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Twenty-First Century Looting, Academic Ethics, and the Antiquities Market In Egypt

Chance Bonar, *Harvard University*

Abstract

This paper will examine the intersection of the quandaries surrounding looting and the antiquities market, especially in relation to Egypt, and will conclude by proposing potential steps forward. To begin, I will give an outline of the antiquities market as it stands today, as well as how the roles of diggers, dealers, collectors, museums, and scholars are incorporated into these economic chains. Then, I will provide a brief background of Egypt's role in the Arab Spring and the general impact those events have had on Egyptian culture and economics. I will use this background as a springboard for considering the impact of the Arab Spring on Egyptian archaeological sites and museums, as well as the drastic increase in looting of Egyptian antiquities in recent years. Finally, I will conclude with some ethical inquiries regarding the role of scholarship in mitigating or perpetuating the antiquities market, as well as possible ways that the Egyptian government and foreign organizations can protect sites and museums from further cultural violence and destruction.

Keywords: Antiquities Market, Looting, Egypt, Museums, Arab Spring

While Western media have noted destruction of ancient statues and buildings in Syria because of their connection to the iconoclasm of ISIS,¹ little media attention has been given—at least in U.S. media—to destruction of cultural property in other regions of the eastern Mediterranean, and in particular, to Egypt and its twenty-first-century struggle with looting and sales of antiquities. This paper will examine the intersection of the quandaries surrounding looting and the antiquities market, especially in relation to Egypt, and will conclude by proposing potential steps forward. To begin, I will give an outline of the antiquities market as it stands today, as well as how the roles of diggers, dealers, collectors, museums, and scholars are incorporated into these economic chains. Then, I will provide a

brief background of Egypt's role in the Arab Spring and the general impact those events have had on Egyptian culture and economics. I will use this background as a springboard for considering the impact of the Arab Spring on Egyptian archaeological sites and museums, as well as the drastic increase in looting of Egyptian antiquities in recent years. Finally, I will conclude with some ethical inquiries regarding the role of scholarship in mitigating or perpetuating the antiquities market, as well as possible ways that the Egyptian government and foreign organizations can protect sites and museums from further cultural violence and destruction.²

While many archaeologists and Egyptologists, such as Neil Brodie and Sarah Parcak, have written detailed reports on Egyptian looting and illegal markets, many scholars in religious studies—particularly my own field of New Testament/Early Christian studies (NT/EC)—may not be aware of their work and its potential impact upon scholarship regarding ancient “religious” texts and objects. This paper is written primarily with scholars and students in the study of religion, papyrology, and history in the ancient world in mind. The issue of unprovenanced (i.e. objects without an acquisition history) and/or looted artifacts has only begun become a major point of conversation in the field of NT/EC, with many scholars pushed into the conversation because of high-profile cases like *The Gospel of Jesus' Wife*,³ and the Museum of the Bible's run-in with the law regarding smuggled antiquities.⁴ At the November 2017 meeting of the *Society of Biblical Literature*, an entire panel was dedicated to the interrelated topics of forgeries, unprovenanced artifacts, and cultural heritage, where senior scholars admitted that such topics and ethical issues. Because my own subfield and related subfields may be considered relatively new to recent conversations regarding the ethics of archaeology and the antiquities trade, I will try to fill this important gap in knowledge here. While much of this paper will be dedicated to descriptive work regarding recent studies in fields outside of NT/EC or, more broadly, religious studies, I hope that this paper will urge scholars and students in NT/EC and related fields to handle ancient texts and objects lacking clear acquisition history or coming from historically-exploited countries with far more caution.

Because this conversation is still so fresh to many within religious studies, I will attempt to avoid or, in some cases, to clarify the jargon used in the primary fields of study that have produced scholarship on these subjects. I am convinced that it is important for scholars and students in the study of religion to understand the complexities of looting and antiquities markets because of the ways in which such actions and entities bring together the past and the present, the sacred and the profane, the scholar and the rest of the world, the ‘East’ and the ‘West,’ the impoverished and the excessively wealthy. I hope that this case study of Egypt will provide readers with information and further questions regarding how students and scholars of religion might be more cautious when handling ancient Egyptian texts and objects, so as not to contribute to further cultural destruction.

The Antiquities Market, Museums, and the Academy

The antiquities market started, in some vaguely recognizable form, in sixteenth-century Rome, not long after Pope Pius II began to restrict flow of cultural property, especially art, in papal states.⁵ Yet, it wasn’t until the nineteenth century that the concept of ancient monuments as assets with ‘value’ for preservation or trade became more common, which unsurprisingly ties the value of ancient cultural objects to the history of imperialism and colonialism.⁶ As the antiquities market grew throughout the nineteenth and twentieth centuries, with roughly 80% of U.S. museums owning and collecting some imported antiquities, looting and destruction of sites flourished simultaneously.⁷ Most of these items were purchased without *provenance*, that is, without any official acquisition history or record of ownership.⁸

The antiquities market, in general, is best understood as the interaction between various agents (e.g. diggers/looters, dealers, collectors, museums, curators, scholars) and the ancient objects that have been commodified. The movement of antiquities from archaeologically-rich markets (i.e. source countries) to destination markets usually involves some transit markets, which are usually in countries with geographical priority or strong art markets, such as Switzerland, Argentina, and Hong Kong.⁹ Neil Brodie has created a beneficial

chart that tracks the ownership and money flow of the antiquities market, which lays out the general flow of objects from looters and forgers to collectors and museums, while scholars/experts take the role of authorizing and authenticating such objects.¹⁰

As Brodie demonstrates, the antiquities market contains complex sets and fields of professional relations. Here, ‘collectors’ and ‘museums’ are collapsed into a single category of consumers, albeit with differing levels of public acknowledgement and legal backing. Perhaps most importantly, Brodie represents ‘academics’ as a penetrating force over the destination country, since scholars have the ability to verify, authenticate, and demonstrate not only intellectual but also *economic* worth for potential buyers of an artifact. The issue of scholars’ role(s) in the antiquities market will be dealt with later in this paper. It should be noted that Brodie’s separation of ‘fakers’ from the ‘destination country’ or ‘academics’ from ‘fakers’ in his work may be a bit too simplistic, since forgers may themselves be from a destination country and may be (or have been) academics—such a case may be found in the *Gospel of Jesus’ Wife* situation from 2012-2016, in which the purported forger was an American who was somewhat trained in Egyptology.¹¹ Like the model of ‘forger’ and ‘critic’ proposed by Anthony Grafton, scholars may end up struggling with themselves, with those that they themselves have trained and have used such skills for unethical purposes.¹²

Especially due to the increase in U.S. and European museums that were willing to buy unprovenanced antiquities from dealers and collectors in the mid-twentieth century, UNESCO set forth the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property in 1970.¹³ This convention attempted to define ‘cultural property,’ as well as condemn illicit trade of antiquities that were acquired by any illegal means (e.g. looting, stealing, illegal trading, international smuggling) after 1970. Further ethical codes were established in the U.S. by the International Council of Museums, the American Association of Museums, and the Association of Art Museum Directors—however, none of these conventions or ethical codes had any ‘teeth’ with which

to enforce their purposes and achieve their goals.¹⁴ UNESCO was opposed heavily by various dealers and collectors, who viewed their call for ethical acquisition and trading as an impediment upon their economic and cultural flourishing.

A growing number of museums in the late-twentieth century followed the “1970 rule” and refused to purchase antiquities without a clear and reliable acquisition history. However, auction houses such as Christie’s and Sotheby’s were and are still selling unprovenanced antiquities in large quantities. In the 1980s and 1990s, roughly 80-90% of the antiquities in these types auctions had no provenance or acquisition history.¹⁵ Conservative estimates place the value of the antiquities market in the twenty-first century around several hundred million US dollars per year, especially since not every looted or stolen object will appear on an art loss register or list.¹⁶ While there is some hope that the antiquities market will autoregulate based on the increasing difficulty of selling pre-1970s artifacts in the future,¹⁷ both supply and demand are still quite strong.

Some final difficulties regarding the antiquities market must be noted. While U.S. media generally focuses on the demand side of the antiquities market and the high-profile figures that it affects (e.g. dealers, collectors, museums, academics),¹⁸ the supply side (e.g. diggers, source-country dealers) are seldom focused upon. This occurs because of the tendency to focus such narratives on socially ‘important’ figures such as curators and professors, but also because of the difficulties involved in contacting or interviewing those involved with illicit digging ‘in the field.’¹⁹ From what information we do have, many of these diggers are often working in such a way due to socioeconomic circumstances, and thus are sometimes called *subsistence diggers* because of their reliance upon the illicit trade of antiquities for their survival.²⁰ Of course, we must ask if and how discussions of ‘subsistence digging’ may reify stereotypes of the poor Egyptian peasant digging and selling for daily sustenance. Finally, how does one determine if an object is (il)licit, no matter which market they use for their purchases? Since artifacts can be passed between countries and ‘laundered’ in trading networks in order to

qualify as legal elsewhere, it is difficult to draw a line between licit and illicit antiquities, no matter the market.²¹

Egypt Post-Arab Spring

The last 120 years of Egyptian history is riddled with the (after)effects of French and British colonialism, as well as the struggle for a more equitable social order. Around the time of Egyptian independence in 1922, the nation-state saw the rise of the Muslim Brotherhood and Young Egypt movements that called for parliamentary reforms and social justice.²² The next few decades held significant challenges for Egyptian politics and society, with the rise and fall of Wafd authority and the creation of the state of Israel. By 1952, the socialist-leaning Free Officers gained control via military seizure.²³ By the 1960s, the impact of Western neoliberal policies and practices had become visible in Egyptian spending policies and the attempts to diversify their economic base beyond grain and cotton.²⁴ After the seemingly-failed attempt to ‘Westernize’ Egypt and call for Pan-Arabism under President Gamal Abdel Nasser (1956-1970), Anwar al-Sadat (1970-1981) took a different approach.²⁵ Under the presidency of Honsi Mubarak (1981-2011), Egypt saw close ties to the U.S., high unemployment, a reduction of government subsidies, and the growth of Islamist and anti-secularist movements.²⁶

Many of these socioeconomic difficulties in Egypt came to the foreground during the Arab Spring, a time of protests and demonstrations across the Middle East and North Africa that began in 2010.²⁷ Riots began in Egypt on January 25, 2011 and lasted for eighteen days -- time filled with government attempts to disrupt social media, Mubarak’s dismissal of his cabinet and eventually cession of power to Vice President Omar Suleiman, cession of power to the Armed Forces of Egypt, the dissolution of parliament, the suspension of the Constitution, and the appointment of Essam Sharaf as Prime Minister. Eventually Mohamed Morsi (2012-2013) would be elected as president until being overthrown by the military a year later. After the interim presidency of Adly Mansour, the current President of Egypt, Abdel Fattah el-Sisi, took office in 2014.

As can be seen, 2011-2014 was a time of political upheaval that impacted and was deeply impacted by Egyptian social and economic issues. As Bahgat Korany and Rabab El-Mahdi note, these uncoordinated but interrelated events that make up the Arab Spring are prime examples of informal, 'bottom-up' politics that put an end to a certain ideal of 'Arab exceptionalism' rooted in static Arab, Islamist politics.²⁸ Through protests against wars in Iraq in 2003, labor protests in 2006, the rise of pro-democracy movements, the ostensibly-rigged parliamentary elections, and the failure of religious institutions in addressing the socioeconomic conditions of young people, 'secular'²⁹ ideals among the Egyptian public have come to flourish.³⁰ As we will see in the next section, this political instability and the radical shifts in cultural and religious norms have contributed to the looting and destruction of Egyptian antiquities and cultural heritage.

Twenty-First Century Egyptian Looting

Egypt has a complicated history with looting and the trade of antiquities, especially given the impacts of colonialism and voyeuristic Western tourists. Scholars of early modern Egypt have noted that 'buying antiquities was an integral part of a holiday in Egypt for many tourists, to the extent that already in 1833 one visitor drily remarks that "a traveller from Egypt cannot decently show his face in Europe without a mummy in one hand and a crocodile in the other."³¹ By 1900, the Egyptian antiquities market was flooded with forgeries aimed at naïve Western tourists, such that an estimated 90% of objects were forged.³²

Post-1970 and especially Post-Arab Spring, Egypt has suffered greatly from increased looting. After the revolution in January 2011, looting activity increased in the Cairo Museum and archaeological sites nationwide; such theft was benefitted by the lack of armed guards available for museums or sites.³³ Since looting began to spike in 2009 as an after-effect the global economic crisis, scholars of Egyptian archaeology like Sarah Parcak³⁴ have claimed that origin of looting is fundamentally economic. Tassie et al. note that Egyptian

unemployment was at 12.7% in 2012 and that 25% lived under the poverty line, which only contributed to the circular loss of economic stability and tourism, since Egypt's GDP relies so heavily on the tourism industry.³⁵ As I will argue in the final section, however, Parcak *et alia*'s economic analysis of looting is beneficial overall, but may not be sufficient—any possible solution to looting needs to look beyond economic imbalance to other forms of structural violence both in Egypt and the West that enable the destruction of cultural heritage. The combination of economic instability and increased archaeological looting, among many other factors, had contributed to a decline in tourism, yet the price of Egyptian antiquities (un) expectedly increases when economic crisis strikes Egypt.³⁶

Since 2011, illegal digging has increased hundredfold in Egypt and thefts of archaeological sites by 500-1000%. An estimated \$3-6 billion of Egyptian antiquities and art has been smuggled out of the country since 2011, most often through an intermediate country like Switzerland before being sold to collectors or museums in the U.S. and other parts of Europe.³⁷ In addition to the looting and smuggling of artifacts, human trafficking in the Sinai Peninsula has grown drastically since 2009, with 95% of Eritrean refugees in the Sinai being held hostage, as well as a number Ethiopian and Sudanese refugees. With the help of geospatial technology, some of this illegal activity can be tracked and measured so that regional and national communities might mitigate the effects and prevent the continuation of looting. Parcak and her team have recently used Quickbird imagery, excavation reports, and Google Earth in the Saqqara-Dashur region in such a manner.³⁸ Overall in their studies, they found an increase of looting of roughly 520% in the region from 2009-2012. Additionally, of all 1100 sites surveyed from 2002-2013 by the team, around 24% had evidence of recent looting and encroachment, with there being a slight increase in activity from 2002-2008, but a drastic increase from 2009-2013.³⁹ Parcak et al.'s evidence for economic distress contributing to looting is compelling, since 34,500 new pits appeared within a year of the 2008 global economic crisis, leading to a doubling of looting levels—and then, another doubling of looting levels after Arab Spring in 2011.⁴⁰

Finally, it may be worthwhile to remind ourselves that a majority of these looters are people who are digging illegally in a socially and economically distressed nation-state. This is made clear by recent satellite images and surveys, which demonstrate that over half of all cases of archaeological looting in Egypt are from the Roman era or late dynasties. In other words, there is a tendency for diggers to loot whatever artifacts are most convenient, especially light, portable, top-layer material.⁴¹ Both Egypt's political unrest during the Arab Spring, as well as its ability to track and preserve archaeological and heritage sites, would be nearly impossible without the internet and digital media.⁴² Thus, the tools available in the digital age may actually provide us with paths forward in the prevention of future looting.

Ethical Inquiries and Suggestions

Twenty-first century antiquities looting in Egypt has caused a significant amount of death, cultural destruction, and legislation—from the killing of the few guards still protecting heritage sites,⁴³ to gang-related child labor,⁴⁴ to a draft law that would ‘intensify the punishment for illicit trafficking of antiquities and illegal excavation to the death penalty.’⁴⁵ From these circumstances, it seems imperative that we consider possible methods by which Egyptian communities, Western museums/collectors, and academics might mitigate and prevent looting and its impacts on both Egyptian and global culture. This final section of the paper will provide various problems and inquiries that may be worth pondering for scholars and students who intend to work with Egyptian material culture ethically, that is, without contributing to further destruction or disruption of cultural property.

OWNERSHIP

Perhaps one of the most basic questions arising from the issue of looting and smuggling of antiquities is this: *Who owns the past?* This issue of ownership, especially with its ties to imperialism and colonialism, is one of grave importance for the future of cultural heritage studies and its application. We must not forget that the field of ‘professional’ archaeology itself is fairly recent, since it expanded

greatly under the post-World War II GI Bill that allowed veterans (and thereby, archaeologists and professors of archaeology) to attend college. It wasn't until the mid-20th century when the West began to see a clearer distinction between those 'professionally' trained in archaeology and those who simply--and often in a voyeuristic fashion--learned from experience.⁴⁶ Because of its recent development, can we even say that archaeologists have a clear 'right' to an artifact as the 'finder' of the object? Or does the person or institution who purchases the object actually own it? Does the culture within which it is found own it, even if the culture is quite distinct from the artifact's original culture?⁴⁷ Or rather, does the artifact belong to the nation-state in which it is found, even though the boundaries of such states are socially and politically constructed and hardly represent the artifact's 'original' culture? UNESCO's 1970 Convention complicates this matter by claiming that the nation-state owns cultural property, yet then entangling that with a concept of 'world heritage,' within which all people and nation-states have some 'right' to an artifact.⁴⁸

One of the primary difficulties of any argument for ownership of antiquities is the fact that ancient cultures did not clearly designate who should 'inherit' their culture or their artifacts.⁴⁹ Especially for objects that would have originally belonged to an individual or a family, we might still ask why they are now put in the hands of a modern culture as inheritance. Moreover, what if there are two modern nation-states or cultures that are equally 'qualified' to inherit the artifact and its ancient culture?⁵⁰ James Young argues that we might best take a *cultural value approach*, thereby collectively agreeing that the ancient object/culture to the modern culture that considers the artifact and ancient culture most valuable. In any case, Young suggests that the possession of any archaeological or heritage sites puts one under a moral responsibility to conserve it for present and future cultures to encounter and learn from.⁵¹ I tend to agree with Young on the issue of 'who owns the past?' that a culture or cultures that value the imagined past of the artifact and its ancient history--as subjective as this is⁵²--likely have the best claim as inheritors and conservators of that past. This assumption will play a role in our

case study, since it means that modern Egyptians have a right and responsibility to (ethically) conserve the history constructed by their oft-looted antiquities.

Related to the issue of historical and cultural ownership are the differences between Western conceptions of ‘copyright’ and non-Western ‘traditional rights,’ which may not assume the same individuality of ownership that is often assumed by Western scholars and curators seeking an object’s provenance. We ought to ask, in the case of Egyptian looted antiquities, which agents currently have the authority to define ‘ownership’ and ‘rights’ to an object, and what reasons those agents might have for exercising their authority in such a way.⁵³ Moreover, we ought to be skeptical of Western collections of artifacts that, often at the expense of other people and cultures, seek the ‘authentic’ and ‘exotic’ to hang on their walls — 19th-century ‘Egyptomania’ and the colonially-inspired desire to Westernize both ancient and modern Egypt may still exist in the 21st century.⁵⁴ When deliberating the concept of ‘ownership’ in relation to looted Egyptian antiquities, I believe it is imperative that we consider who is claiming the artifacts, what constructed historical or cultural authority they use to support their claim, and how their own histories are entangled with larger (post)imperial and (post)colonial histories.

Regarding NT/EC and related subfields of ancient religious studies, ownership is a significant topic given the history of Western museums, collectors, and scholars. Perhaps the most famous example is Constantine Tischendorf’s ‘discovery’ and ‘recovery’ of Codex Sinaiticus from St. Catherine’s Monastery in the Sinai Peninsula, as he is remembered for borrowing the codex with a promissory note and never returning it.⁵⁵ Today, a majority of the codex resides in the British Library, while other leaves are at Leipzig University, the Russian National Library, and back at St. Catherine’s Monastery. Similarly, the *Gospel of Judas* turned up on the antiquities market in the 1980s and, after trade, theft, and smuggling, was eventually donated to the Maecenas Foundation in Basel, who promised to repatriate it to the Coptic Museum in Cairo.⁵⁶ This repatriation took years to occur.⁵⁷ For those who work in religious studies and have the opportunity

to work more directly with manuscripts or archaeological material, it is important to consider who has legal or cultural rights to the materials themselves, and perhaps to question how colonialism and colonial histories have stripped various countries, including Egypt, of potential cultural property.

TRADE

Usually when scholars and archaeologists talk about the antiquities trade, they discuss the ‘illicit’ nature of that activity. We might, however, take a radical step beyond that and ask a more dangerous question: what are the ethics of selling archaeological artifacts *at all*? As Alice Stevenson has noted, so few sales of antiquities today actually contravene UNESCO’s 1970 convention and treaty because of, as Neil Brodie called it, ‘autoregulation’ of the market.⁵⁸ Especially given the fact that so many of these artifacts are sold through auction houses either to or from private hands, it is difficult to regulate or enforce any ethical ‘obligations’ of ownership. Additionally, many ‘licit’ archaeological digs are reliant upon private donors and organizations.⁵⁹ We might ask, however, why do ancient artifacts need to be *sold* in the first place? Who has the right to *sell* pieces of history, and by what mechanisms are they commodified? Are there alternative ways to construct a museum collection without *owning* the artifacts? David Gill argues that Western museums should certainly have Egyptian antiquities in them, no matter how unethically they were taken, since one cannot build an Egyptian collection *de novo* in the 21st century.⁶⁰ I, however, would argue that Western museums might be prudent to consider expanding loan programs with museums and collections across the globe, so that the cultural ‘owner(s)’ of the artifact will have control over their imagined historical heritage while still educating others through that heritage. Might scholars of religion urge their university’s museum(s) or local museum(s) to consider expanding loan programs with Egyptian museums, as well as other museums across the world, in order to allow for collaboration beyond a colonial-esque desire for control of cultural objects?

SCHOLARS AND SCHOLARSHIP

One of the most difficult aspects of Egyptian looting and smuggling for an aspiring scholar like myself is the compliancy of the Western academy in--intentionally or not--propagating theft and cultural violence. As Neil Brodie and many others have noted, scholars are very much involved in the creation of cultural (and thereby economic) value for antiquities through their willingness to help collectors and investors understand and rate their assets.⁶¹ Since the concept of aesthetic and cultural 'quality' are culturally constructed, dealers and collectors rely heavily upon expert knowledge provided by scholars in order to know what qualifies as 'good' or 'bad' art, thus leading to a treatment of antiquities as tangible assets whose value will appreciate over time. To repeat this important point: the collector is often unable to rate the cultural/economic/aesthetic value of an artifact and relies upon the authorizing or authenticating voice of the scholar.⁶² The intellectual capital of scholars, often created through Bourdieu's concept of 'payment in time,' creates economic value for the object of the scholar's study, as Neil Brodie pointed out through the example of the spiked economic value of the *Gospel of Judas* after its examination by Yale University's Beinecke Rare Book and Manuscript Library.⁶³

The problem of scholarly involvement in the propagation of the antiquities market and looting is so pertinent because it is so *indirect*. Scholars sought for their authenticating-authorizing voices often hold senior positions at well-known universities and thus will provide significant commercial benefits for the collector and his/her artifact, since the scholar can so greatly boost its value.⁶⁴ Brodie also notes that, along with establishing the rarity, price, and 'authenticity' of the object, the scholar also has the ability to bypass the question of provenance in some circumstances. Western scholarship still needs to wrestle with the civic duty of the scholar--if a potentially illicit object has been presented to them by a dealer or collector, should they contact national or cultural authorities? Who should or shouldn't be informed? Should one work with private collections at all, if there is the possibility of working with illicit objects? If one

doesn't work with those artifacts in private collections, can one still hope to gain an academic foothold and progress in the field by working exclusively with public, well-documented artifacts? Should scholars publish on artifacts on the market or archaeological sites susceptible to looting, thereby putting those objects/sites at more risk of cultural destruction?⁶⁵ If nothing else, Brodie urges us to question the supposed 'neutrality' of scholars who, intentionally or not, play a role in the antiquities market through their ability to authenticate and authorize objects as cultural and economic assets.⁶⁶

If a scholar or student of Early Christianity is offered an early Christian text to assess for a potential buyer, should they assist in assessing the object's value? The reality of this scenario has become more apparent due to the Museum of the Bible's Green Scholars Program, which utilized the authenticating/authorizing power of scholars and their students in order to justify the purchase of various artifacts for the private collection;⁶⁷ Often, the Green Scholars program used the names of scholars and students involved to prove the reliability of the museum's mission, while imposing non-disclosure agreements upon the scholars themselves. If scholars of ancient religious texts and artifacts are to take the advice of Brodie and Hollowell-Zimmer, they might be more aware of their positionality within these larger economic structures and more cognizant of their ability to authorize objects, thereby heightening their economic or cultural value for better or worse. In order to avoid boosting the value of forgeries or looted artifacts, such scholars must consider carefully what museums or collections might be deemed trustworthy, lest the scholar be exploited.

LOOTERS/"SUBSISTENCE" DIGGERS

Another important ethical consideration regarding not only Egyptian looting, but also elsewhere, is the definition of *looting* itself and the sociopolitical actors who play a role in defining it. Julie Hollowell-Zimmer provides helpful discussion for this question of the distinction between 'looting,' 'artifact hunting,' and 'archaeology' by focusing on examples of digging that do not fit standard categorizations of

authorized/unauthorized.⁶⁸ Especially given archaeology's history as a field, so riddled with orientalist and colonialist goals and mindsets, Hollowell-Zimmer encourages us to realize that the boundaries of 'good' and 'bad' archaeology are constantly shifting and developing—what counted as 'good' archaeology in the nineteenth century would be classified as looting today, and what counted as acceptable practices for acquiring the Dead Sea Scrolls or Nag Hammadi Codices in the mid-twentieth century would hardly hold up today.⁶⁹ If these cultural artifacts belong to 'their' culture, how can any Western scholar or collector tell them what they can and cannot do with them?⁷⁰ Does a person have a 'right to loot' if they have no other viable alternative for income?⁷¹ How do we handle the reality of the multitudinous reasons people might have for digging?⁷² Should diggers be considered victims of global markets? Should they be compensated for their finds directly by a nation-state or museum, rather than through the hands of dealers?

While these questions may not have simple answers, Hollowell-Zimmer⁷³ urges Western scholars to consider how archaeological education programs in places like Egypt might help local diggers become stewards of their cultural histories: 'Until people can be convinced that preservation and scientific excavation are more worthwhile endeavors than undocumented digging, how can we expect them to change from looters to stewards?' She suggests collaborative 'participatory education' that can lead looters and other local inhabitants to self-monitor and establish trust regarding the importance and usefulness of preserving cultural heritage. Especially since many diggers and local inhabitants near archaeological sites do not see their national government as good stewards of cultural heritage, but rather as a force that divert locals' money to pay foreign archaeologists, what ethical responsibility to Western scholars and archaeologists have in changing this dynamic?⁷⁴ It is imperative to recognize that 'we' in the West are invested in the preservation of antiquities for our own cultural-historical narratives, while local cultures may or may not share the same view on the artifacts involved. Local cultures may not imbue the same historical value for antiquities, but rather hold up oral traditions and skills as more

valuable within their own cultural-historical systems.⁷⁵ One cannot haphazardly assume that all cultures and nation-states have the same goals or values regarding artifacts and their role in cultural histories.

As an example, the United States views itself within a larger Western history and thus as connected to other cultures and nations that have been deemed ‘Western’ over time (e.g. Greece, Italy, Egypt, Israel/Palestine, Germany, France, England)—yet these are not unproblematic assignments of which cultures and histories are part of the ‘Western tradition,’ but rather acknowledgements of a ‘master narrative’ that includes and excludes cultures within its taxonomic scheme. Thus, Western scholars might be more careful when approaching the issue of preservation of antiquities and earnestly ask whose interests are being prioritized. Even if local diggers and other Egyptian inhabitants may not hold the same interests or cultural value for ancient Egyptian artifacts, it may be worthwhile for both local and foreign archaeologists to establish educational programs for local Egyptian communities regarding the potential value(s) of Egyptian antiquities, both in the local *milieu* and beyond.⁷⁶ This educational program may or may not ‘fit’ Western expectations, but will need to adjust to Egyptian needs and treatment of history. In order to change the narrative of looters/diggers and de-incentivize (Western) cultural destruction, Hollowell-Zimmer suggests “first, conservation must become more economically viable than exploitation; and second, local communities must be recognized and rewarded for their unique contributions to knowledge about the resources.”⁷⁷ Who can individually be blamed for the complexities of looting and the antiquities market: the collectors for creating demand? The diggers for lacking (Western) education on the cultural value of the objects? The countries that allow this to continue without stricter legislation? The scholars for authorizing and assisting in the commodification of artifacts?

As I hope is clear, there will not be a quick solution to Egyptian looting or the market in general. Yet, scholars and students of religion may consider education and empowerment of local communities as a way of advancing ethical treatment of both ancient artifacts and flesh-

and-blood people. When a professor takes students on a summer archaeological dig, in Egypt or elsewhere, how might students be exposed to questions and concerns that local communities have regarding Western exploitation of archaeological or cultural heritage? How might archaeological programs and field schools work to strengthen ties with local communities without exploiting locals for cheap labor? Might students be trained new excavation and preservation techniques from local archaeologists, so as to support local treatment of cultural heritage?

Future Directions – Education and Empowerment

Given the fact that the antiquities market flourishes due to looting—looting that often ends up funding crime syndicates who function as middlemen between the diggers and dealers—we need to consider how to educate and use technology in order to reshape Egyptian conceptions of digging.⁷⁸ One suggestion that Sarah Parcak provides is that we learn from collaborative efforts like the 2015 meeting between UNESCO, the Middle East Institute, and the Egyptian Ministry of Antiquities, which made clear that Western organizations and scholars need to take seriously the goals and desires of the artifacts' source country. In addition, she urges for training of local inspectors that can survey geospatial and social media data in order to detect fresh looting pits and report them to the proper authorities, thus creating jobs in a suffering economy and protecting Egyptian antiquities simultaneously.⁷⁹ Especially if such a project were to employ local women, who are often more economically and educationally disadvantaged than most, we might see a stronger female economic and social participation.⁸⁰

With the effects of the Arab Spring still felt so powerfully in Egypt, this is a significant time period for reshaping Egyptian social, historical, and cultural identity. No matter what developments occur in 21st-century Egypt, they will no doubt build upon the achievements and failures of Egypt's imagined past, and thus both Egyptian and non-Egyptian groups will likely have a vested interest in Egypt's antiquities.⁸¹ Kelly Krause points to the necessity of communication between experts—

who may not be culturally-informed or culturally-sensitive enough—and local workers, so that a community might have some assistance in training, educating, and creating its own programs.⁸² I tend to agree with Krause, since such a program structure would allow Western organizations and scholars to be involved with building up knowledge and resources regarding cultural heritage and history without directly implementing the program. The success of such programs will likely not be quantitatively measurable in a manner that Western scholars and institutions will enjoy, but it is a necessary step toward a more ethical and less neocolonial understanding of cultural heritage. Rather, such a model would allow local leaders and groups the ability to work directly with their communities in order to use ancient Egyptian history and artifacts as they decide through communal discussion and debate.

G.J. Tassie *et alia* provide more potential outlets for encouraging tourism and protecting cultural heritage through the (women- and youth-centered) management of sites through local campaigns to inform elders about the value and difficulties of heritage, the potential use of social media as a tool for conservation, the call for the U.S. to lift its ban on seized undocumented Egyptian artifacts, a proper compensation for those who report undocumented antiquities or middlemen, the empowerment of local archaeologists, and the accessible translation of Western scientific excavation data into Arabic.⁸³ Most important among these suggestions is the empowerment of locals, whether archaeologists or not, to (re) claim cultural heritage and economic resources that have previously been less accessible. Rather than encourage dealers and collectors to remove artifacts from Egypt, scholars and students of ancient religions might encourage and assist in training local experts and workers who will be able to excavate, conserve, educate, train, display, and create their cultural heritage.⁸⁴ While Western academics may be seen as ‘outsiders’ to the issue of Egyptian looting and trafficking, they are inevitably connected to the issue due to a self-understanding that depends on a Western ‘inheritance’ of ancient Egyptian history. However, this historically-produced connection to Egypt does not give Westerners the right, as Edward Saïd puts it, “to dignify all

the knowledge collected during colonial occupation with the title ‘contribution to modern learning’ when the natives had neither been consulted nor treated as anything except as pretexts for a text whose usefulness was not to the natives.”⁸⁵

Yet, one might ask, how can our attempt(s) to end looting and trafficking avoid reproducing imperialist and colonialist techniques? How can (or should in any way) Westerners participate in a creative transformation of Egyptian economics, politics, public health, and cultural heritage without replicating modes of oppression and systematic violence? This issue persists even when Western countries and organizations attempt to support non-Western countries with the creation of new museums and exhibits, as can be seen in the recent construction of the Louvre Abu Dhabi.⁸⁶ While the museum’s construction is progressive in the sense that it allows the UAE to present objects once collected by French colonial forces, it is clear that these objects are—as the article states—still ‘*France’s* cultural treasures’ (my emphasis). The colonial-imperial mindset still clings to these objects as belonging primarily to European and/or Western ‘culture.’ Abu Dhabi’s museum, despite being *geographically* outside of the West, may still be *ideologically* ensnared by Western ideas of culture and ownership. The same can be said of Western attempts to assist in the rebuilding or preservation of certain archaeological sites ravaged by conflict, such as Palmyra. The World Monuments Fund recently funded the training of Syrian refugees living in Mafraq, Jordan as stone masons in order to rebuild Syrian heritage sites in future times of peace.⁸⁷ As with the first example, the funding of such a project may be well-intentioned, but this intention does not make it immune to critique or improvement. We should ask: Whose sites are chosen for repair and rebuilding? Whose interests are being served? Are only ‘monumental’ archaeological sites and structures on the radar of this project? Why and how are refugees being utilized for labor? Are women and men both being trained in this program, or is this enforcing gendered conceptions of labor? What purpose(s) will rebuilt sites potentially hold, either for local communities or foreign powers?

For scholars and students of religion--and particularly of New Testament and Early Christian studies--I offer these suggestions for a more ethical approach to Egyptian cultural heritage:

1. The production of clearer policies regarding presentation and publication of ancient artifacts at *Society of Biblical Literature* (SBL) meetings. As of 2017, SBL has adopted the American Schools for Oriental Research (ASOR) policies.⁸⁸ While such policies will certainly help mitigate hasty scholarly presentations of unprovenanced texts or artifacts, the requirement that SBL cannot serve as the “initial place of publication or announcement” may end up hindering a scholar’s ability to critique the material’s acquisition history or authenticity. Such a scholar would only be able to react *non-initially*, thus having to counter initial presentations or publications of the object that may have already gained media attention. For example, this was the case with the *Gospel of Jesus’ Wife* for multiple years, since early media portrayals depicted the text as authentic and thus made it more difficult to gain the same media coverage for challenges to its authenticity or acquisition history.
2. The use of archaeological field schools for substantial collaboration and discussion with local archaeologists, especially regarding who controls cultural property discovered on archaeological sites.
3. Further caution by scholars or graduate students when approached with a new text or object that has little-to-no acquisition history. Particularly if the owner is seeking an appraisal, it may be worth considering how one’s academic-social status might be exploited to further the owner’s economic gain.
4. Collective pressure by scholars and students of religion, as well as other disciplines, upon museums and collectors to repatriate or return artifacts that have been illegally looted or stolen under the aegis of colonialism.

5. Academic curricula that emphasize—or better yet, require—exposure to ethical concerns regarding the use(s) of archaeological and material culture. Particularly for students and scholars who spend their academic or professional careers studying texts, it can be far too easy to forget the material reality and very physical history of the manuscripts from which such texts derive.

Above all, it is important to listen to local communities regarding cultural property under their jurisdiction. At that point, Western scholars and practitioners may be able to provide space and negotiate frameworks and goals that would both mitigate economic dependence on looting and create a sense of cultural and historical stewardship of their antiquities. It is imperative that we do not assume that Western, colonial notions of ownership and stewardship will be shared by all local Egyptian communities, but that the process of negotiation and implementation will improve Egyptian society beyond our Western expectations or desires. Though this may be uncomfortable or inconvenient for Western scholars who would appreciate easier access to the resources they study, I suggest that it is dangerous to prioritize the academic careers of (primarily white, male) scholars over the economic and cultural realities of Egyptian communities.⁸⁹ Western scholars might, instead, support the livelihoods of Egyptians who have lived through the economic crisis of 2008 and Arab Spring in 2011, and have suffered tremendously from unstable socioeconomic conditions, unemployment, theft, and looting. These conditions are intertwined and complicated further depending on one's gender, age, religion,⁹⁰ and socioeconomic class. A sizable number of Egyptians have turned to digging in order to survive, thus becoming vulnerable to organizations and dealers who exploit such work(ers). In order to assuage the impacts of cultural destruction and empower local communities, scholars might collectively envision a future for Egypt's cultural heritage that includes women and youth in meaningful, active positions for site protection and conservation, for curating and presenting Egypt's historical memory, and a reshaping of the West's role(s) in this process.

Notes

- 1 Curry 2015; Twombly 2016; Buffenstein 2017.
- 2 Here and elsewhere, I am borrowing Johan Galtung's term, *cultural violence*, especially concerning the way in which modern nation-states utilizes art in the construction of a historical mythos and the construction of ideological/social/cultural boundaries. However, I am not only referring to Galtung's definition of cultural violence, that is, "the symbolic sphere of our existence ... that can be used to justify or legitimize direct or structural violence" (291) but also *violence against culture and cultural heritage*, which may manifest as direct or structural violence. See Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27.3 (1990): 291-305.
- 3 King 2014; Sabar 2016), the post-2002 forged Dead Sea Scrolls (Davis 2017; Greshko 2017.
- 4 Green 2017.
- 5 Atwood 2004, 150.
- 6 Atwood 2004, 150; Marx 1887, 47-59.
- 7 Brodie 2007, 11.
- 8 Brodie 2006, 1; Brodie 2015, 232. While there is a technical distinction between *provenance* (i.e. ownership history) and *provenience* (i.e. an object's archaeological find-spot), the two terms are often used interchangeably. In order to avoid confusion, I will only use *provenance*, especially since this paper focuses mostly on the complexities of unknown records of ownership.
- 9 Kersel 2006, 189.
- 10 Brodie 2011, 408-437.
- 11 Sabar 2016.
- 12 Grafton 1990, 32-35.
- 13 See Prott 2006, 25-35. Also see http://portal.unesco.org/en/ev.phpURL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html. One might also consider the implementation and difficulties of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which called for a return of cultural property to all states that signed (First Protocol) and to ensure stricter punishments and end excavations in occupied territories (Second Protocol). Unfortunately, but the U.S. and the U.K. refused to sign at the time, yet eventually signed without ratifying the agreement. Thus, without nation-state participation and implementation, not much can be done.
- 14 Atwood 2004, 153; Brodie 2006, 12-14; Brodie 2015, 230; Brodie 2014b, 440; Sokal 2006, 36-67.
- 15 Brodie 2015, 233-235; Gill 2015, 67-78; Brodie and Gill 2003, 31-44. Gill notes that around 20% of antiquities sold at Sotheby's are Egyptian, and of those Egyptian antiquities, roughly two-thirds have no provenance history. Brodie and Gill point out that only 1-2% of antiquities sold in such auctions can be traced to their provenience, i.e., their original archaeological find-spot (33).

- 16 Gill 2015, 67-74.
17 Brodie 2014b, 427-444.
18 Felch and Frammolino 2011; Sabar 2016.
19 Brodie 2015, 243-244.
20 Kersel 2006, 190; Brodie 2014b, 245.
21 Mackenzie and Yates 2017, 70-86.
22 Jankowski, 116-118.
23 Jankowski, 135-143.
24 Jankowski, 144-152.
25 Jankowski, 175-177.
26 Jankowski, 180-198.
27 Ketchley 2017; Alam 2014; Ranko 2015.
28 Korany and El-Mahdi 2012, 2, 8; El Houdaiby 2012, 130-135.
29 Hurd 2012, 36-54; Mahmood 2017, 197-209. I scare-quote “secular” here in
order to qualify the difficulties of claiming to be religion-free or “neutral”
inherent in many forms of secularism in the modern world.
30 Korany and El-Mahdi 2012, 9-11; Sika 2012, 63-65.
31 Hagen and Ryholt 2016, 52; de Géraumb, 384.
32 Hagen and Ryholt 2016, 147-152.
33 Parcak 2015, 196; Parcak et al. 2016, 188-189; Tassie et al. 2015, 14. As G.J.
Tassie et al. note, the growth of museum theft in Cairo and elsewhere is
made more complicated by the fact that many objects are still uncatalogued,
thus making it even more difficult to track what *has* or *has not* been stolen.
34 2016, 188.
35 2015, 15, 19; Krause 2015, 10.
36 Parcak 2015, 196-197; Parcak 2016, 200-202.
37 Tassie et al. 2015, 15-18, 34-35.
38 2015, 197-201.
39 Parcak et al. 2016, 191-193.
40 2016, 195-196.
41 Parcak et al. 2016, 198.
42 Hassan 2015, 4.
43 Sutton 2016.
44 Jarus 2017.
45 ‘Draft’ 2017.
46 Lynott 2003, 19-23.
47 Layton and Wallace 2006, 46-47. We might ask what constitutes a “culture”
in this case, which Layton and Wallace suggest can be understood similarly
to Pierre Bourdieu’s *habitus* and *field of cultural production*.
48 Young 2006, 15-16. Young defends the idea that a culture has a right to
an artifact, following Wittgenstein’s understanding of culture as family
resemblance (17).
49 White 2010, 134. “The retrospectively provided ancestry *appears* as an actual
genetic constitution to individuals fully indoctrinated into the system that

has chosen it as a legitimizing agency. Once constituted *and accepted by a group as a genetically provided past*, this past is the past for that group as a sociocultural reality. And no amount of 'objective' historical work pointing out the extent to which this *chosen* ancestry is *not* the *real* ancestry can prevail against the choosing power of the individuals in the system" (134).

50 Young 2006, 18-19, 21.

51 2006, 25, 28.

52 Layton and Wallace 2006, 47-48. As cultures, regional loyalties, and nation-states shift, rise, and fall, different constructed cultural and historical narratives and objects will be upheld or destroyed. The subjective nature of historical and cultural imagination will no doubt cause issue and controversy as a culture continuously debated what should or should not "count" as history. Note that I am not using "imagined" in a derogatory way, but simply noting that history is constructed by collectives. See Paul Ricoeur, *History and Truth*, Trans. Charles A. Kelbley (Evanston, IL: Northwestern University, 2007), 26-31.

53 Bhabha 2000, 3-6; Bhabha 2003, 162-183. While Bhabha does not directly deal with the issue of antiquities in these essays, I believe that they are relevant to the question of who "owns" or has the "right" to a specific object or action.

54 Layton and Wallace 2006, 59-60; Bourdieu 1984, 476-482. Bourdieu makes clear that classification, or reification of categories, has very "real" social consequences both for the things/people that are classified and for the (authoritative) people that do the classifying: "Those who classify themselves or others, by appropriating or classifying practices or properties that are classified and classifying, cannot be unaware that, through distinctive objects or practices in which their 'powers' are expressed and which, being appropriated by and appropriate to classes, classify those who appropriate them, they classify themselves in the eyes of other classifying (but also classifiable) subjects, endowed with classificatory schemes analogous to those which enable them more or less adequately to anticipate their own classification" (482).

55 Porter 2015; White 2015.

56 Krosney 2006; Robinson 2007.

57 Pappas 2013.

58 Stevenson 2016, 229-230.

59 Stevenson 2016, 231-234.

60 Gill 2015, 74-75.

61 Brodie 2014a, 32-46.

62 Brodie 2014a, 36-38; Bourdieu 1993, 81, 112-121.

63 Brodie 2014a, 40-42; Bourdieu 1988, 95-96.

64 Brodie 2011, 412-413.

65 Hollowell-Zimmer 2003, 53.

66 2011, 428-429.

- 67 Baden and Moss 2017, 62-98.
- 68 2003, 44-56; Hollowell-Zimmer 2006, 69-93. Hollowell-Zimmer notes that the term *looting* is often used pejoratively in order to morally shame those involved, and is a term used by outsiders rather than as a self-definition (“Moral Arguments,” 71).
- 69 Hollowell-Zimmer 2003, 47.
- 70 Hollowell-Zimmer 2006, 82. She notes that while “we” see it as improper management of antiquities, local diggers might understand artifacts to be lucrative economic resource, much like oil, that can be dug up and sold to foreign entities.
- 71 Hollowell-Zimmer 2006, 73-75.
- 72 Hollowell-Zimmer 2006, 77.
- 73 2003, 50-51.
- 74 Hollowell-Zimmer 2006, 76.
- 75 Hollowell-Zimmer 2006, 86-89.
- 76 Hollowell-Zimmer 2006, 85.
- 77 2006, 92-93.
- 78 Parcak 2015, 201.
- 79 Parcak 2015, 201-202.
- 80 See Hayward and Marshall 2015, 1-27; Tassie et al. 2015, 21. For an overview of gender inequality in Egypt currently, see: <https://www.usaid.gov/egypt/gender-equality-and-womens-empowerment>.
- 81 Krause 2015, 6.
- 82 2015, 7-8, 11. Krause uses, as an example, the Community Archaeology Project at Quseir, which has had significant successes in its implementation. She calls for a deepening of cultural education from the Ministry of Antiquities on a public level.
- 83 2015, 31, 35-40.
- 84 See Hicks 2006, 133-146. A helpful example of this can be seen in the role-play training of criminal law enforcement and archaeologists regarding looting, a legal blind spot for many.
- 85 Saïd 1979, 86.
- 86 Hunt 2017. I am indebted to Michael D. Press for this and the subsequent reference.
- 87 Shaw 2017.
- 88 See https://www.sbl-site.org/assets/pdfs/SBL-Artifacts-Policy_20160903.pdf and <http://www.asor.org/about-asor/policies/policy-on-professional-conduct/>.
- 89 If not, we may fall into a type of orientalist discourse used by Arthur J. Balfour in the early 20th century, who mistakenly thought that his (and his nation’s) conception of Egypt was the *only* Egypt that mattered. See Saïd, *Orientalism*, 30-34. The role of any Western scholars and organizations in the future will no doubt be complicated, particularly since the United States—via Donald Trump’s State Department—has recently decided to

withdraw from UNESCO (see Rosenberg 2017). Nevertheless, our social, political, religious, and economic interests in the heritage of Mediterranean cultures ought to be critiqued and reformulated *ad infinitum* so that we can combat the often-ingrained ideologies of Western imperialism and colonialism.

90 Hellyer 2017.

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