The return of the giant Aksum stele to Ethiopia in 2005 was the repatriation of one of Africa's treasures. The stele had been sought by Ethiopians for decades since it was taken by Mussolini’s troops in 1937 and placed near the Arch of Constantine in Rome. Dating from around 300 AD, the elaborately carved granite Aksum stele was around 80 feet long, weighed 160 tons and was shipped back by air – sadly in three pieces instead of the original one monolithic piece – at a cost of nearly $8 million. UNESCO, pursuant to the 1972 UN Convention concerning the Protection of World Cultural and Natural Heritage, oversaw this repatriation.

International organizations like UNESCO utilize cultural diplomacy, believing that all sovereign states are equal regardless of their international prestige, wealth, and power, to guide them in the Aksum affair and other repatriations. In 1937 the Italian army had taken the Aksum stele without the full consideration of Ethiopia’s desire to keep it in its home context, and while both countries had been working to return the Aksum stele for awhile, Italy had also by 2000 become fairly strident elsewhere in demanding its own heritage back via international law courts. Italy was prosecuting not only its own long-established smugglers, clandestini (secret traffickers), and tombaroli (tomb robbers) but was in serious litigation against American museums like the Getty in Los Angeles, the Metropolitan Museum in New York, the Fine Arts Museum of Boston, among others, who had obtained illicit Italian objects. In part due to Italy’s heightened sensitivity, the Aksum stele duly returned to Ethiopia after almost 70 years.

This is the new level playing field where some claims of longstanding stakeholders, including developing countries, are finally being respected, although not equally by all sovereign states or wealthy individuals. Collecting antiquities is no longer a privilege of power, looking back to when royalty and the wealthy elite on the Grand Tour in the 18th and 19th centuries could acquire almost any ancient artifact at will, provided they had enough clout and capital. Stances on collecting antiquities have both subtly and dramatically changed over the past century, but the solutions are still not always easy. This is especially the case when former players like the Ottoman empire cared little about Classical antiquity and were fairly obliging with a firman, a permit to take away whatever appeared to have no historical or religious connection to Istanbul or obvious Ottoman history. In the case of Greek sculptures, these permits often even involved the quasi-legitimate “sale” of such antiquities by the Ottomans to Europeans, whether they were taken by Elgin or Newton or by royal sovereigns. Much has changed since 1800, including the birth of new sovereign states not populated by those sharing the same ancient DNA or even language families. Regardless of the philosophical and legal ramifications of such questions, new antiquities laws are in place that must be respected, including the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (although the United States was not signatory until 1983 and Britain until 2001). Still held in British collections since their seizure in 1897, ownership of several hundred Benin Bronzes of Nigeria is contested although many diplomatic and cultural channels have
been actively seeking their repatriation for years.¹

Americans are not exempt from the post 1970 laws. One of the most publicized antiquities repatriation exercises in recent years reads like spy fiction, full of international intrigue. In Peter Watson’s and Cecilia Todeschini’s book, The Medici Conspiracy: The Illicit Journey of Looted Antiquities, From Italy's Tomb Raiders to the World's Greatest Museums (New York: Public Affairs / Perseus, 2006), a vast network spreading over decades of antiquities trafficking was laid bare and the dirty trail from Mediterranean tombs to North American museums was uncovered. Italy’s “Operation Geryon” (a reference to “stolen” herds in Herculean mythology) began in 1994 and gradually but carefully documented how wealthy collectors had subverted provenance laws aimed at keeping antiquities from leaving their lands of origin. Not only had the dodgy Italian super-dealer Roberto Medici contravened his own country’s laws, but so had many museum directors and curators across the US. Buyers had either not asked the right questions or looked the other way regarding the sources of acquired objects. One of these objects was the Euphronios Krater, which was finally returned to Italy in 2008 by the Metropolitan Museum in New York after protracted legal negotiations.

In a seminal 1993 Archaeology Magazine article, Archaeological Institute of America (AIA) officer Dr. Ricardo Elias put it succinctly: “Collectors are the real looters... Without their money and their demand, there would be no market.”² Elias and other scholars like Oscar Muscarella and Lord Renfrew of Cambridge University have led the way in demanding higher, stricter provenance and documentation standards for museums, dealers and collectors. Latecomer institutions like the Getty Museum often had to acquire and build up collections far too quickly in order to compete with more established institutions that had at least a head start of a century, so it was only natural that Getty collections would be scrutinized by Italy and Greece for suspicious provenance.

There is another human side to the dilemmas surrounding antiquities. Those who are paid to protect archaeological sites abroad are not always able to make enough legal income and sometimes end up ransacking their own national treasures in order to put food on the table for their families. Arriving near dawn at remote sites, my colleagues and I have been approached in various countries by guards whose fingernails are encrusted with fresh dirt and whose pockets are bulging with objects just dug up for illicit sale. “Something for your museum?” some guards ask earnestly. Archaeologists learn to show no interest and not to object too loudly in self-righteous indignation, because one could easily disappear in such a remote place or be turned in for a kickback to the authorities even if one is innocent.

The ethical responsibility for safeguarding history must be shared by all: indigenous cultures whose heritage should be sacrosanct from ransacking, as well as scholars, collectors, dealers, museums, and institutions. Ultimately, trafficking in antiquities is rife with political and economic problems. When there is no demand, supply drops accordingly, but when there is cachet in collecting antiquities, illegal supply will always disregard international laws in place. Perhaps worse, there is growing concern that antiquities smuggling is often a money laundering operation for other criminal activity like narcotics, arms, and slavery. As David Gill said in his 2009 review of James Cuno’s controversial book, Who Owns Antiquity?, “collecting archaeological artifacts encourages looting, the destruction of sites and the irreversible loss of knowledge.”³ Ever more frequently, dealers, collectors and museums are now more careful to ask the right questions about object history. Caveat emptor, or “Buyer beware” in Latin, has never been truer. §

Notes

1 The question of legitimacy arises partly because such cultural heritage, e.g., Greek, was never the historic “property” of an occupying state, e.g., Ottoman, in the first place, nor was Turkey ever an original stakeholder. A similar problem arises in Egypt after the Arab Conquest where ancient Egypt was another DNA group, e.g., mainly remnant in Coptic people.


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