/publications/newsletters/13_1/feature1.html
- MACKENZIE, S. & D. YATES. 2016. What is grey about the 'Grey Market' in Antiquities, in J. Beckert & M. Dewey (ed.) *The architecture of illegal markets: towards an economic sociology of illegality in the economy*. Oxford: Oxford University Press.
<https://doi.org/10.1093/oso/9780198794974.003.0004>
- MACQUISTEN, I. 2019a. Fake news and the antiquities trade. *Cahn's Quarterly* 2: 4–6.
- 2019b. Interpol removes misleading information on illicit trade in cultural property. *IADAA Newsletter*, April 25.
<https://coinsweekly.com/interpol-removes-misleading-information-on-illicit-trade-in-cultural-property/>
- MITTELSTAEDT, M. 1987. The silk-collar crime is second only to drugs. *The Globe and Mail*, 26 December 1987.
- NAFZIGER, J.A.R. 1983. Comments on the relevance of law and culture to cultural property law. *Syracuse Journal of International Law and Commerce* 10: 323–32.
- 1985. International penal aspects of protecting cultural property. *The International Lawyer* 19. American Bar Association: 835–52.
- 1987. Book notice. *American Journal of Comparative Law* 35: 636–7.
<https://doi.org/10.2307/840492>
- NOCE, V. 2020. Unesco, stop citing 'bogus' \$10bn figure, art trade pleads. *The Art Newspaper*, November 12.
<https://www.theartnewspaper.com/2020/11/12/unesco-stop-citing-bogus-dollar10bn-figure-art-trade-pleads>
- PALMER, N. 1995. Recovering stolen art, in K.W. Tubb (ed.) *Antiquities trade or betrayed*: 1–37. London: Archetype.
- PUGH, D. 1992. The greed that is tearing history out by its roots. *The Guardian*, 13 June 1992.
- The European Parliament. 2017. Motion for a European Parliament Resolution on cross-border

- restitution claims of works of art and cultural goods looted in armed conflicts and wars. https://www.europarl.europa.eu/doceo/document/A-8-2018-0465_EN.html
- The New York Times. 1981. Theft and fraud in fine art. *The New York Times*, 22 March 1981.
- TONER, M. 1999. The past in peril. *The Atlanta Journal Constitution*, 19 September 1999.
- UNESCO. 2020. 50 years of the fight against the illicit trafficking of cultural goods. *The UNESCO Courier*. https://unesdoc.unesco.org/ark:/48223/pf0000374570_eng <https://doi.org/10.18356/202d3744-en>
- US News & World Report. 1978. Museums fight rising toll of inside theft. *U.S. News & World Report*, 1 May 1978.