PART 2

The Relationship between Cultural Heritage Crimes and Organized Crime

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CHAPTER 2

Displacement, Deforestation, and Drugs: Antiquities Trafficking and the Narcotics Support Economies of Guatemala*

Donna Yates

1 Antiquities and Narcotics Trafficking: A Connection?

The possible connection between the illicit traffic in antiquities and the illicit trafficking of narcotics is often discussed but poorly understood. It is clear that many of the primary centers of narcotics cultivation and transport have also experienced endemic looting of archaeological sites (e.g., Afghanistan, the Andes, Central America, and Southeast Asia) and many of the primary centres for narcotics demand are also considered to be the demand end of the illicit antiquities market (e.g., the United States, Europe). The susceptibility of the market in illicit cultural objects to money laundering has been established (Bowman 2008; Brodie 1999, 2009; De Sanctis 2013; Christ and von Selle 2012; Mackenzie 2011; Ulph 2011). Of those organized trafficking groups involved in a diversified portfolio of illicit activities, most are dealing in drugs as well as other commodities (Mackenzie 2002: 2). The market prices obtained for antiquities seem too high for such organizations to ignore. It "makes sense" that organized criminal groups involved in drug trafficking would also engage in antiquities trafficking when it was convenient. Yet, for the most part, assertions that these two illicit markets are connected during sourcing, transit, or sale remain speculative at best.

In this chapter I will present a preliminary evaluation of existing evidence for the connection between antiquities trafficking and narcotics trafficking in Central America, particularly through the Petén department of the Republic of Guatemala, the heartland of the ancient Maya. I will begin with an overview of what is known about the historic structure of Central American antiquities looting and trafficking networks. Two phases of semi-organized and organized

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looting in the region are identified, the shift occurring due to changes in regulation and enforcement. This is followed by a discussion of the rise of narcotics trafficking in the region as it relates to post-conflict land distribution: a situation that brings both narcotics traffickers and the victims of their support economies closer and closer to archaeological sites. I will then present two preliminary case studies of archaeological sites exploited, at least in part, as a result of the activities of narcotics cartels. I will conclude with a short assessment of what evidence exists for antiquities being looted and moved by narcotics traffickers and what realistic connections appear to exist between these two illicit networks.

2 The Looting of the Petén

Compared with the well-known ancient civilizations of Europe and Western Asia, archaeological interest in the Maya culture came relatively late, partially because of the forbidding nature of deep-jungle sites. The "outside world" was first exposed to Maya ruins through the writings of John Lloyd Stephens (1841; 1843) and the enchanting drawings of Frederick Catherwood. As a result, for the next sixty years, the Maya heartland (in what is now Belize, El Salvador, Guatemala, Honduras, and Mexico) was the stomping ground of adventurers who conducted rudimentary recording of archaeological sites and limited removals of Maya artifacts. The first truly archaeological excavations in the region were conducted at the start of the twentieth century (Yates 2013).

The art and antiquities market, primarily in the United States, underwent a major upheaval in the first half of the twentieth century. As aesthetic taste in contemporary art shifted to what has been termed "modern" forms and degrees of abstraction, a parallel interest arose in what has been erroneously (and offensively) termed Primitive or Tribal art. Defined, largely, against a classical Western model, this gross lumping of disparate cultural traditions is described as including ancient and modern cultural objects originating from Oceania, Africa, parts of Asia, and the Americas. The appeal of these objects was their non-Westernness, that they did not conform the familiar Greek and Roman "refined" trope, which complemented the oeuvre of the day. Demand for these antiquities grew as connections were drawn publicly between them and famous artists (e.g., Picasso, Kahlo, Giacometti, Rivera) and as powerful collectors began to source them from their countries of origin. The founding of Nelson Rockefeller's Museum of Primitive Art in New York, which opened to the public in 1957 (its collection was transferred to the Metropolitan Museum

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of Art in 1976), can be seen as a watershed for the collection of Maya and other "Primitive" cultural property. The Maya were on the market.

Available evidence, largely gleaned through the recollections of archaeologists, suggests that what we now see as the endemic looting of nearly every known Maya site began roughly around 1960 (Coggins 1969). Collectors and museums, inspired by such collections as Rockefeller's and eager to fill the Maya-shaped gap in their collections, demanded the absolute best that the Maya had to offer. This meant that the large carved stone stelas that both depicted the doings of Maya lords and recorded Maya history in a then-undeciphered script, as well as large decorated architectural elements from Maya temples, were looted, trafficked, and sold on the market.

Clemency Coggins, in a landmark paper that is often credited with exposing the gravity of the looting situation, characterized the 1960s as a time when bands of looters moved freely through the Maya region, particularly the sparsely populated and heavily jungled regions of Guatemala's Petén Department, mutilating large stone monuments with power tools (Coggins 1969: 94). Well-recorded and officially protected Maya sculptures were trafficked into the United States, often in a heavily damaged state, where they were bought by collectors and museums. Countless Maya sites, such as Ixtontón and Site Q (La Corona), were looted before they were even located by archaeologists. It was a terrible time.

The looting of the Petén in the 1960s and into the 1970s is intimately tied to two deep-jungle economies: the trade in rare hardwoods and the tapping of gum trees for chicle. In both instances, the people (usually men) at the bottom of the supply chain moved through vast tracts of wilderness searching for specific types of trees. In doing so they encountered recorded but poorly protected remote sites as well as Maya cities that were unknown to archaeologists.

In the first half of the twentieth-century archaeologists worked closely with these men, paying them for information about new sites and carved monuments. Chicleros (chicle hunters) are credited with locating many important sites in the Petén (e.g., Uaxactún, Xultun, Naachtun; even the UNESCO World Heritage Site Calakmul was discovered by an American chicle company botanist in 1931). However, by the 1960s and 1970s, the market for Guatemalan chicle had largely bottomed out, and the financial gains for participating in the looting and trafficking of antiquities grew. Chicle hunters could expect to report unknown sites to local trafficking intermediaries for rewards higher than those archaeologists could pay, and they could participate in the looting of sites themselves for further gain. For an ethnographic study on the connection between looting and chicle hunting, see Paredes Maury (1996).

Very little academic research has been conducted on the organization of these historic antiquities trafficking networks, but available evidence indicates that the operations were top-down, specialized, and large-scale. Two distinct phases of looting can be seen in the looting of the Petén, with focus shifting based partially due to shifting tastes in the art market but mostly due to changes in the law and its enforcement.

2.1 *Phase 1: The Stela Period*

During the 1960s and into the 1970s, much looting was focused on stone stelas and heavy architectural elements. These stelas were broken or "thinned," meaning that the carved faces were sawed from the larger monuments by power tools to ease transport. The movement of such large objects out of the jungle, across land or sea, and into the United States or Europe required at least some degree of criminal organization, although the trafficking routes associated with the movement of these objects are poorly defined.

One exception is the case of the looting and trafficking of Stela 2 from the Guatemalan site of Machaquilá (Graham 2010: 436–438). In 1971 this stela was thinned and then cut to pieces by Guatemalan looters who sold it to a Belizean national; Guatemalan officials were bribed at this point. It was then passed on to three Americans, one of whom was the brother-in-law of a Petén-based lumber company owner; another had a shrimp-export business in Belize. The stela was concealed in a shipment of shrimp and moved to Miami; the box that held the sculpture was labelled "personal effects." A California-based restorer was brought in to restore the sculpture, which was then placed in a car and driven to various locations to be shown to potential buyers including New York, Georgia, North Carolina, and Wisconsin before finally landing in California, where it was purchased by the man who restored it via financing from a Texas-based oil businessman who expected a cut of the profits from sale.

Working off a tip from archaeologist Ian Graham, the FBI seized the stela in California. In 1973 both the restorer and one of the traffickers were found guilty on charges of conspiracy to transport stolen goods in interstate and foreign commerce and causing the transportation of stolen property in interstate commerce (Hughes 1977: 1949). The stela was returned to Guatemala.

The Stela Period came to an end largely because of the passing of US Public Law No. 92-587 9 U.S.C. § 2091 in 1972: "Regulation of Importation of Pre-Columbian Monumental or Architectural Sculpture or Murals." This law states quite clearly that "No pre-Columbian monumental or architectural sculpture or mural which is exported (whether or not such exportation is to the United States) from the country of origin after the effective date of the regulation … may be imported into the United States unless the government

of the country of origin of such sculpture or mural issues a certificate . . . which certifies that such exportation was not in violation of the laws of that country." Any piece of pre-Columbian monumental sculpture must have "satisfactory evidence that such sculpture . . . was exported from the country of origin on or before the effective date of the regulation." In other words, any Maya sculpture entering the United States was to be considered suspect, and newly looted pieces would be nearly impossible to openly sell.

2.2 *Phase 2: The Vase Period*

Although the market for looted Maya sculptural pieces appears to have abated, interest in collecting Maya art did not. Focus shifted to smaller Maya pieces: eccentric flints and jades, figurines, and, most notably, exquisitely painted Maya vases. Although these small items had been popular on the market for a while, in the mid-1970s traffickers found that they were not only relatively easy to transport, but were also not covered by the regulations against the import of monumental architectural elements into the United States.

Maya vases are most commonly found in tombs and tombs are most commonly found in "mounds," the remains of Maya buildings and temples. Thus to locate vases, these structures must be tunnelled into at great risk to the looters because of the possibility of building collapse. This phase of looting may have been more destructive than the first at many sites because of these tunnelling operations. At the Guatemalan site of Naranjo, for example, more than 270 tunnels and trenches have been documented (Fialko 2005). Over 45% of the mounds and 75% of the building groups at Ixtontón (now in a hot region for narcotics smuggling) were already cut with looters' trenches, causing great damage and collapse, before the site was even located by archaeologists in 1985 (Laporte and Torres 1988: 53).

A moderately well-documented example of an organized network operating in this period of looting can be seen in the amassing of the so-called November Collection of Maya pottery that is now in the possession of the Museum of Fine Arts, Boston (see Yates 2012). Through the mid-1970s and into the 1980s, Maya sites in the eastern Petén were systematically targeted for the looting of polychrome pottery. The looting gang(s), probably composed of chicleros and the likes working outside of the gum-collecting season, used dynamite and dug massive trenches through thousands of Maya buildings in search of ceramic-filled tombs. Ancient buildings collapsed and lives were likely lost.[1] Sites targeted include, but are certainly not limited to, Tintal, Nakbe, and Narajo.

1 A common rumor at archaeological sites in the Petén is that looters trenches are filled with both ancient and modern burials.

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This large-scale venture was apparently at the behest of a United States-based entity that, to some degree, directed it (Yemma and Robinson 1997).

Investigative reporting and a review of business registration records show that in 1981 a Florida-based collector named John B. Fulling created "Art Collectors of November, Inc.," registered on 7 April 1981, as a domestic for-profit corporation in Fort Lauderdale (Florida State Reference ID: F28816). It appears as if this corporation was created specifically to finance the trafficking of Maya vases into the United States and to sell them to collectors and museums. In 1987, Landon T. Clay, former chair of the Eaton Vance Corporation and founder of the Clay Mathematics Institute in Cambridge Massachusetts, bought the November Collection from Art Collectors of November, Inc. and donated it to the Museum of Fine Arts the following year. Academics urged the museum to decline the donation but were ignored (Slayman 1998; Yemma and Robinson 1997).

3 Continued Conflict and the Rise of Narcotics Trafficking

In the wake of the Guatemalan Civil War (peace accords were signed in December 1996 ending the thirty-six year conflict), the Petén region has become a major international center for narcotics trafficking and related illicit activities. Because of its isolation and status at the periphery of Guatemalan society and governmental control, the Petén has become a "favoured route" for the smuggling of cocaine, migrants, and other commodities across borders (Briscoe 2008). This route became particularly important in 2006/2007 when Mexican narcotics cartels moved much of their operations into the region (Dudley 2011: 3; McSweeney et al. 2014: 489).

The territories directly corresponding to Guatemala's frontiers with Mexico and Belize have seen "the progressive encampment of armed groups, or heavily armed criminal networks" (Briscoe 2008: 5). These groups have consolidated regional control with violence and by harnessing regional traditions of quasi-legal or illegal but uncontrolled economic practices for their own gain. Negligent and distant control from the central government has led to decades of unauthorized logging, poaching, clearance of protected land, antiquities looting, and other illicit behaviour. However, the growth of narcotics cartels in the Petén in recent years, particularly through the influence of controlled municipalities, has optimized and organized existing Guatemalan illicit economies (Briscoe 2008: 5).

Government corruption has played a major role in the build up of these networks in Guatemala. Organized crime permeates nearly all of Guatemala's

government institutions (Zander and Dürr 2011). Briscoe (2008: 7) records that Guatemala's first major mafia network, *Grupo Salvavidas*, was an offshoot of a group of corrupt customs officials. At the close of the civil war, large numbers of Guatemala's terrifying *Kaibiles*, jungle-based troops trained in guerrilla and counter-guerrilla operations, were purged and subsequently hired by the cartels (Briscoe 2008). Regular purges of Guatemalan military and police forces result in former military personal joining narco-trafficking groups and completing training in Guatemala-based narcotics camps (Dudley 2011: 7).

One of the lasting issues of post civil war Guatemala has been continued dispute over land claims in, among other locations, the Petén. The 1996 peace accord sought to solve the country's 40 years of violent, racially-based land access discrimination with 'market based land reform' aimed at giving campesiños (a difficult term to translate but usually rendered in English as 'rural peasants') access to credit rather than effect reparations or land redistribution (Ybarra 2009: 48; Zander and Dürr 2011). This has since become an unfunded mandate. Many indigenous and campesiño communities were targeted and displaced during the Civil War, the army having "burned their [land] titles along with their homes" and, at times, their loved ones (Ybarra 2009: 48). These people often moved north to the Petén seeking unsettled land. The largest parcels of land in that region were awarded to generals and government allies who still retain formidable power. At times these officers were able to drop markers from helicopters to officially claim lands for themselves (Zander and Dürr 2011). Much of this land has been converted into cattle ranches, often held by absentee owners.

Displaced campesiños migrated to the Petén and "moved from village to village," often in family or village groups, in search of land that had not been claimed by anyone else (Zander and Dürr 2011). Upon finding an area that appeared to have no other claims, they would work to register title, a process that is both opaque and complicated. Educational and linguistic barriers have prevented rural and indigenous access to required paperwork to make land claims. Also, as it was nearly impossible to tell if land had been claimed by others, migrants often had to move several times before successfully gaining title to a tract of land (Zander and Dürr 2011).

At present, all of the territory of the Petén has either been declared a nature reserve (roughly 58% of the department) or has become official private property. This means that competing stakeholders and groups are left scrambling for what is already claimed. Once land claims are awarded to locals by the government, many campesiños transfer title to that land to another entity and then move on (Ybarra 2009: 49). These title transfers are extra-legal in that this land is meant to be kept under the tutelage of the Guatemalan state for

twenty years (Zander and Dürr 2011), but there is little or no enforcement of this rule (McSweeney 2014: 490). There are a number of recorded reasons for why campesiños sell their newly awarded land. Some are economic, but most relate to corruption and pressure from the powerful, often through threats of extreme violence (Zander and Dürr 2011).

Guatemalans stereotype inhabitants of the Petén as "poor, ignorant, hav[ing] never before seen large amounts of cash, or [as] incapable of permanent agriculture" and the Maya in particular as barely above the level of beasts (Ybarra 2009: 49). They are regularly placed under duress to sell by, among others, cattle ranchers associated with narcotics trafficking (called *narco-ganaderos*) who use ranching as a front for narcotics-related money laundering and drug plane landing and support (Ybarra 2009: 51; Zander and Dürr 2011). The Petén has been deemed an "ideal location for planes transporting drugs from South America to refuel and transfer drugs into trucks" (OAS 2013: 49). Numerous landing strips have been built in cleared areas, including one with three runways nicknamed the "international airport" (OAS 2013: 49). In Southeastern Petén in 2011, Zander and Dürr recorded that just eight land owners own more than 1000 ha of land, and five out of these eight were publicly known to be involved in narcotics trafficking. In the municipality of Poptún (near the previously discussed site of Machaquilá and its associated reserve), six percent of land was held by three drug cartels.

Once their land titles are transferred, "campesiños who were pushed off their land in Petén are likely to resettle in core areas of the [Maya Biosphere] Reserve" (which houses such sites as Tintal and Nakbe, looted to form the November Collection) where they are labelled "invaders" by the government (Ybarra 2009: 50). Some campesiños erroneously believe that they may eventually be granted title to these protected lands as they were their previous land grabs (Zander and Dürr 2011). There is evidence that as campesiños push further into protected lands, the narcotics trafficking front organizations follow close behind. Zander and Dürr (2011) record that "cattle farmers associated with illegal activities take campesiño families up to the protected areas to clear forest for their *milpas* [agricultural fields], in order to later convert them into pastoral land." This pastoral land is, in turn, used for narcotics trafficking activities. In Laguna del Tigre National Park (where the heavily looted site of El Peru-Waka' and many other sites are located) and in protected areas near Sayaxché (a municipality known to be largely in the control of narcotics traffickers and located near the heavily looted site of Ceibal), "the intensification of drug trafficking has been concurrent with annual forest loss rates of 5% and 10%, respectively" (McSweeney et al. 2014: 489). Thus protected land

is deforested, and those engaged in narcotics trafficking support come closer and closer to Maya cities.

4 Archaeological Sites as Points in the Illicit Drug Trafficking Economy?

The question is, then, do narcotics traffickers also traffic in the looted cultural objects of the Petén? A preliminary review of available information has resulted in no obvious case study of Maya objects moving alongside drugs. However, some interesting stories have emerged that hint at a degree of connectedness that, in light of the past pattern of organized looting in the region and the recent rise of the narcotics trade, requires a closer look. The following are two of those stories.

4.1 *Piedras Negras*

Piedras Negras, now located in Guatemala's Sierra del Lacandón National Park near the Mexico border, is the modern name of the Classic Maya polity of *Yo'k'ib'* or "Great Gateway." It was an independent city-state for most of the Classic Period and was allied with the polity of Yaxchilán (now in Mexico). Various scholars visited the site to record monuments and inscriptions throughout the years, laying the foundation for the decipherment of Maya hieroglyphs. For example, while working with monuments from Piedras Negras, Tatiana Proskouriakoff made the first decipherment of the names and dates of a Maya dynasty, a groundbreaking step which proved that history was recorded in Maya text (Proskouriakoff 1960).

In the early 1960s, looters, reportedly from the town of Tenosique de Pino Suárez across the Mexican border, descended upon Piedras Negras (Stuart and Graham 2003). Stelas and architectural elements were sawn into pieces, carried across the border to Tenosique, and then sold into private collections in Mexico, the United States, and Europe (Stuart and Graham 2003). Stela stubs and other "scarred remains" from this looting period are visible at the site, and the current locations of many of the monuments documented by early archaeologists are unknown (Stuart and Graham 2003).

The Mexico/Guatemala border in the Usumacinta region is both historically and currently volatile: it is an "area at the limits of state authority, where local and national governments struggle to maintain order and law" (Golden & Scherer, 2006: 2). In 2005 archaeologist Stephen Houston reported that drug traffickers had "basically encamped at Piedras Negras itself" (quoted

in Daniel 2005). Sources within Guatemala stated that the traffickers were heavily armed and linked to Mexico's *Sinaloa* cartel (Daniel 2005). Guillermo González, then head of Guatemala's drug police, stated that the site is essentially only accessible by the river, making it difficult for police to approach, and that whenever authorities did come near the site, the drug traffickers would flee across the border into Mexico (Daniel 2005). In a post to the Mesoamerican archaeology email list Aztlan, archaeologist Charles Golden emphasized that the situation at Piedras Negras was dire: "This could be the moment in which Piedras Negras is lost to the looters for good ... the Usumacinta is now a free trade zone for looters, loggers, and narcos" (Golden 2006). In 2008, reports continued to emerge of at least six groups of squatters occupying Piedras Negras (Ramírez Espada 2008).

4.2 *Cancuen*

Cancuén is a Classic Maya site located in the Pasión region of the Petén that was discovered at the start of the twentieth century. In 1967 an archaeological team from Harvard discovered the remains of a palace at Cancuén that, upon subsequent excavation, turned out to be the largest known palace structure in the Maya world, with over 170 rooms and 11 patios covering more than 25,000 square metres (Bower 2000).

Archaeologist Sylvanus G. Morley recorded several of Cancuén's stone monuments in 1915, including a ballcourt marker (Morley 1937), one of three that would have been placed within each of the city's ritual ballcourts. Another of the three ballcourt markers was located in 2004 by a team of archaeologists from Vanderbilt University, the Universidád del Valle, and the Guatemalan Ministry of Culture led by Arthur Demarest (Zender 2004). The third and final ballcourt marker was looted from the site in 2001.

Reports indicate that heavy rains in October of 2001 exposed the marker at a time when archaeologists were not present at the site (Maugh 2003). The son of a local looter spotted the 600-pound piece. Looters removed it from the ground and took it by boat down the Pasión River (Vanderbilt University 2003). Photographs were taken of the marker in an effort to find a buyer, and local narcotics traffickers eventually offered $4,000 USD for it. The looters held out for more money (Maugh 2003; Vanderbilt University 2003).

In December 2002, the looters had a falling out, and four of them covertly moved the piece across the river and buried it. However, the leader of the gang retrieved the ballcourt marker after a gun battle that was heard by residents of the nearby village (Maugh 2003; Vanderbilt University 2003). Eventually the drugs traffickers became involved again: in January of 2003 a group of men in balaclavas carrying submachine guns raided the village where they thought the

ballcourt marker was hidden and savagely beat a woman who was not involved with the looters (Maugh 2003). In February 2003 concerned village elders contacted Dr. Demarest asking for help (Vanderbilt University 2003). Demarest met with the district governor, who allegedly was also the head of drug trafficking in the region, asking him to not prevent the recovery of the ballcourt marker. The district governor was shot to death only hours later, allegedly by rival drug traffickers (Maugh 2003; Vanderbilt University 2003).[2]

In March 2003 the theft was reported to Guatemala's Servícios de Investigación Criminal (S.I.C.). In April, the S.I.C., Demarest, and archaeologist Marc Wolf raided the looters' camp, making several arrests, but the ballcourt marker had already been sold to an unnamed antiquities dealer, who had moved it about twenty miles south (Vanderbilt University 2003). A photo of the marker was recovered and widely publicized in an effort to make the piece unsellable (Vanderbilt University 2003).

By August, the antiquities dealer in possession of the ballcourt marker changed his mind after moving it to the border town of Melchor de Mencos with the intention of smuggling it into Belize. He sent the marker back to the Pasión River region to be buried in the ground for a few years, planning to sell it when the publicity surrounding the piece died down (Maugh 2003). Villagers informed authorities that the piece was back in the area, and it was recovered in September 2003. According to Guatemalan officials, this may have been the first time that an entire looting and dealing network was exposed in the country (Vanderbilt University 2003).

5 But are Antiquities Moving with Drugs? Unanswered Questions

Preliminary discussions with archaeologists[3] who work at sites in the region indicate that they do not believe that drug cartels are looting sites, nor do they think that narcotics gangs are dealing in antiquities. Several believe that large-scale looting in the region is a thing of the past due to the increased difficulty of selling looted Maya material on the international market. The archaeologists that work at sites known for their stelas but without desirable pottery styles felt

2 I have not been able to verify this. It seems that the source may have meant Guillermo Segura de la Cruz, who was killed in Sayaxché on 2 April 2003. He was the ex-mayor of the city and was heavily involved in narcotics trafficking. His family has some connections to archaeology in the region.

3 The archaeologists wish to remain anonymous because of the dangers associated with the narcotics trafficking groups.

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that modern looting likely took place at sites with sellable pottery. While these archaeologists believe that sites were still being looted, they feel that the reasons were far more complex than organized drug gangs expanding into a single alternative illicit commodity. Most of the archaeologists feel that the story, here, was the multiple and diverse illicit economies that have descended upon the Petén. Not just drugs, not just antiquities, but wildlife and plant poaching; the previously mentioned illegal cattle ranching; deforestation of reserves for agriculture and logging; and the illegal trafficking of persons.

Thus, based on the available evidence, it seems most likely that the actual cartels are not actively or specifically engaging in the looting of Maya sites or the trafficking of Maya antiquities. To put it simply, when these groups diversify in the Petén, they do so in ways that help "clean" money. They invest in licit businesses and consolidate power by extending their influence beyond the criminal realm. Trafficking illicit antiquities simply cannot offer them the type of laundering that they are looking for.

That is not to say that the booming narcotics economy in the Petén does not lead to the looting of Maya sites. As the narcotics traffickers push poor, displaced campesiños further into protected areas, and as these people engage in their traditional forms of swidden agriculture, they come closer and closer to known archaeological sites and no doubt discover unrecorded ones. Yet, however logical it may seem for cartels to be involved in this other illicit market, the evidence for a direct connection simply is not there, at least not yet.

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