

10

Illicit antiquities

The theft of culture

Neil Brodie

Trade in illicit antiquities is an established problem that has continued to increase internationally, with the movement of archaeological and heritage material viewed as commodities from ‘source’ countries (usually in the developing world) to ‘demand’ countries (usually in the developed world). This chapter highlights issues related to this trade. It introduces: legal contexts; ethical issues in terms of tracking the movement of material and its provenance; and different perspectives on ownership of cultural property, as set against academic concerns with the construction of knowledge and the breakdown between material and its original contexts when it is illicitly removed. Linked to the latter, it considers how in many source countries, archaeology and heritage material is seen in terms of capital and how in areas of poverty it is viewed as an economic resource—albeit a finite resource with illicit removal being an unsustainable activity that will lead to the extinction of archaeology. There are also issues here concerning who benefits from the market in terms of the appreciation of profits from the first transaction to the last. This chapter also covers issues related to shipwrecks, especially those not in territorial waters protected by law, and looting during wartime.

In terms of working towards solutions to help lessen the problems, the chapter outlines how public programmes that make archaeological material more accessible, and public participation and partnerships in fieldwork, could help with raising awareness of the importance of the resource and provide an advocacy for archaeological activity. It also looks at the role that responsible cultural tourism based on sound heritage management could play in income generation for the benefit of local communities.

The chapter also provides a useful introduction to international conventions and professional ethics related to the topic.

Introduction

This chapter is about the recent plunder of archaeological sites and cultural institutions, much of which is thought to be commercially motivated. Concerns raised by this plunder during the late 1960s led to the drafting of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which was adopted by UNESCO in 1970 (Coggins, 1969; Meyer, 1973), but since then the situation has grown out of all control (Leyten, 1995; Tubb, 1995; Schmidt and McIntosh, 1996; Vitelli, 1996a; O’Keefe, 1997; Messenger, 1999; Brodie *et al.*, 2000; Renfrew, 2000). This seems to be for two reasons. First, the means of destruction have become much more powerful. For millennia, the tools of the tomb robbing trade consisted of little more than simple digging implements and probing rods, but they have been joined over the past couple of decades by bulldozers and mechanical diggers, dynamite, metal detectors, power saws and drills and, underwater, propwash deflectors. Second, improving technology has also opened up areas which had until recently been out of reach, as all-terrain vehicles probe deep into the desert, helicopters hover over the jungle and, on the deep seabed, remotely operated submersibles nose out long-lost wrecks. Access to sites has also been made easier by the falling cost of international travel and the erosion of political barriers. This new combination of destructive power and easy communication has proved disastrous for the world’s archaeological and cultural heritage, and it seems that no site or museum around the world is now safe from the attentions of archaeological bandits—the nighthawks, *tombaroli* or *huaqueros*—who have been joined by treasure salvors, militiamen and common thieves.

But this calamity is not purely a technological phenomenon, detached from any sociocultural matrix. Stolen material needs a market, and in this instance it is provided by private and institutional collectors who regard archaeological or ethnographic objects as works of art, investment opportunities, or even as fashionable decorations. There is a global aspect to the problem too, an imbalance, as the market—museums, collectors and salerooms—is concentrated in the countries of Europe and North America, which have been called the ‘demand’ countries. Those countries whose cultural heritage is under serious threat of plunder—the so-called ‘source’ countries—are found largely in the developing world, although as writers like Addyman and Brodie (Addyman and Brodie, 2002; Brodie, 2002), Schávelzon (2002) and Davis (2002) make clear, the archaeology and culture of demand countries themselves are not immune.

Illicit antiquities

Archaeological objects which have been torn from monuments, stolen from museums or illegally excavated and/or exported have been christened ‘illicit antiquities’. This is not a legal term, but has been coined by archaeologists to highlight a unique characteristic of the trade in such material, which is that although in most countries of the world (with important exceptions such as the USA and the UK) archaeological heritage has been taken into public ownership, so that its unlicensed excavation or export is illegal, its ultimate sale in a country other than that of its origin may not be. Thus the antiquities are

illicit inasmuch as the method of their original acquisition was; it says nothing of the legality or otherwise of their subsequent trade.

An illicit antiquity may change hands several times before being bought by an institutional or private collector and details of its illicit origin are lost or erased in the process. Ultimately it is sold without provenance—without indication of ownership history or ‘find spot’. However, once published in an academic paper or exhibition catalogue, or even sale catalogue, it acquires a new, respectable pedigree as an object of scholarly interest or of esteem (Gill and Chippindale, 1993), and its illicit origin is quietly forgotten. Illicit material is, in effect, ‘laundered’ by sale or publication in Europe or North America. This was the case in 1997, for example, when two Attic kylikes stolen from the Corinth Museum in 1990 were offered for sale in a major New York auction house described as the property of an American private collector.

Although stolen, most illicit antiquities, particularly those which have been clandestinely excavated, evade detection because they were not registered on any museum or excavation inventory prior to their theft and disposal. The Corinth kylikes had been inventoried and were identifiable, and were, in consequence, recovered. Most material is not. Even when a piece is recognized to be from a country which claims ownership, it will not be treated as stolen unless the country in question can prove that it was exported after the date of the relevant national patrimony law. Obviously, if an antiquity has been secretly excavated and smuggled, the date of its export is unlikely to be revealed. For example, there is the case of the Roman statue of the ‘Weary Herakles’. The upper half of this statue surfaced in the USA in the early 1980s and is currently in the joint ownership of the Boston Museum of Fine Arts and an American private collector. The lower half was excavated near the Turkish town of Antalya in 1980. However, despite this fact, the American owners of the top half insist that there is no evidence to show that it was stolen, as it may have been removed from Turkey many years—centuries even—before the relevant 1906 patrimony law. Without evidence to prove otherwise, the Turkish government has not pressed its case.

The situation is further clouded by what has been called a ‘loophole’ in international law (Ellis, 1995:223). Many antiquities and other cultural objects are sold in civil law countries of continental Europe, whose property law differs from that of US and UK common law in that title to a stolen object can be obtained by means of a ‘good faith’ purchase. Thus, even if it can be demonstrated unequivocally that an antiquity was taken illegally from its country of origin, if it was subsequently bought in good faith in a country such as Switzerland, it will no longer be regarded in law as stolen.

Illicit antiquities move erratically across many national borders and jurisdictions. This allows them to be easily laundered, but it also facilitates the entry onto the market of fakes. Without a verifiable provenance, objects that are faked—completely or in part—can easily be passed off as genuine, and it is left to the connoisseur or scientific test to determine their authenticity, and both have in the past been proved fallible. There are now many fakes in private and institutional collections around the world (Muscarella, 2000); their true number will probably never be known, although it has been estimated that nearly 80 per cent of the terracotta statuettes which have left Mali since the 1980s may be forgeries (Brent, 2001:27). While the fakes remain undetected, perhaps even unsuspected, the effect on scholarship can hardly be guessed at.

Not all antiquities appearing on the market are illicit, however. Dealers are keen to stress that large quantities of antiquities moved out of their countries of origin during the 'grand tour', or in colonial times, and that documentary proof of original provenance is long lost. They are right and this is the crux: in the absence of provenance, how can licit material be distinguished from illicit? 'From an old European collection' is a common enough auction appellation, but one that might hide an old family heirloom or a recently looted (or fake) piece. Who is to know? The only cautious response is to regard all unprovenanced material as looted.

The extinction of archaeology

Archaeological extinction may seem an incongruous concept. After all, how can something already dead become extinct? But if archaeology is viewed as a resource, at a time when both natural and cultural resources have become commodities to be bought and sold, the relevance of the association becomes clear. For many people in the developing world, the sale of looted archaeological or cultural material can help supplement a meagre income, so much so that looting in these areas has been termed subsistence digging (Matsuda, 1998:91); it is the same spectre of poverty that is seen behind illegal timber extraction and animal poaching. But these depredations share more than a cause—left unchecked they are unsustainable. The resource is exhausted or becomes extinct. Even government-sponsored—albeit environmentally unsuited—development can be detrimental to the archaeological record (Nalda, 2002).

Thus there are very real links between economic underdevelopment and the degradation of natural and archaeological environments, and the fundamental problem is that of rural poverty. It is estimated that 65 per cent of the developing world's population live in rural areas and depend upon immediately available resources to meet their daily needs (Elliot, 2000:102). While, presumably, most easily accessible archaeological sites are in rural areas, this is an economic and demographic reality that cannot be ignored. Since the failure of 1960s' modernization policies, it has become clear that underdevelopment is a global problem, caused as much by unrestrained market forces as by poorly developed economic infrastructures. As such, a global response is necessary, with more ethical investment and trade practices put in place to support economic developments of a type which are sustainable in local environments and of benefit to local populations. If, in the developed world, deforestation and species—and even archaeological—extinction are high on the agenda, in developing countries improved standards of living are higher still, and any equitable resolution of the trade in illicit antiquities and of the plunder of archaeological sites must take this into account. Matsuda's point about subsistence digging was well made and, until rural poverty is eradicated, it will no doubt continue.

Shipwrecks

Looting on land is well documented, but it is also important to emphasize the problems caused by treasure salvaging of deep-water wrecks, which is a relatively recent

phenomenon. The development of scuba gear during the 1950s first allowed the exploration and excavation of wrecks lying in shallow coastal waters, perhaps down to a depth of about 50m, but it also allowed their plunder. Although treasure hunting in these waters is a lottery [most wrecks do not contain treasure and many archaeologically significant examples can be damaged or destroyed during a futile search (Conlin and Lubkemann, 1999:64)], damage has been widespread in some areas and most wrecks lying in territorial waters now enjoy some degree of legal protection.

Those in deeper water remained safe from human interference until the 1980s when, in 1985, the recovery of gold and porcelain from the wreck of the Dutch East Indiaman *Geldermalsen* and gold and silver bullion from the Spanish galleon *Nuestra Señora de Atocha*, both lying just outside territorial waters, showed that there were fortunes waiting to be made on the international seabed. In the same year, the *Titanic* was discovered in 3600 m of water, and a new prospect of deep-water recovery opened up. By 1987, a remotely operated submersible had been instrumental in the removal of over \$1 million worth of gold bars from the wreck of the *Central America*, which had sunk in 1857 in 2,400 m of water 420 km off the coast of South Carolina. The deepest wreck currently known is that of the Japanese submarine *I-52*, sunk in 1944 while carrying a load of gold bullion to Germany, and presently 5,400 m down (Delgado, 1996; Johnston, 1997). The sudden ‘appearance’ of deep-water wrecks grabbed the attention of governments, archaeologists and treasure hunters, and Dromgoole (2002) and O’Keefe (2002) discuss the competing claims to access, jurisdiction and ownership, and their possible resolution by means of the UNESCO Draft Convention on the Protection of the Underwater Cultural Heritage.

Archaeological participation in treasure salvaging expeditions can be in contravention of professional ethics, which hold that archaeological sites should be preserved *in situ*, excavated material should be carefully conserved for future study, and that recovered artefacts should not be sold, even if the sale is intended to fund further research (Elia, 1992). Thus, future collaborations between salvors and archaeologists seem unlikely unless an excavation is properly conducted and recorded, the material recovered is properly conserved, and, crucially, the excavated assemblage is preserved intact (Johnston, 1993:59; Delgado, 1996:43). Salvage operations are now typically investor-funded and the returns have not to date been reliable—they are high-risk investments. Salvors themselves may make more money from investors than treasure. A more secure, albeit longer-term, strategy would be to conserve excavated ships for public presentation, a strategy that would not require the break up and sale of any recovered assemblage (Throckmorton, 1990:183; Johnston, 1993:59). Only under these circumstances might it be possible to envisage future cooperation between salvors and archaeologists.

The anaerobic conditions of deep-water wrecks have favoured good preservation and Sutherland (2002) discusses the technical and ethical issues that conservators face when confronted with recovered material. It is in everybody’s interest to avoid disasters such as that of the *De Braak*, a British warship that sank off the coast of Delaware in 1798. It was raised by cranes in 1986, artefacts spilling out as it rose, but ownership—and the responsibility for conservation—has now reverted to Delaware, and to the public purse (Johnston, 1993:57; *US News*, 1999). It is clear that for any collaboration between salvors and archaeologists to succeed, a budget must make good allowance for the proper

conservation and curation of the ship, its fittings and all its accoutrements, which is not a primary concern for a treasure hunter interested only in a valuable cargo.

Looting during wartime

In the past, war has perhaps been the greatest enemy of cultural heritage, and this is recognized in Boylan's (2002) account of the long series of international agreements and conventions which have been drafted in consequence. There are three ways in which war might have a damaging impact. First, there is what the military would call collateral damage—accidental damage caused to a cultural monument or institution, or archaeological site, during an attack on a legitimate military target. Second, there is the age-old practice of taking booty—the forcible removal of cultural material for profit of purposes of aggrandizement. Finally, there is the deliberate destruction of religious or other culturally important structures or artefacts for the purpose of erasing the material symbols of an ethnic or religious group—what would today be referred to as 'cultural cleansing'. Perhaps all destruction during wartime comes out of a confluence of all three causes, but in some recent conflicts, looting for saleable material has certainly been to the fore and has exacerbated an already disastrous situation. Two in particular are well documented: Afghanistan and Cambodia.

After the Soviet withdrawal from Kabul, Afghanistan in 1992, the various mujahideen factions began fighting among themselves for control of the city. The National Museum was repeatedly hit by rocket or artillery fire and it was also badly looted. By 1996, more than 70 per cent of the museum's collections were missing, with only the less valuable pieces left behind, a sure sign that the plunder was commercially motivated and not carried out for reasons of cultural cleansing (Dupree, 1996). Once aware of the commercial potential of Afghanistan's archaeological remains, local militia commanders also began to sponsor illegal excavations of archaeological sites and used the money gained from the sale of artefacts to pay soldiers or buy munitions (Lee, 2000a).

However, not all of the damage in Afghanistan can be attributed to the search for saleable material. In 1996, the fundamentalist Taliban took over in Kabul and issued an edict banning all forms of figurative representation, but also decreed that ancient cultural objects were exempt and to be protected. Nevertheless, in 1997, a Taliban commander besieging Bamiyan threatened to destroy the two monumental Buddhas for which the town is famous (Dupree, 1998). The central government again warned against such vandalism, but in 1998 the head of the smaller of the two Buddhas was blown off in a deliberate act of iconoclasm (Lee, 2000a). This prompted the issue of a new law decree in July 1999, which outlawed the excavation of historic sites (Lee, 2000b), but in March 2001 the Taliban leader ordered that all religious 'idols' were to be destroyed, and the larger of the two Bamiyan Buddhas was subsequently blown up with high explosive.

In Cambodia, military factions have engaged in the plunder of Khmer temples and monuments. It is reported that Angkor Wat alone used to have 1,000 Buddha statues but that only eighteen now survive (Rooney, 2001:45). Many were vandalized during the Khmer Rouge regime (1975–79), but since then they have been looted and sold. In 1999, more than twenty tons of archaeological material were found hidden in the headquarters of the last Khmer Rouge commander, and not long afterwards the temple of Banteay

Chmar was attacked and stripped of its famous bas-reliefs by renegade units of the regular army. Material from Cambodia is smuggled into Thailand and sold in the River City area of Bangkok for export abroad (Rooney, 2001:48), although the Banteay Chmar reliefs were intercepted on the Thai side of the border and in March 2000 were displayed at the National Museum of Thailand, prior to their return to Cambodia (Bahn, 2000:753).

It is clear from these two conflicts that when central authority breaks down, the existence of an international market intensifies the looting as material is sought out and sold, with the proceeds helping to keep soldiers in the field. In May 1999, Pakistani customs seized six boxes of archaeological material at Peshawar Airport. Much of it had been smuggled out of Afghanistan. The boxes were bound for London, Dubai and Frankfurt, and two were addressed to a London art-shipping agency [which denied any knowledge of the consignment (Levy and Scott-Clark, 1999)]. Nevertheless, in January 2000, material from Afghanistan was openly on sale in central London at an outlet only a few hundred metres away from the British Museum. The publication by ICOM in 1993 of their first edition of *Looting in Angkor* led to the recovery of six Cambodian pieces, two of which had been sold at Sotheby's London and one at Sotheby's New York (ICOM, 1993:10–11). One of the pieces sold in London was found in the Honolulu Academy of Arts, while a further piece was in the possession of the Metropolitan Museum of Art, New York. Both have now been returned to Cambodia. However, the occasional recovery or return cannot disguise the fact that in wartime the money pumped into the market by Western collectors not only fuels archaeological destruction, but also helps underwrite and thus prolong the conflict.

But not all wilful cultural destruction during times of civil disturbance or war is commercially driven. The fighting in former Yugoslavia has seen massive destruction of religious and other buildings and monuments. It is estimated that in Bosnia more than 12,000 mosques, together with 300 Catholic and 100 Orthodox churches, were destroyed during the fighting (Chapman, 1994; Dodds, 1998), and since the NATO bombing of Serbia in 1999, mosques and Orthodox churches in Kosovo have also been damaged or destroyed (*Art Newspaper*, 2000:6). In 1993, the sixteenth-century bridge over the River Neretva at Mostar, a long-time symbol of a multi-ethnic state, was deliberately blown apart by a Bosnian-Croat tank. It is a measure of the importance that might be attached to such architectural symbols that the Muslim community of Mostar is hoping to restore the bridge at a cost of \$5 million, using the original stones (Dodds, 1998:53).

The 1954 Hague Convention was drafted with World Wars I and II in mind, but most recent conflicts have taken the form of civil wars or guerrilla actions. With this in mind, the 1999 Second Protocol to the Convention was adopted for what Boylan (2002) terms 'dirty' armed conflicts. Yet although the former Yugoslav states are all parties to the 1954 Hague Convention, the destruction proceeded nevertheless (Clement, 1996:159). During the Serbian bombing of Dubrovnik in 1991–2, houses protected under the terms of the Hague Convention seem to have been deliberately targeted (Burnham, 1998:153). In conflicts such as this, when cultural obliteration is a primary war aim, it is difficult to see how international protective legislation can be effective.

The terminologies of culture

From a legal perspective, Merryman (1996) has identified three competing images of the international debate over cultural, including archaeological, material. First, there is his nationalist image, the discourse of source nations which stresses the relationship between cultural objects and a national heritage, and which expects such objects to remain in their country of origin. Second, there is his internationalist image, which maintains that cultural heritage is international and that objects should be free to circulate. Finally, there is his object/context image of archaeologists and ethnographers, which places primary emphasis on the information or meaning held trapped in the relationship between an object and its context.

Through an archaeological lens, however, these images refract into alternative discourses, with different concepts requiring different terminologies. Merryman's nationalist and internationalist images are in fact manifestations of an object-centred discourse of ownership, while archaeologists and ethnographers are but part of a larger (perhaps Western) academic discourse which values knowledge over property.

Collectors, dealers, politicians and lawyers are largely (though not exclusively) focused on issues of ownership (as is Merryman). This is quite clearly seen in the use of the term 'cultural property' to describe the material under consideration. The concept of private property as enshrined in the common law of the UK and USA is very much a European (ultimately English) one, and implies rights of uninterrupted ownership—rights of an owner to exploit, alienate and exclude (Prott and O'Keefe, 1992:310), unencumbered by any greater, public, interest. Conceptions of property in other cultural traditions differ and might recognize rights in an object other than those of the owner, or deny alienability. Differences between common law and civil law are discussed by Dromgoole (2002). Nevertheless, in common law the concept of exclusive, private ownership is a powerful one, as, since the end of the seventeenth century at least, it has been thought fundamental to the constitution of liberal society (Macfarlane, 1998:104), and appeals made to the rights of a private owner are guaranteed a sympathetic ear. It might be argued against this that the public interest vested in academic enquiry is sufficient to outweigh the right of an individual to exclusive ownership, a sentiment that has been expressed by Sax (1999) in his wider analysis of cultural material.

In contrast to dealers and politicians, as Merryman correctly points out, many (though not all) archaeologists subscribe to an ideal of knowledge, and the information-rich relationship between object and context. A forthright statement of this position has been made by Vitelli:

Frankly, my major concern has never been with who owns or possesses an archaeological object, where the object resides, or, for that matter, whether an object was traded licitly or illicitly. My real concern is with information, which, for archaeological objects derives from their original context.

(Vitelli, 1996b:109)

Vitelli is making two points. First, she is expressing dissatisfaction with current object-centred concepts of property, as they are applied to archaeology, and to debates over ownership that pervade the non-archaeological literature. But Vitelli is also questioning the very nature of the enquiry, she is stressing the importance of intangible relationships, the archaeological context where information resides, and downplaying the role of artefacts, of the material objects themselves.

The archaeological ideal is based on the concept of an archaeological site as an entity with emergent properties, an entity whose whole (artefacts in context) is greater than the sum of its parts (artefacts out of context). But although it is usual for archaeologists to talk about an artefact and its context, as fields of study multiply, it is becoming increasingly difficult to choose what is context and what is object. For example, to an archaeologist interested in identifying ancient foodstuffs, a pot might become context and its contents the object. Similarly, for a student of ancient textiles, the fragment preserved in copper salts on the surface of a corroded bronze blade might be the object and the blade its context. An ancient coin might provide the context which dates the soil showing traces of human alteration. Thus the terms 'object' and 'context' are relative and are decided within the frame of a particular research project. It makes no sense to talk of objects as a single category of entities with distinctive properties that set them apart from another entity, the context. An archaeological site is composed of a web of relationships which are destroyed when antiquities—the so-called objects—are removed.

Thus the debate over archaeological material appears often to be a polemical one, fought between two extreme camps, and neutral observers—sometimes self-styled moderators—despair of the zealots with whom they are forced to deal. But the extremism is more apparent than real, as arguments which are developed within incompatible frames of reference can easily be misunderstood, and what seems sometimes to be an uncompromising rebuttal is due simply to a different understanding of the issues involved.

It has been proposed that the less ideologically loaded term 'cultural heritage' should be substituted for 'cultural property', the word 'heritage' being chosen to express better the idea of a cultural object as something to be shared and conserved, not something to be bought and sold, used in exclusion and, even, possibly, consumed (Prott and O'Keefe, 1992:311). This change in terminology has already occurred in some areas. The term 'cultural property' was first used in the 1954 Hague Convention and next in the 1970 UNESCO Convention, but by 1972 it had been replaced in the UNESCO Convention on the Protection of the World's Cultural and Natural Heritage (*ibid.*: 318–19), and now also in the UNESCO Draft Convention on the Protection of Underwater Cultural Heritage. The 1995 UNIDROIT Convention on Stolen and Illegally Exported Objects avoids the use of either term. The shift in terminology is also clearly demonstrated in the edited volume. *The Ethics of Collecting Cultural Property* (Messenger, 1999). The first edition of this book was published in 1989 when the term 'cultural property' was included in its title, but by the time of the epilogue to the second, 1999, edition, the editor preferred to use the term 'cultural heritage', noting that even this might be objectionable to some (presumably those who partake of Merryman's internationalist image), but that it had the advantage of not ascribing symbolic qualities of cultural or political dominance to material remains (*ibid.*: 254).

Nevertheless, the discourse of ownership is the dominant one, and archaeologists are forced to enter the debate over cultural material on, quite literally, disadvantageous terms. There are huge quantities of decontextualized antiquities in circulation that can only be talked of as objects, as they are in this chapter, and which are categorized on the basis of monetary value. Political solutions and legal arguments are also framed using such terms, despite the suggested alternative of 'heritage'. The reasons for this are political and historical. Political because national governments and rich institutions and individuals—Merryman's nationalist and internationalist images—together form a powerful constituency, but also historical because in the past archaeologists too have subscribed (some still do) to the ideals of object and ownership. The development of an archaeological methodology with its associated terminology is an ongoing process, and will continue to be so, but outside the discipline this is not generally understood.

Thus, sometimes it is suggested that the sale of duplicate objects—small pots perhaps—from an archaeological site might go some way towards satisfying the demand of the market, and so reduce looting. To a neutral observer, this sounds a perfectly reasonable suggestion. A representative sample can be kept back for the purposes of archaeological research, while the remainder can enter circulation. Archaeologists appear extreme and unreasonable when they oppose such a scheme, but their opposition is rational within their own understanding of the material in question. At the end of the day, who is to decide which pot is the duplicate? Is each one to be scientifically characterized by all available techniques? If a representative sample is to be kept back 'just in case', how many? In fact, the truth is that there is no such thing as a duplicate pot. Indices of diversity and standardization can throw light upon the organization of ceramic manufacture, and such indices cannot be derived from a single pot.

For example, at Myrtos, on the south coast of Crete, a small site which had been destroyed some time during the Early Minoan period (early Bronze Age) was excavated in 1967–68, and some 700 pottery vessels were recovered, some only partially preserved, but including 350 vessels which were complete and had been in use at the time of the site's destruction (Warren, 1972). This material recently formed the basis of a large-scale project of stylistic and scientific analysis which, according to the investigators, provided them with '...a unique opportunity to begin to investigate the significance of ceramic variation within and between Early Minoan communities, and to broaden the range of issues concerning Early Minoan society which ceramics can be used to address' (Whitelaw *et al.*, 1997:267). This would not have been possible if all 'duplicates' had been released onto the market once the excavation had been published. Thus, archaeologists are not being extreme or unreasonable when they oppose proposals which advocate the break-up of excavation assemblages, but they are merely being realistic. A large set of ostensibly similar pots is a valuable resource to be carefully curated, not one to be thoughtlessly scattered on the winds of a contrary market.

The misunderstandings that arise out of this clash of terminologies can only be addressed by archaeologists adopting a more positive or proactive stance towards public education, and better explaining what archaeology is and what archaeologists do.

What is archaeology?

If the discourse of ownership is currently dominant, it is due in part to the failure of archaeologists to make their own voices heard through active engagement with the public that provides the ultimate sanction for their activities. Lazrus (2002) and Nalda (2002) discuss this failure in some depth and it is clear that it is to some degree institutional. University departments continue to privilege exploration over conservation or presentation: '...it is...sexier to hire a specialist in Oldowan technology or Inka urbanism than in the impact of tourism on the archaeological record' says Fagan (1996:240) and this is also true of research funds which are channelled into fieldwork (termed 'primary research'), rather than what are considered to be secondary activities of archaeological resource management and public education. The result is a surfeit of (unemployable) specialists in ancient cultures, while the needs of the general public for an accessible archaeology are not met (ibid.: 241); and if the success of television programmes devoted to archaeology—whether fringe or mainstream—is anything to go by, the public is certainly hungry for such fare.

Public enthusiasm for archaeology in demand countries is often sparked by the perceived romance of treasure hunting, and the challenge for archaeologists is to redirect this enthusiasm, without dimming it, towards a more nuanced understanding of the past (Dromgoole, 2002; McManamon, 1994:63; see papers in Stone and Molyneux, 1994). In the USA, the challenge is being met by the Society for American Archaeology, which established a Public Education Committee in 1990 to offer consultation on media projects and travelling displays of archaeological education resources, while the American Institute of Archaeology continues publication of its popular—and successful—magazine *Archaeology*. In the UK, the CBA publishes *British Archaeology* and there is the long-running independent *Current Archaeology*, and though public education seems to be more a concern of museum archaeologists than of fieldworkers (Schadla-Hall, 1999:150), this is not to overlook the success of model sites constructed for purposes of experimentation, education and public presentation (Stone and Plane, 1999a:4; see also papers in Stone and Plane, 1999b). Although subject to commercial constraints, it seems desirable that museums and sites should seek to engage rather than entertain the public, and to challenge their preconceptions rather than pander to their stereotypes and prejudices, otherwise the damaging stereotype of archaeology as treasure hunting will only be reinforced.

Public participation

Although many modern archaeological techniques require specialist skills or instrumentation, there is still a role for active public participation and employment in fieldwork, particularly in the so-called source countries. This has been shown on several occasions to be an effective strategy for dealing with looting. In Agua Blanca, Ecuador, local *huaqueros* were trained in archaeological techniques (Howell, 1996:50) and at Sipán, Peru, *huaqueros* were also employed on the excavation. In the UK, the technical

expertise of metal detectorists is increasingly called upon. There are two reasons for the success of these experiments. First, the perception often held by locals that (outsider) archaeologists are interested only in stealing their patrimony is exploded, and the true nature of archaeological concerns are revealed and accepted as valid. The archaeology is seen as something to be understood and curated rather than consumed. Second, the work is legal, probably less hazardous than tomb robbing at night and remuneration is guaranteed (Seeden, 1994:96). Interpretations, too, can benefit from the multiple perspectives which are engendered through such cooperations.

An ideal scenario seems to have been realized by the inhabitants of La Conga, a Peruvian village close to the archaeological site of Kuntur Wasi in the northern Andes (Onuki, 1999). The villagers first organized themselves in 1972 to guard Kuntur Wasi and received the support of the National Cultural Institute (NCI) at Lima. In 1988, the NCI invited an archaeological team from Tokyo University to begin excavating the site, and in 1989, three tombs were discovered and found to contain gold, which normally should have been removed to Lima. However, in this case, the NCI gave special dispensation for the finds to remain in the village, but in 1990, more tombs were discovered and it became clear that a museum would have to be built. In 1991, a travelling exhibition of the excavation finds visited Japan to raise funds and in 1994, the museum was opened—the first Peruvian museum built with the explicit participation of the local community. In 1996, a small library was added and the museum has now become a cultural centre where villagers can meet to watch videos and television, or give and attend lectures. The excavations at Kuntur Wasi continue and the site itself has remained free of damage.

Kuntur Wasi is an exemplary case, but the development and maintenance of such a centre is not without pitfalls. It may be politically untenable if the 'version' of the past presented differs radically from that of the dominant group, and any tourist attraction is irresistible for commercial interests wishing to 'develop' it further. The vicissitudes that such centres may face are discussed by Ucko (1994). The Kuntur Wasi museum seems to be successful as it is situated at the conjunction of a proactive local community, a sympathetic government and a foreign archaeological mission sensitive to local opinion. Crucially, perhaps, the initiative was indigenous and not imposed. The villagers now appear on television and visit towns and cities in northern Peru to talk about their experience, so that their innovative strategy might be copied.

Matsuda (1998:93) has recently pointed to an apparent hypocrisy whereby subsistence diggers are treated as criminals and denigrated by archaeologists who profit culturally and financially from the same resource base. While it is clear that many archaeologists would not regard subsistence diggers as the real looters, collectors are the real looters says Elia (Elia, 1996:61); it is also true that archaeologists working in developing countries have an intellectual and economic obligation to the people who host their research. How this obligation can be met within current institutional and financial structures is problematical, but suggests that the war against archaeological looting must be fought in the committee room as much as in the field or the marketplace.

Cultural tourism

It is well established that archaeological sites and museums can act as the mainspring of tourist developments, with the economic benefits that accrue. In Turkey, an archaeological museum was founded in Bodrum in 1959 at a time when the town received almost no tourists, but by 1990 it was the second most popular museum in Turkey and the population of the town had tripled. In the Cypriot town of Kyrenia the number of visitors doubled in the three years following the opening of a museum to display a fourth-century BC shipwreck (Throckmorton, 1990:180). The several museums and monuments along the Kenyan coast in 1989 attracted 167,000 foreign visitors, and continue to have a beneficial effect on the entire regional economy (Wilson and Omar, 1996:241). At Chiclayo, Peru, the nearest big town to the archaeological site of Sipán, a spectacularly rich (and partly looted) Moche site in Peru, in the ten years following the plunder and then excavation of the site, the number of tourists grew from 'a handful' to between 40,000 and 70,000 a year (Watson, 1999:16).

The long-term benefits to a depressed economy of cultural tourism have rarely been quantified, although it has been estimated that at Sipán, after careful excavation, the subsequent display of both artefacts and site now generates something in the region of \$14 million a year in tourist revenue, a far cry from \$250,000 the looters are thought to have earned for their initial finds (ibid.: 16). The Swedish Tourist Board has estimated that every year the salvaged seventeenth-century AD battleship *Vasa* attracts several hundred million dollars into the Swedish economy (Throckmorton, 1990:181). This is the economic reality that underlies the observation that the curation and imaginative display of archaeological material in local museums, and the development of archaeological sites for public presentation, can create a resource which will help to attract tourists, and that sustainable employment will then follow.

It is essential that the income derived from tourist support be used for the benefit of communities in the immediate vicinity of sites, and not be siphoned off by a central, and perhaps distant, government or by outside commercial concerns. Where possible, local people should be employed and the development of the necessary infrastructure should be under local guidance and meet local needs or aspirations. As shown in the case of Kuntur Wasi, excavated material needs to be curated and displayed in museums close by and not removed to a 'national' museum in a far-off capital city.

But tourism of course brings along its own set of problems. Too many tourists can cause the physical erosion of a site and even the deterioration of museum exhibits if environmental control systems are overloaded (Nalda, 2002; Périer-D'Ieteren, 1998; Merhav and Killebrew, 1998:15). The list of the world's 100 most endangered sites published in 1996 included such famous sites as Angkor Wat, Teotihuacan, Petra, Mesa Verde and Pompeii (Burnham, 1998:150), all physically decaying despite the huge numbers of tourists they attract. Until recently at Pompeii, with two million visitors per year, only 40 per cent of the site was open to the public because of its poor state of repair. In 1997, the Italian government moved to rectify the situation by declaring the site an autonomous area, so that in future any tourist revenue will be retained for conservation and further research at the site (ibid.: 151). Again, this illustrates the point that money

from entrance fees must be used directly to maintain the fabric of the site or monument, and not to support a centralized bureaucracy.

Commercial development can also trivialize the local or traditional significance of a site and even the experience of curation in a museum can be viewed as foreign or alienating for material which is considered to be still sacred or otherwise important for the social well-being of a community (Ucko, 1994:260; Jegede, 1996:129–30). For this reason alone, the primary audience for any display should be considered to be the local population, and all parts of this population (including minority groups) should be consulted about possible presentations.

In 1999, ICOMOS adopted a new Cultural Tourism Charter to replace the earlier, 1976, version, and which was thought necessary on account of the growth of international tourism in the intervening period, as well as changing attitudes to site conservation. While the original, 1976, Charter emphasized the negative effects of tourism, the 1999 Charter stresses the need to make heritage sites (broadly interpreted) more accessible to the visitor. In its introduction it states:

Tourism should bring benefits to host communities and provide an important means and motivation for them to care for and maintain their heritage and cultural practices. The involvement and co-operation of local and/or indigenous community representatives, conservationists, tourism operators, property owners, policy makers, those preparing national development plans and site managers is necessary to achieve a sustainable tourist industry and enhance the protection of heritage resources for future generations.

(ICOMOS, 1999:2)

This might often require imaginative legislation, but again there is a need for reorientation of archaeological concerns, as already discussed, away from the academic ethic of research and peer-reviewed publication and instead towards one of conservation and presentation. Again, it might be a mistake to consider archaeology in isolation, something tourists are not prone to do. The original definition of ecotourism included ‘cultural manifestations (both past and present)’ and if this has since been played down (Weaver, 1998:18) it is probably due more to the interests of (non-archaeological) academics whose studies have focused upon destinations which are popular on account of their wildlife and scenery. In other countries, archaeology might be the primary attraction, and even when it is not, in many areas of the developing world a sustainable strategy of ecotourism might include an archaeological component.

A free trade?

Dealers and collectors, who adhere to the liberal ideology of Merryman’s internationalist image, demand a free trade in archaeological and other cultural material (Bordkey, 1996; Marks, 1998; Ortiz, 1998; White, 1998). Suggestions that the trade has a damaging effect on the world’s archaeological and cultural heritage are dismissed, and instead it is claimed that free trade acts in the common interest: it puts money into the pockets of the

poor, it preserves valuable material for posterity and it promotes a universal appreciation of a diverse range of artistic forms. This claim can be opposed from the theoretical position that there are social inequalities which are deeply rooted and not so easily overcome, and that the concept of a common interest has no grounding in reality. But, as more case studies are reported and quantifiable data are made available, each of the individual propositions has become more amenable to empirical examination.

First, there is the proposition that the trade is justified on economic grounds. Often, particularly in developing countries, the money derived from illicit digging can supplement a small and uncertain income. Politis (2002) tells how the cemetery at an-Naq' in Jordan has for years been looted by impoverished locals and this is not unusual, but those who dig are swindled out of the true value of their finds by the middlemen who organize the trade and the dealers who make the final sale. This point is made by Schávelzon (2002) and Togola (2002), and other studies suggest that diggers routinely receive less than one per cent of the final sale price of an object (Boylan, 1995:103; Brodie, 1998).

Nevertheless, what, in western terms, is a small sum of money might represent a substantial amount to a poor subsistence farmer. But it is a short-term gain. Once removed from their original contexts, archaeological and other cultural objects become commodities on the art market, and presumably continue to increase in monetary value, or at least are thought to have done so in recent times. But again, this appreciation, or profit, is lost to the original finder, and to the economy of the country of origin. And again, it is to the long-term benefit of western economies as jobs and income are generated on the back of this expropriated material. Thus, in reality, the original diggers are swindled twice over: first out of the initial monetary value of their find, and then out of its long-term economic potential. Governments who are prepared to allow treasure salvors to operate in their territorial waters in return for a share of any treasure found are cheated in similar fashion, out of a long-term economic resource in return for a one-off, undervalued payment.

The second proposition used to justify free trade is that the market 'rescues' what are euphemistically termed 'chance finds' which are thrown up during the course of industrial or agricultural development projects, or through urban expansion or renewal. Without the market, these pieces would simply be discarded and destroyed, but their monetary value guarantees their recovery and their ultimate sale and collection ensures their survival.

Quantitative studies—such as they are—suggest that as a cause of damage to archaeological sites, sometimes commercially motivated looting does indeed rank below agricultural or urban development. A study of 12,725 sites in Andalusia, Spain, showed that the greatest cause of damage was surface ploughing, which had affected 24 per cent of sites, while looting was second at 14 per cent (Fernández Cacho and Sanjuán, 2000:18). In the Aegean area of Turkey, a survey of 180 palaeolithic—early bronze age sites showed looting to rank third (at thirteen per cent) behind agricultural and urban development. In the Marmara area of the same country, looting again ranked third (at six per cent) behind the same two causes (Tay Project, 2001). However, caution is needed here, as surveys such as these probably underestimate the true scale of looting. This is for two reasons. First, looting may be sporadic and the results not observable at the time of site inspection. Second, not all sites will be targeted by looters. Prehistoric sites of the

type registered in the Turkish surveys, for instance, are probably less attractive than the country's many iron age, classical or Roman sites. This latter point was confirmed by a study of Mayan sites in Belize, known by looters to be a good source of saleable material, which showed that 58.6 per cent of 181 sites had been damaged by looting, while only 34.2 per cent had been touched by agricultural, urban or industrial development (Gutchen, 1983).

Thus, although development projects are sometimes a major cause of archaeological destruction, it is not always so. Even when it is the case, it is not clear to what extent the destruction is exacerbated or ameliorated by the market and, if the latter, whether, on balance, local episodes of amelioration can justify the greater global mischief caused by the market. In his discussion of the Jordanian site of Zoar, Politis (2002) provides a rare case study of how the development-led destruction of an archaeological site articulated with the global antiquities market. Clearly, in this particular instance there was a destructive synergy between the market and development that proved disastrous for the local archaeology, but more studies of this type are urgently needed.

The final proposition is that a free trade in archaeological and other cultural material can help to promote a universal appreciation of human creativity and engender mutual respect. For this to be true, however, there would need to be a *fair* exchange of material, while at the present time the exchange is manifestly unfair. Material flows from source countries to demand countries and there is no countervailing flow, no fair exchange. Thus, free trade does not promote international harmony, it merely sustains economic inequality and causes resentment among those whose culture is traded.

Collectors and dealers claim that, although in the first instance they may be acting out of self-interest, their actions ultimately have beneficial consequences, but it is difficult to muster empirical support for this position. A free trade in archaeological and cultural material seems to bestow few, if any, long-term benefits on those who, in the source countries, are its ultimate victims.

Conventions and ethics

No country has the resources necessary to protect its archaeology. Even rich nations such as the USA and the UK suffer from looting (Addyman and Brodie, 2002; Davis, 2002). It is futile to demand that large countries such as Mali or India should protect their own heritage from depredations fuelled by rich collectors and institutions abroad. Countries such as these are dependent upon the international community to ensure that their own domestic laws are not broken, which in practice means enforcement of instruments such as the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (McIntosh, 2002; Pachauri, 2002).

McIntosh describes the US implementation of the 1970 UNESCO Convention, with special reference to the bilateral agreement reached between the USA and Mali within its framework. However, she also emphasizes that at the time of writing only two of the major market nations (USA and France) had ratified the Convention, although Switzerland is currently drafting implementing legislation and in March 2001 the UK government announced its intention to accede. Implementation of the Convention by

these latter countries will allow their participation with the USA in future multilateral agreements, an eventuality envisaged by the USA at the time of its ratification (Kouroupas, 1995).

It could be argued that the main effect of the UNESCO Convention has been moral rather than material. For a long time, museums acted to underwrite the trade, buying material on the open market and accepting as bequests privately accumulated collections. Norskov (2002) demonstrates how the research interests of individual curators in the past have influenced the composition of museum collections, but also suggests that attitudes are now changing. In no small part, this is due to the introduction of ethical codes which call for acquisition policies to be adopted in accordance with the principles laid down in the UNESCO Convention. Section 3.2 of the 1986 ICOM Code of Professional Ethics, for instance, states that:

A museum should not acquire, whether by purchase, gift, bequest or exchange, any object unless the governing body and responsible officer are satisfied that the museum can acquire a valid title to the specimen or object in question and that in particular it has not been acquired in, or exported from, its country of origin and/or any intermediate country in which it may have been legally owned (including the museum's own country), in violation of that country's laws...

So far as excavated material is concerned, in addition to the safeguards set out above, the museum should not acquire by purchase objects in any case where the governing body or responsible officer has reasonable cause to believe that their recovery involved the recent unscientific or intentional destruction or damage of ancient monuments or archaeological sites, or involved a failure to disclose the finds to the owner or occupier of the land, or to the proper legal or governmental authorities.

Archaeologists too are responding. In 1988, the International Congress for Classical Archaeology recommended in the Berlin Declaration that archaeologists should not provide expertise or advice to dealers or private collectors. Principle no. 3 of the 1996 Society for American Archaeology's Principles of Archaeological Ethics warns that archaeologists should be aware that the commercialization of archaeological objects results in the destruction of archaeological sites and of contextual information, and recommends that archaeologists should discourage and avoid activities that enhance the commercial value of an object. The Archaeological Institute of America's 1990 (amended 1997) Code of Ethics also requires that its members do not encourage or participate in the trade in unprovenanced antiquities. In the UK, the British Academy passed a resolution in 1998 affirming its adherence to the principles laid down in the 1970 Convention, and in 1999, the Institute of Archaeology in London became the first university department to adopt an ethical policy based on similar principles (Tubb 2002). These principles are also guiding the editorial policies of some academic journals such as the *American Journal of Archaeology*.

The 1995 UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects, designed to augment the 1970 UNESCO Convention looks set to be equally influential on

the development of codes of due diligence, which are intended to help prevent the inadvertent purchase of illicit cultural material.

Nevertheless, many museums continue to collect or display unprovenanced material in complete contravention of ethical codes, although in so doing they risk public embarrassment and financial loss (Brodie *et al.*, 2000:43–58; McIntosh, 2002).

Conclusion

Gill and Chippindale (1993) have written of the material and intellectual consequences of collecting. By ‘intellectual consequences’, they mean the ‘corruption of reliable knowledge’ (ibid.: 269), which is caused by the revaluation and reinterpretation of decontextualized objects in a modern setting. This chapter focuses more on the material consequences, the damage caused to the material record by irresponsible collecting, and for good reason: it seems that those who benefit from the illicit trade—the dealers and collectors—are in a state of denial. The scale of the trade is often played down and the damage it causes is discounted. For this reason, eye-witness testimony and factual, preferably quantitative, data are invaluable in what is an ongoing debate. While this chapter was being prepared, the US implementation of the UNESCO Convention was challenged in the US Senate, and in the UK both parliament and government carried out enquiries into the trade in illicit material. The Second Protocol to the Hague Convention was adopted and negotiations continued over the UNESCO Draft Convention on the Protection of the Underwater Cultural Heritage. This is not an exercise in academic obscurity, a faint polemic from a distant ivory tower; academics and museum personnel the world over are actively engaged in the political process, and their work is instrumental in changing the present reality of archaeological plunder—in stopping the theft before extinction.

References

- Addyman, P.V. and Brodie, N. (2002) ‘Metal detecting in Britain: catastrophe or compromise?’, in Brodie, N. and Tubb, K.W. (eds), *op. cit.*
- Art Newspaper* (2000) ‘Systematic destruction’, *Art Newspaper*, 105 (July–Aug.), 6.
- Bahn, P.G. (2000) ‘Khmer artefacts return to Cambodia’, *Antiquity*, 74, 753–4.
- Bordkey, A.K. (1996) ‘The failure of the nationalization of cultural patrimonies’, in Briat, M. and Freedberg, J.A. (eds), *Legal Aspects of International Trade in Art*, The Hague: Kluwer.
- Boylan, P.J. (1995) ‘Illicit trafficking in antiquities and museum ethics’, in Tubb, K.W. (ed.), *Antiquities Trade or Betrayed: Legal, Ethical and Conservation Issues*, London: Archetype/UKIC.
- (2002) ‘The concept of cultural protection in times of cultural conflict: from the crusades to the new millennium’, in Brodie, N. and Tubb, K.W. (eds), *op. cit.*
- Brent, M. (2001) ‘Faking African art’, *Archaeology* 54, 27–32.
- Brodie, N. (1998) ‘Pity the poor middlemen’, *Culture Without Context*, 3, 7–9.
- (2002) ‘Britannia waives the rules? The licensing of archaeological material for export from the UK’, in Brodie, N. and Tubb, K.W. (eds), *op. cit.*
- , Doole, J. and Watson, P. (2000) *Stealing History: The Illicit Trade in Cultural Material* Cambridge: McDonald Institute.

- and Tubb, K.W. (eds) (2000) *Illicit Antiquities: The Theft of Culture and the Extinction of Archaeology*, London and New York: Routledge.
- Burnham, B. (1998) 'Architectural heritage: the paradox of its current state of risk', *International Journal of Cultural Property*, 7, 149–65.
- Chapman, J. (1994) 'Destruction of a common heritage: the archaeology of war in Croatia, Bosnia and Hercegovina', *Antiquity*, 68, 120–6.
- Clément, E. (1996) 'UNESCO: some specific cases of recovery of cultural property after an armed conflict', in Briat, M. and Freedberg, J.A. (eds), *Legal Aspects of International Trade in Art*, The Hague: Kluwer.
- Coggins, C. (1969) 'Illicit traffic in Pre-Columbian antiquities', *Art Journal*, 29(1), 94–8.
- Conlin, D.L. and S.C.Lubkemann (1999) 'What's relevant about underwater archaeology... and not about treasure hunting', *Archaeology Newsletter*, 64, 62.
- Davis, H.A. (2002) 'Looting graves/buying and selling artefacts: facing reality in the US', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Delgado, J.P. (1996) 'Lure of the deep', *Archaeology*, 49(3), 41–7.
- Dodds, J.D. (1998) 'Bridge over the Neretva', *Archaeology*, 51(1), 48–53.
- Dromgoole, S. (2002) 'Law and the underwater cultural heritage: a question of balancing interests', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Dupree, N.H. (1996) 'Museum under siege', *Archaeology* 49(2), 42–51.
- (1998) 'The plunder continues', *Archaeology Online*, available at <http://www.archaeology.org/%20online/features/afghan/update.html> (accessed 22 August 2004).
- Elia, R.J. (1992) 'The ethics of collaboration: archaeologists and the Whydah project', *Historical Archaeology*, 22, 105–17; reprinted in Prott, L.V. and Srong, I. (eds) (1999) *Background Materials on the Protection of the Underwater Cultural Heritage*, Paris and Portsmouth: UNESCO/Nautical Archaeology Society.
- (1996) 'A seductive and troubling work', in K.Vitelli (ed.), op. cit.
- Elliot, J.A. (2000) *An Introduction to Sustainable Development*, London: Routledge.
- Ellis, R. (1995) 'The antiquities trade: a police perspective', in Tubb, K.W. (ed.), op. cit.
- Fagan, B. (1996) 'The arrogant archaeologist', in Vitelli, K. (ed.), op. cit.
- Fernández Cacho, S. and L.G.Sanjuán (2000) 'Site looting and illicit trade of archaeological objects in Andalusia, Spain', *Culture Without Context*, 7, 17–24.
- Gill, D. and C.Chippindale (1993) 'Material and intellectual consequences of esteem for Cycladic figures', *American Journal of Archaeology*, 97, 601–59.
- Gutchen, M. (1983) 'The destruction of archaeological resources in Belize, Central America', *Journal of Field Archaeology*, 10, 217–28.
- Howell, C.L. (1996) 'Daring to deal with huaqueros', in Vitelli, K. (ed.), op. cit.
- ICOM (1993) *Looting in Angkor*, Paris: ICOM.
- ICOMOS (1999) *International Cultural Tourism Charter*, available at <http://www.icomos.org/tourism/%20sugaya.html> (accessed 22 August 2004).
- Jegede, D. (1996) 'Nigerian art as endangered species', in Schmidt, P.R. and McIntosh, R.J. (eds), op. cit.
- Johnston, P.F. (1993) 'Treasure salvage, archaeological ethics and maritime museums', *International Journal of Nautical Archaeology*, 22, 53–60.
- (1997) 'Treasure hunting', in Delgado, J.P. (ed.), *British Museum Encyclopaedia of Underwater and Maritime Archaeology*, London: British Museum.
- Kouroupas, M.P. (1995) 'US efforts to protect cultural property: implementation of the 1970 UNESCO Convention', in Tubb, K.W. (ed.), op. cit.
- Lazrus, P. (2002) 'Walking a fine line: promoting the past without selling it', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Lee, D. (2000a) 'History and art are being wiped out', *Art Newspaper*, 101, 31.
- (2000b) 'A small step forward', *Art Newspaper*, 107, 6.

- Levy, A. and C.Scott-Clark (1999) 'Looters take millions in Afghan treasures', *Sunday Times*, 11 July.
- Leyten, H. (ed.) (1995) *Illicit Traffic in Cultural Property: Museums Against Pillage*. Amsterdam: Royal Tropical Institute.
- McIntosh, S.K. (2002) 'Reducing incentives for illicit trade in antiquities: the US implementation of the 1970 UNESCO Convention', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- McManamon, F.P. (1994) 'Presenting archaeology to the public in the USA', in Stone, P.G. and Molyneux, B.L. (eds), op. cit.
- Macfarlane, A. (1998) 'The mystery of property: inheritance and industrialization in England and Japan', in Hann, C.M. (ed.), *Property Relations: Renewing the Anthropological Tradition*, Cambridge: Cambridge University Press.
- Marks, P. (1998) 'The ethics of dealing', *International Journal of Cultural Property*, 7, 116–27.
- Matsuda, D.J. (1998) 'The ethics of archaeology, subsistence digging, and artefact looting in Latin America: point, muted counterpoint', *International Journal of Cultural Property*, 7, 82–97.
- Merhav, R. and A.Killebrew (1998) 'Public exposure: for better and for worse', *Museum International*, 50(4), 5–14.
- Merryman, J.H. (1996) 'A licit international trade in cultural objects', in Briat, M. and Freedberg, J.A. (eds), *Legal Aspects of International Trade in Art*, The Hague: Kluwer.
- Messenger, P.M. (1999) *The Ethics of Collecting Cultural Property*, Albuquerque: University of New Mexico Press.
- Meyer, K.E. (1973) *The Plundered Past*, London: Readers Union.
- Muscarella, O. (2000) *The Lie Became Great: The Forgery of Ancient Near Eastern Cultures*, Groningen: Styx.
- Nalda, E. (2002) 'Mexico's archaeological heritage: a convergence and confrontation of interests', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Nørskov, V. (2002) 'Archaeology and education in Kenya: the present and the future', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- O'Keefe, P.J. (1997) *Trade in Antiquities: Reducing Destruction and Theft*, London: Archetype/ UNESCO.
- (2002) 'Negotiating the future of the underwater cultural heritage', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Onuki, Y. (1999) 'Kuntur Wasi: temple, gold, museum...and an experiment in community development', *Museum International*, 51(4), 42–6.
- Ortiz, G. (1998) 'The cross-border movement of art: can it and should it be stemmed?' *Art, Antiquity and Law*, 3, 53–60.
- Pachauri, S.K. (2002) 'Plunder of cultural and art treasures—the Indian experience', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Périer-d'Ieteren, C. (1998) 'Tourism and conservation: striking a balance', *Museum International*, 50(4), 5–14.
- Prott, L.V. and P.J.O'Keefe (1992) "'Cultural heritage" or "cultural property"?' *International Journal of Cultural Property*, 1, 307–20.
- Politis, K.D. (2002) 'Dealing with the dealers and the tomb robbers: the realities of the archaeology of the Ghor es-Safi in Jordan', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Renfrew, C. (2000) *Loot, Legitimacy and Ownership: The Ethical Crisis in Archaeology*, London: Duckworth.
- Rooney, S. (2001) 'Tomb raiders', *Times Magazine*, 6 January, 44–8.
- Sax, J.L. (1999) *Playing Darts with a Rembrandt*, Ann Arbor: University of Michigan Press.
- Schadla-Hall, T. (1999) 'Public archaeology', *European Journal of Archaeology*, 2, 147–58.
- Schmidt, P.R. and R.J.McIntosh (1996) *Plundering Africa's Past*, London: James Currey.
- Schávelzon, D. (2002) 'What's going on around the corner? Illegal trade of art and antiquities in Argentina', in Brodie, N. and Tubb, K.W. (eds), op. cit.

- Seeden, H. (1994) 'Archaeology and the public in Lebanon: developments since 1986' in Stone, P.G. and Molyneux, B.L. (eds), op. cit.
- Stone, P.G. and Molyneux, B.L. (eds) (1994) *The Presented Past: Heritage, Museums and Education*, London: Routledge.
- Stone, P.G. and P.G. Planel (1999) *The Constructed Past: Experimental Archaeology, Education and the Public*. London: Routledge.
- Sutherland, A. (2002) 'Perceptions of marine artefact conservation and their relationship to destruction and theft', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- TAY Project (2001) *Destruction Report*, available online at www.tayproject.org/raporeng.html (accessed 22 August 2004).
- Throckmorton, P. (1990) 'The world's worst investment: the economics of treasure hunting with real life comparisons', *Underwater Archaeology Proceedings from the Society for Historical Archaeology*, 6–10; reprinted in Prott, L.V. and Strong, I. (eds) (1999) *Background Materials on the Protection of the Underwater Cultural Heritage*, Paris and Portsmouth: UNESCO/Nautical Archaeology Society.
- Togola, T. (2002) 'The rape of Mali's only resource', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Tubb, K.W. (1995) *Antiquities Trade or Betrayed: Legal, Ethical and Conservation Issues*, London: Archetype/UKIC
- (2002) 'Point, counterpoint', in Brodie, N. and Tubb, K.W. (eds), op. cit.
- Ucko, P.J. (1994) 'Museums and sites: cultures of the past within education—Zimbabwe, some ten years on', in Stone, P.G. and Molyneux, B.L. (eds), op. cit.
- US News* (1999) 'The race for riches', *US News*, 10 April.
- Vitelli, K.D. (ed.) (1996a) *Archaeological Ethics*, Walnut Creek: AltaMira.
- (1996b) 'An archaeologist's response to the draft principles to govern a licit international traffic in cultural property', in Briat, M. and Freedberg, J.A. (eds), op. cit.
- Warren, P. (1972) *Myrtos: An Early Bronze Age Settlement in Crete*, London: Thames and Hudson.
- Watson, P. (1999) 'The lessons of Sipán: archaeologists and huaqueros', *Culture Without Context*, 4, 15–20.
- Weaver, D.B. (1998) *Ecotourism in the Less Developed World*, New York: CAB International.
- White, S. (1998) 'A collector's odyssey', *International Journal of Cultural Property*, 7, 170–6.
- Whitelaw, T., P.M. Day, E. Kiriatzi, V. Kilikoglou and D.E. Wilson (1997) 'Ceramic traditions at EM IIB Myrtos, Fournou Korifi', in Laffineur, R. and Betancourt, P.P. (eds), *Craftsmen, Craftswomen and Craftsmanship in the Aegean Bronze Age* (Aegaeum 16: Proceedings of the 6th International Aegean Conference, Temple University, 18–21 April 1996).
- Wilson, T.H. and Omar, A.L. (1996) 'Preservation of cultural heritage on the East African coast', in Schmidt, P.R. and McIntosh, R.J. (eds), op. cit.