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Law/Illicit Antiquities

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Glossary

due diligence The measures that an individual or institution can reasonably be expected to take when investigating the pedigree of an object being considered for acquisition in order to ensure its legality.

provenance The history of ownership of an object.

An illicitly traded archaeological artifact (illicit antiquity) is one that has at sometime been traded in contravention of national or international legal regulations. Typically, it will have been removed illegally from an archaeological site or monument, and/or exported illegally from its country of origin. Possibly, it will have been stolen from a museum or other cultural institution, or from a private owner (*see Antiquities, Looting and Buying of (00014)*). The act of removal is normally unrecorded and probably destructive. Illicit antiquities are often sold by reputable vendors without any public indication of ownership history (provenance).

In 1993, for example, the International Council of Museums (ICOM) released details of six pieces of sculpture that had been stolen from the storeroom of Angkor Wat, in Cambodia, and subsequently recovered. Three had been sold through Sotheby's auction house. Four years later, in 1997, Peter Watson showed that many Italian antiquities sold at Sotheby's London with no published provenance had come from one dealer in Switzerland, who was acting as a 'front' for another dealer, the Italian Giacomo Medici, who was in turn smuggling the antiquities out of Italy where they had been illegally excavated. Medici was arrested by the Italian Carabinieri in 1997 and in 2005 he was convicted of receiving and illegally exporting stolen antiquities. It is not known how many illicit antiquities he had managed to pass onto the market without provenance before his arrest.

Over the last 20 years between 65% and 90% of antiquities offered for sale on the market have had no clear published provenance, which suggests that a large, perhaps major, part of the market is comprised of illicit antiquities. Even when an antiquity is sold with a provenance, it does not mean that the provenance is genuine. A now infamous example of what appears to be a deliberately confused provenance is provided by the Euphronios krater. In 1972, the Metropolitan Museum of Art in New York bought a

sixth-century BC Attic red-figure krater attributed to the painter Euphronios. It cost the museum \$1 million, which, at the time, was considered to be an outrageous price. The krater was said to have been bought from an Armenian living in Beirut through the mediation of US dealer Robert Hecht, who could document that it had been in the possession of the Armenian's family, and thus outside Italy, since 1914. By 1973, however, doubts were being expressed about this apparently legitimate provenance, and it was suggested instead that the krater had, in fact, been excavated illegally in Italy in 1971. In 1993, the Metropolitan's director at the time of purchase, Thomas Hoving, suggested that there had actually been two Euphronios kraters, a fragmentary one in the possession of the Armenian, and a better-quality one excavated illegally in 1971. Unbeknown to the Metropolitan, Hecht had switched pieces, selling the illicit one to the Metropolitan with the good provenance, and selling the Armenian's poorer quality piece to a private collector.

In 2001, the Italian Carabinieri raided Hecht's Paris flat, where they seized a handwritten memoir. In this memoir, Hecht had recorded two different versions of his role in the Euphronios affair. One was that he had obtained the krater from the Italian dealer Giacomo Medici, mentioned above in connection with Sotheby's. The other version was the one made public by the Metropolitan, that he had acquired it from the Armenian. In November 2005, Robert Hecht was charged in an Italian court with the illegal export of antiquities and conspiring to receive stolen art (*see Antiquities and Cultural Heritage Legislation (00013)*). In 2006, the Metropolitan Museum ceded title of the Euphronios krater to Italy, along with title to 20 other antiquities, though refused to admit any knowledge of illegal origin. The krater will return to Italy in 2008. The real provenance of the krater has still not been made public, and presumably is known only by Hecht, and perhaps Medici.

The Euphronios krater is just one example of how a provenance might be invented or changed to disguise the illegal origin of a piece. There are many more. In 1997, the British dealer Jonathan Tokeley-Parry was found guilty of handling antiquities stolen from Egypt and jailed for 6 years. To smuggle the antiquities, Tokeley-Parry disguised them as tacky tourist souvenirs by first coating them with liquid

plastic and then painting them with garish colours. Once back in England, the plastic and paint were removed with acetone and the pieces were restored to their original condition. To pass them off as legitimate he invented a provenance, an ‘old collection’, the Thomas Alcock collection. Thomas Alcock was said to be a British Army engineer who had passed through Egypt early in the twentieth century. Tokeley-Parry manufactured labels dabbed with used tea-bags to give them the appearance of age which he attached to pieces in an attempt to make the false provenance appear more convincing.

It is virtually impossible to verify a provenance or to research an unprovenanced antiquity’s pedigree. Museums and salerooms are under no obligation to release information on the subject, and most usually do not. As a result, it is easy for an innocent or an unprincipled buyer to claim that there was nothing to suggest that a purchased piece was illicit. The difficulties attending provenance research have led to the development of the concept of ‘due diligence’. Due diligence describes the measures that an individual or institution can reasonably be expected to take when investigating the pedigree of a potential acquisition to ensure its legality. Due diligence should take account of the character of the vendor and the price asked (a suspiciously low price would indicate a dubious provenance), and should include checking the potential purchase against appropriate registers of stolen artifacts. Now that it is known that so many unprovenanced antiquities have an illegal origin, in future it will be difficult to claim innocent purchase without first conducting the necessary due diligence.

Unfortunately, even due diligence cannot guarantee the legitimacy of a piece. Documents can always be forged, and it is not always easy to assess the character of a vendor, as was made clear by the conviction in 2002 of New York antiquities dealer Frederick Schultz. Schultz had bought pieces from Tokeley-Parry, knowing them to be stolen from Egypt, and had been until 2001 the president of the National Association of Dealers in Ancient, Oriental and Primitive Art, the United States’ foremost dealer association.

The Archaeological Perspective

From an archaeological perspective, the trade in illicit antiquities causes two problems. First, the unrecorded and unsystematic digging of archaeological sites and monuments to feed the trade reduces the total amount of information that is available about the past (*see Excavation, Basic Methods* law of association, strategies (00105)). Stratigraphies and contextual relationships are lost and fragile or unsaleable material

is discarded or destroyed. Second, the recontextualization of looted objects in collections assigns them new meanings that are often flawed, and so any historical conclusions that are drawn from them are of uncertain reliability.

These problems are nothing new. As early as 1904, for example, Robert Carr Bosanquet, then director of the British School of Archaeology at Athens, recognized them in his discussion of the collection of the British antiquary, George Finlay. In the early 1870s, Finlay had obtained through the offices of an agent in Athens a large collection of obsidian artifacts that were said to be from various Bronze Age sites of southern and central Greece. Bosanquet discovered that instead they had probably all been dug out of the Bronze Age site of Phylakopi on the Greek Cycladic island of Melos. The site context of this material had been destroyed, an act which has hindered investigation there ever since, and the true provenance of the artifacts had been replaced by a series of fictitious ones designed to capture Finlay’s interest, and his money.

In 1993, David Gill and Christopher Chippindale encapsulated these problems in their memorable phrase, the “material and intellectual consequences of esteem.” Like Bosanquet, Gill and Chippindale were looking at Early Bronze Age material from the Greek Cycladic islands, in their case the bleached-white marble figurines. When these Cycladic figurines first came to public attention in the nineteenth century they were considered to be ugly and barbaric, and of no value. Their aesthetic and monetary fortunes changed during the middle years of the twentieth century when their simple lines caused them to be viewed more positively as modernist archetypes, and they began to attract the attention of collectors and museums. Today, Cycladic figurines command high prices on the art market.

Gill and Chippindale considered the consequences of this newfound esteem. It was during the 1950s and 1960s that large numbers of Cycladic figurines began to appear on the international market. Out of the 1600 figurines so far known, about 90% have no ownership history or documented find spot, and so were presumably looted. Gill and Chippindale further estimated that the material consequence of obtaining so many figurines would be that something like 12 000 graves and their contents have been destroyed. They also discussed the intellectual consequences. Like Finlay’s obsidian, the invention of vague and unverifiable provenances for the looted pieces, such as “said to be from Naxos,” or wherever, plays havoc with any attempt to trace patterns of their original production and distribution. Furthermore, acceptance of the figurines within the modern canon as ‘art’ has brought with it all the trappings of

connoisseurship, so that today, in trade and collecting circles at least, Cycladic figurines are considered to be works of fine art that were produced by so-called 'master carvers', and created by a society with both the means and the inclination to support full time artistic specialization and production. Yet, as Gill and Chippindale point out, these are propositions that need to be investigated, not assumed.

s0010 **Social Perspectives**

p0060 The damage caused by the looting of archaeological sites is not just a matter of scholarly concern. There can be serious social and economic consequences. For some communities and states, archaeological objects can function symbolically as material constituents of cultural identity, or they might be imbued with a spiritual significance. Their expropriation can help to weaken group identity and cohesion. In the United States, this issue was recognized by the 1990 Native American Graves Protection and Repatriation Act, which acknowledges that the past appropriation of Native American human remains and cultural objects by nonindigenous individuals and institutions was illegal, and that, where possible, such materials should be returned to the possession of their rightful owners. Any future finds on federal or Native American land will similarly be subject to the ownership of the appropriate group (*see Native American Graves Protection and Repatriation Act (NAGPRA) (00202)*).

p0065 The fact that archaeological artifacts are looted because of their monetary value cannot be overlooked. Often, sites are looted by poor subsistence farmers, and many people are uncomfortable describing the usually illegal excavation of artifacts that are sold for subsistence purposes as looting. The term 'subsistence digging' has been suggested as a preferred alternative. Any effort to stop subsistence digging in order to maintain the integrity of archaeological sites can be construed as valuing archaeological heritage over human life. It has been suggested that the characterization of such digging as 'looting' criminalizes already deprived communities, and subsistence diggers should be regarded as having a legitimate, economic interest in archaeological heritage. As a long-term subsistence option, however, such digging is unsustainable as the archaeological sites are quickly worked out.

p0070 The illegal trade offers many opportunities for criminals. On the ground this might simply mean that the people digging the sites are breaking the law. But further up the trading chain there are opportunities for more extensive criminal involvement through activities such as corruption and money laundering, and it is increasingly being recognized in Iraq

and Afghanistan that the money derived from the sale of antiquities can be used to purchase weapons. Thus although in the past the trade in illicit antiquities was seen to be a victimless crime, this is no longer the case.

The Proliferation of Forgeries

The routine suppression and invention of provenances that characterize the trade facilitate the entry onto the market and into collections and museums of forged pieces. The best way to be certain of an artifact's authenticity is to know its archaeological find spot and its history since excavation. For a piece with no provenance, clearly this is not possible. The authenticity of an unprovenanced piece can be judged only through scientific analysis or expert opinion, and neither method is foolproof.

p0080 For example, the Metropolitan Museum of Art has on display a Cycladic figurine depicting a seated person playing a harp. It was acquired in 1947 with no published provenance and is considered to be one of the museum's most important pieces, certainly in terms of its prehistoric collections. Some experts, however, have long doubted the figurine's authenticity because of its abnormally long arms, made necessary by its incorrect hold of the harp, and other unusual features of anatomical detail. In 2000, it was revealed by a British sculptor that in January 1947 he had met a local sculptor on the Cycladic island of Ios who claimed to have been commissioned some years earlier by an Athenian antiquities dealer to produce a marble figurine of a harpist. The islander made a sketch of the figurine he had made, and it shows a remarkable similarity to the piece in the Metropolitan. If the figurine drawn in the sketch really is one and the same as the Metropolitan example, it means that the Metropolitan must have been duped into buying a fake. Not surprisingly, the Metropolitan is not convinced by this argument, and the piece remains on display. But the shadow of doubt that now hangs over the figurine's credibility as a genuine artifact will only be dispelled by the publication of reliable information about its discovery and excavation, if indeed it was excavated.

p0085 The issue of forgery is probably more acute than generally suspected. Oscar Muscarella, ironically of the Metropolitan Museum, has identified hundreds of what he believes to be forgeries of Near Eastern artifacts, or genuine artifacts that have been subject to contemporary 'enhancement' to improve their monetary value, and he considers this number to be very much a minimum one. If Muscarella is right, and as the pieces he discusses have no documented provenance it is hard to prove him wrong, the infiltration

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of fakes into collections is more widespread than previously thought possible and poses a serious threat to scholarship.

Some Statistics

Reliable statistics about the size of the trade in antiquities and the seriousness of the associated damage are notoriously elusive. This is because the trade is clandestine and there are no organizations charged with gathering relevant information about damaged archaeological sites and monuments. Nevertheless, some quantitative information about destruction 'on the ground' has been provided by archaeological surveys of regions and individual sites. In 1983, one study showed that 59% of all Mayan sites in Belize had been damaged by looters. Between 1989 and 1991, a regional survey in Mali discovered 830 archaeological sites, but 45% had already been damaged, 17% badly. In 1996, a sample of 80 was revisited and the incidence of looting had increased by 20%. A survey in a district of northern Pakistan showed that nearly half the Buddhist shrines, stupas, and monasteries had been badly damaged or destroyed by illegal excavations. In 2001, it was reported that 14% of known archaeological sites in Andalusia, Spain, had been damaged by illicit excavation. Between 1940 and 1968, it is estimated that 100 000 holes were dug into the Peruvian site of Batán Grande, and that in 1965 the looting of a single tomb produced something like 40 kg of gold jewelry, which accounts for about 90% of the Peruvian gold now found in collections around the world. In 2001, an archaeological survey of the area of ancient Lydia in western Turkey discovered 397 Iron Age tumuli. Ninety percent showed signs of looting and 52 tumuli had been completely destroyed. A survey of the Lower Ulúa Valley in Honduras found that 60% of the 507 sites discovered had been damaged by looting and that 15% had been totally destroyed.

The Development of the Antiquities Market during the Twentieth Century

The plunder of archaeological sites for their saleable antiquities can be traced back at least to the eighteenth century, and probably earlier. But it was during the twentieth century that the practice extended and intensified to achieve its present size and scope. This expansion was caused by at least five processes that were acting together to increase demand, reduce legal supply, and increase illegal supply.

First, there was a continuing increase in the number of museums collecting archaeological material. Museums, art museums in particular, exert a primary

effect on the market by acquiring unprovenanced antiquities, and in so doing exert a secondary effect by sending a clear signal to private collectors that such practice is acceptable. By displaying archaeological objects as treasures or great works of art, museums also increase their desirability.

Second, Western artistic taste became more inclusive. While the proliferating museums were busy acquiring art, the range of material that was available for them to collect as art was also increasing. From the Renaissance through to the end of the nineteenth century, classical Greek and Roman sculpture had been thought to epitomize art, but the onset and development of modernism changed all that. Many artists started to draw inspiration from non-European and nonclassical sources, and as a result since the end of the nineteenth century antiquities from all parts of the world have come to be seen as significant artworks, or at least to possess aesthetic qualities that appeal to Western taste.

Third, although an increasing variety of antiquities was coming to be regarded as aesthetically worthwhile, their legitimate supply was diminishing as newly independent countries moved to introduce stringent regimes of heritage protection. One of the first actions of the newly independent Greek state was in 1833 to pass a law forbidding the export of antiquities. This law was promulgated in response to the deprecation of Greek archaeological heritage that had taken place under the centuries of Ottoman occupation, particularly over the preceding 50 years, and which the Greeks themselves had been powerless to curtail. The Greek example has been followed many times over as countries freed from colonial rule have passed legislation to protect their archaeological heritage from illegal trade (*see Antiquities and Cultural Heritage Legislation* (00013)).

Fourth, improving technologies allowed better location of archaeological sites, easier access to them, and more efficient removal of material from them. It also became progressively easier to obtain information and to arrange transactions. Sites and monuments in previously remote (from the market) places such as West Africa and the Himalayas have since been devastated. Shipwrecks on the deep ocean floor have also become accessible and vulnerable.

Finally, toward the end of the twentieth century, many political barriers to trade disappeared as the formerly closed communist world opened up. Czech police, for example, estimate that thefts from cultural institutions increased 12-fold when the Czech Republic's borders opened in 1990.

The cumulative and deleterious effect of these processes on archaeological heritage can be seen in most areas of the world. The terracotta statues of West

Africa, for example, were largely unknown 50 years ago, but over the past few decades they have been dug up in ever-increasing numbers to feed the growing demand for so-called 'tribal' or 'primitive' art. The results have been predictable. In 2000, ICOM issued its Red List of Endangered African Heritage, which detailed eight categories of archaeological objects that are under imminent threat from looting and theft, and appealed to museums, auction houses, art dealers, and collectors to stop buying them. The list included Nok terracottas from Nigeria and Djenné terracottas from Mali, and the Bura terracottas of Niger. Bura terracottas were not discovered until 1983, and so in less than 20 years they had passed from being an unknown to an endangered tradition.

Legal Responses

As described above, since the nineteenth century, most countries have placed their archaeological heritage under some kind of legislative definition and control. International laws designed to inhibit the illegal movement of antiquities have been developing in parallel. At first, this international effort was responding to the plunder and destruction of art and other cultural objects during wartime, and in 1954 it culminated in the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, and its First Protocol. A Second Protocol was added in 1999. By September 2006, the Hague Convention had been signed and ratified by 116 countries, though only 42 had acceded to the Second Protocol.

The problems posed to archaeological heritage by the illicit trade in peacetime were also causing concern and in 1970 UNESCO adopted the Convention on the Means of Preventing and Prohibiting the Illicit Import, Export and Transfer of Ownership of Cultural Property. This convention makes provision for intergovernmental action to control the trade, and by September 2006 it had been signed and ratified by 110 countries. Articles 7b(ii) and 9 of the UNESCO Convention were implemented in the United States as the 1983 Convention on Cultural Property Implementation Act (CCPIA or CPIA). Under this act, the United States can reach agreement with a second country to place import restrictions on specific categories of cultural material which are thought to be in danger of pillage. In September 2006, the United States had bilateral agreements with 12 countries.

The 1995 UNIDROIT Convention on Stolen and Illegally Exported Cultural Objects rectified some of the perceived shortcomings of the 1970 UNESCO Convention. In 2001, in response to the increasing exploitation of deepwater shipwrecks, UNESCO

adopted the Convention on the Protection of the Underwater Cultural Heritage, which offers protection to submerged landscapes as well as to shipwrecks and other sunken objects.

Unfortunately, these national and international laws have seemed powerless to prevent the continuing expansion of the trade in illicit antiquities, and the associated archaeological destruction has grown worse (which is not to say that it would not have grown worse still without legislation). There are two reasons for this apparent failure of legislative regulation. One reason is poor subscription to the relevant international conventions. So although the United States set a good example when it ratified the 1970 UNESCO Convention in 1983, it was nearly 20 years before other major market countries followed suit. The United Kingdom and Japan did not become parties until 2002, and Switzerland until 2003. By 2006, neither the United States nor the United Kingdom had ratified the Hague Convention or its Protocols (although the United Kingdom had announced its intention to do so), and neither country was intending to accede to the 1995 Unidroit Convention nor to the 2001 UNESCO Convention on underwater heritage.

The second and perhaps most important reason for the failure of regulation is that the relevant national and international laws are poorly enforced. International attention focuses on the illegal trades in drugs, arms, and, recently, people. At the national level, health, education, and security are usually more pressing priorities than heritage preservation, particularly in the developing world where most archaeological looting takes place (*see Historic Preservation Laws* (00147)).

There is also disagreement about what should be the fundamental philosophy of protective legislation. Although there is a general consensus that the antiquities trade as presently constituted is inequitable and causing irreversible harm to the archaeological heritage, there is considerable dispute about how best to resolve the problem, whether by placing the trade under what might be characterized as 'weak regulation', or under 'strong regulation'. Proponents of weak regulation, who term their perspective 'cultural internationalism', argue that, with the exception of a limited number of exceptional or otherwise significant pieces, most antiquities should be freely available for international trade. Free trade would increase the amount of material in circulation, thereby improving public access, and profits could be used to protect important archaeological sites. The strong regulation perspective is that a free market does not assure an equitable circulation of cultural objects, nor does it increase public access. Instead, it causes a flow

of antiquities into a limited number of acquiring communities – internationalism is a serious misnomer. Free trade would not be sustainable, and any money generated would need to pay for oversight of the regulatory regime, none would ‘trickle down’ to site protection. In effect, the debate is about whether the conservation of archaeological heritage would be favored more by public (strong regulation) or by private (weak regulation) ownership. In the absence of any reliable comparative statistics of site damage in public and private jurisdictions, and with only a few quantitative studies of market composition, it is hard to decide.

s0035 Ethical Responses

p0160 The explanation sketched out above for the twentieth century development of the trade in illicit antiquities identified five causal processes, but their articulation and synergy were only realized through the agency of the various ‘players’, from academics and museum curators, through dealers, to the people on the ground that do the actual digging. The active implication of professional ‘experts’ in market processes has since the 1960s caused the development of ethical standards that are intended to insulate professional practice from the market (see **Ethical Issues and Responsibilities** (00148)).

p0165 It seems inescapable that there should be a causative link between academic practice and the development of a market. The study and analysis of antiquities provide information about their age, their abundance, the geographical parameters of their production and consumption, and about their functional, aesthetic, and historical characteristics. This information helps to structure the market by providing typological categories and the means to judge quality and scarcity and therefore to estimate price. Back in 1904, Bosanquet blamed the looting of Phylakopi on the publication of an educational pamphlet by Finlay that had devoted seven out of 15 illustrations to obsidian artifacts, and identified their Melian origin. It has been suggested many times since then that the market for ancient Greek pottery was formed by the publication of Johann Winckelmann’s 1764 study of the pottery, his identification of its Greek origin (it had previously been thought to be Etruscan), and his comparison of its painted compositions to the work of Renaissance masters.

p0170 But although market formation might be an unintended consequence of study and publication, the expertise of academic and museum specialists is also crucial for market function. Although at first sight the mitigating impact of the UNESCO Convention may appear to have been limited, the expert negotiations

that accompanied its initial drafting and, later, the US ratification acted to raise awareness among professional archaeologists, anthropologists, and museum curators about practices beside legitimate study and publication that help sustain the trade and that might be avoided. A series of declarations made in the early 1970s by the major archaeological and museum associations endorsed the principles enshrined in the UNESCO Convention, and increasingly since then codes of ethics and practice have been formulated with provisions to guard against professional involvement with the trade. Unfortunately, there has not always been unanimous agreement as to what the correct ethical response should be, particularly as regards publication policies and museum acquisitions (both discussed below).

Professional archaeologists and museum curators possess the academically validated and thus socially recognized expert knowledge that allows them to pass authoritative judgments – either through scientific examination or the more traditional skill of connoisseurship – on the identity and the authenticity or otherwise of an antiquity. This service is an indispensable one for a market that is comprised largely of unprovenanced objects and badly infiltrated by fakes. Thus, while the academic study of archaeological material may be said to structure the market, the identification and authentication of unprovenanced antiquities allows the market to function. Recognizing this danger, professional associations now prohibit their members from identifying or authenticating unprovenanced objects in such a way that might support the market.

Although it is accepted that the academic study and publication of legitimate archaeological material promotes a market, it is also recognized that the study of material with no provenance and that has in all probability been looted causes two further problems. One problem is the intellectual one discussed above concerning the reliability of interpretation: the study of unprovenanced antiquities is constrained by the absence of information relating to archaeological find spot that vitiates the context of understanding. The second problem is a commercial one: the study and publication of an unprovenanced object will in itself provide a provenance of sorts, an academic pedigree, and make it easier to sell in the future. Thus many archaeologists and museum curators believe that the academic study of unprovenanced material provides only a limited addition to historical knowledge, and one that is gained at the cost of a potentially larger loss of available information through the consequential looting of more archaeological sites. The academic journals *American Journal of Archaeology* (in 1978) and *American Antiquity*

and *Latin American Antiquity* (in 1991) tackled this issue when they decided not to publish any paper that offers first publication of looted or illegally exported material. This decision has not been universally welcomed, and the counterargument has been developed that some objects, particularly written materials, have an intrinsic importance, even out of context, that warrants their study and publication so that their information is saved for posterity.

p0185 Museums have the potential to play a central role in the antiquities trade through their acquisition policies. As noted above, when a museum acquires an object with no provenance it contributes directly to demand and sets an ethical standard. Professional museums associations have responded to this problem by asking that their member museums formulate acquisitions policies incorporating guidelines about unprovenanced material. Museum associations also offer advice as to what degree of provenance might make an object acceptable for acquisition, although there is some disagreement as to what this might constitute. So, for example, the International Council of Museums (ICOM) recommends that unprovenanced objects should not be acquired at all, while the Association of Art Museum Directors (AAMD) suggests that they are suitable for acquisition if it can be documented that they have been out of their country of origin for more than 10 years. The different recommendations reflect a difference of opinion between those who believe that the acquisition of an unprovenanced object encourages further looting, and those who believe that the looting has already happened and the object needs to be 'saved'. A compromise is the so-called '1970 Rule', advocated by the Archaeological Institute of America (AIA) and Britain's Museums Association (MA), whereby objects that are documented to have been out of their country of origin since 1970, the date of the UNESCO Convention, are acceptable for acquisition.

p0190 People who live in the vicinity of archaeological sites are sometimes the people that loot them, and other times they are indifferent or acquiescent. This fact has made it clear that the ethical responsibilities of archaeologists go beyond simply refraining from activities that will sustain the market, and that archaeological research must have a public as well as an academic aspect. Where possible, archaeologists, particularly those who work in foreign countries, should endeavor to work with the consent of the

local and/or indigenous public, to recognize the public claim on archaeological heritage and to respect local sensitivities. It is also the responsibility of archaeologists to ensure that their methods and aims are more widely understood, to employ and to train local people, and to publicize their results through popular as well as academic media. Sites (where appropriate) should be prepared for public presentation so that they can be incorporated into educational curricula and tourist itineraries. Many of these activities have a potential economic outcome, which can be crucial in poorer areas and should not be overlooked or neglected as being irrelevant to research. When local communities are accepted as stakeholders in the archaeological process, they are more likely to take a proprietorial interest in their local archaeology.

See also: Antiquities and Cultural Heritage Legislation (00013); Antiquities, Looting and Buying of (00014); Ethical Issues and Responsibilities (00148); Historic Preservation Laws (00147); Native American Graves Protection and Repatriation Act (NAGPRA) (00202); Politics of Archaeology (00250); Who Owns the Past? (00321); World Heritage Sites, Types and Laws (00323); Pseudoarchaeology, Frauds, and Misconceptions (00266).

Further Reading

- Atwood R (2004) *Stealing History*. New York: St. Martin's Press.
- Brodie N, Doole J, and Renfrew C (eds.) (2001) *Trade in Illicit Antiquities: The Destruction of the World's Archaeological Heritage*. Cambridge: McDonald Institute for Archaeological Research.
- Brodie N and Tubb KW (eds.) (2002) *Illicit Antiquities. The Theft of Culture and the Extinction of Archaeology*. London: Routledge.
- Gill DWJ and Chippindale C (1993) Material and intellectual consequences of esteem for Cycladic figures. *American Journal of Archaeology* 97: 601–659.
- Meyer K (1973) *The Plundered Past*. New York: Athenaeum.
- Muscarella OW (2000) *The Lie Became Great. The Forgery of Near Eastern Cultures*. Groningen: Styx.
- O'Keefe PJ (1997) *Trade in Antiquities. Reducing Destruction and Theft*. London and Paris: Archetype and UNESCO.
- Renfrew C (2000) *Loot, Legitimacy and Ownership*. London: Duckworth.
- Tubb KW (ed.) (1995) *Antiquities Trade or Betrayed: Legal, Ethical and Conservation Issues*. London: Archetype/UKIC.
- Watson P and Todeschini C (2006) *The Medici Conspiracy. The Illicit Journey of Looted Antiquities*. New York: Public Affairs.