



To publish or not to publish unprovenanced archaeological artefacts?

¿Publicar o no publicar artefactos que carecen de contexto arqueológico?

El objetivo de este artículo es examinar críticamente los códigos éticos de la disciplina, especialmente en relación con los criterios de publicación de las revistas científicas y la responsabilidad y repercusión que ello tiene en la difusión y percepción de la investigación. Sin duda las revistas científicas cumplen una función decisiva en la manera en cómo se presenta la investigación, tanto a otros miembros de la comunidad académica como al público en general. Es decir, es su responsabilidad ética con la sociedad dar a conocer su trabajo, así como la salvaguarda del patrimonio.

Pero, ¿de qué modo los códigos éticos actuales actúan contra el persistente problema del saqueo de yacimientos arqueológicos y el subsiguiente tráfico ilícito de artefactos arqueológicos? ¿Deberían las revistas permitir las publicaciones de artículos que tratan sobre objetos arqueológicos recuperados de manera ilegal y/o sin ética? ¿Deberían aceptar trabajos que versan sobre artefactos o textos que carecen de una procedencia clara? E, incluso si tienen una procedencia identificada, pero están desprovistos de un contexto arqueológico, ¿es ético que las revistas científicas los publiquen?

Este artículo pretende llamar la atención sobre el hecho de que si los editores de las revistas mientras preparan la presentación de los objetos al público por razones científicas, tienen en cuenta la procedencia de dichos objetos, el lugar en el que decidan trazar la línea ética entre qué publicar y qué no puede marcar la diferencia entre dar legitimidad a objetos arqueológicos procedentes del comercio ilícito, y por tanto no ponerle trabas, o por el contrario, denunciar y con ello combatir dicha práctica. Con ello pretendemos aportar elementos de reflexión para el debate sobre los códigos éticos de las revistas y aportar algunas ideas para revisar los códigos éticos actuales y proporcionar así una perspectiva renovada dentro de la profesión, extrapolable a los medios de comunicación, acerca de cómo luchar contra el comercio ilícito de objetos arqueológicos promoviendo una mayor transparencia acerca de su procedencia.

Palabras clave: contexto, procedencia, códigos éticos, transparencia, propiedad cultural ilícita, ética editorial.

The aim of this article is to examine critically the ethical codes of the discipline, especially in relation to the publication criteria of scientific journals and the responsibility and repercussion that this has on the dissemination and perception of research. Scientific journals undoubtedly play a decisive role in the way research is presented, both to other members of the academic community, and to the general public. In other words, it is their ethical responsibility to society to make their work known, as well safeguarding heritage.

But how do codes of ethics in their current form fight against the ongoing problem of the looting of archaeological sites and the subsequent illicit trafficking of archaeological artefacts? Should journals publish articles dealing with archaeological objects recovered illegally and/or unethically? Should they accept papers that tackle artefacts or texts that lack clear provenance? And, even if these objects do have clear title, but lack archaeological context, is it ethical for scientific journals to proceed with publication?

This article aims to draw attention to the fact that journal editors, while focused on presenting objects to the public for scientific purposes, must be mindful of where these objects come from. It is where they decide to draw the ethical line between what can be published and what cannot, which would make the difference between giving legitimacy to archaeological objects from illicit trade, and therefore allowing it, or instead, denouncing and thereby combating the practice.

This paper aims to contribute to the debate on codes of ethics in journals and to provide some ideas for revising those codes and so endorse a renewed perspective on the profession and on the media on how to prevent illicit trade of archaeological objects by promoting greater transparency about provenance.

Keywords: context, provenance, ethical codes, transparency, illicit cultural property, publication ethics.

“One thing is certain. If we continue, intellectually ostrich-like, on our present course, there is no future for the past”.

(Fagan 1989: “Foreword”, xvii in Mauch Messenger, Phyllis, ed. *The Ethics of Collecting, Cultural Property: Whose culture? Whose Property?* Albuquerque: University of New Mexico Press.)

Introduction¹

There are numerous factors that threaten international cultural heritage: climate change with its unpredictable consequences, the incessant construction of public works and the lack of resources for proper maintenance and conservation. However, looting is undoubtedly the greatest threat of all.² It is not necessary to insist on the devastating situation of our archaeological heritage plundered at an international level,³ as numerous publications and congresses have echoed the problem; a situation that does not cease to be aggravated even more by constant armed conflicts, especially those currently taking place in the Middle East and the subsequent political instability that is generated throughout the whole area. Leaving aside the loss of human lives, the cultural heritage of Syria, Iraq,⁴ Yemen, Libya and Afghanistan has been systematically looted from their museums and archaeological sites. The scale of destruction is not yet known. These cases of destruction and looting represent more than mere vandalism or the collateral consequences of any armed conflict. This destruction has been defined as part of a cultural cleansing strategy (Brodie 2003: 10-11). A term defined as the “deliberate and systematic destruction of a targeted group and their cultural heritage, with the intention of eliminating not only a people, but all physical evidence of them” (Perry 2016: 58). Representing such acts:

1. This essay has benefited from the critical reading of earlier drafts by Ignacio Rodríguez Temillo and anonymous peer-reviewers. My sincere thanks go to all of them for their helpful comments. Also, I am deeply grateful to Wilfred Watson for checking the English.

2. “Today the primary threat to the archaeological heritage is looting, and it is argued here that the primary need is to diminish and it is possible arrest this looting process” (Renfrew 2006: 21).

3. “However, the looting of cultural property occurs in two diverse contexts. The first involves seizure of cultural property during war, military occupation or colonial rule. Under such circumstances, property is taken as “booty,” through spoliation or plunder, or it is transferred pursuant to capitulation agreements that are often coerced by the victor. The second involves looting during times of peace when there is relative stability and autonomy among nations and cultural groups. This second context involves the unlawful and clandestine excavation of antiquities without permission from countries of origin and the subsequent smuggling and selling to collectors of cultural property via the international market” (Cohan 2004: 5).

4. “It seems that the widespread looting of archaeological sites and artefacts, was due not only to the destruction of cultural infrastructure of Iraq as a result of the invasion (and the sanctions before it) but also of the incorporation of the country in the networks of global neo-liberal economy and its art market, and the creation of channels through which such a flow could be facilitated” (Hamilakis 2009: 48).

Such acts can be clear violations of customary international laws governing crimes of genocide, crimes against humanity, and war crimes. These acts represent an attack on the fundamental human rights of the populations affected and an attack on humanity as a whole. (Perry 2016: 63)

But this devastation does not take place only in areas exposed to military conflict: its scale is far greater. According to B. Bowman’s study (2013: 120), looting of archaeological goods does not appear to be an isolated phenomenon; on the contrary it is a globally pervasive problem and instead of diminishing, it continues to increase: “With hundreds of archaeologists around the globe reporting similar experiences with looting, it no longer seems feasible to categorize looting as an isolated problem limited to underdeveloped countries or exaggerated for political purposes” (Bowman 2013: 124).

Faced with this desolate and global panorama and its complex and even partly unknown ramifications, any action to combat this problem cannot come from only a single source, whether the police or the law, but requires the combination of multiple fronts that deal with both their causes (poverty, political instability, lack of administrative control, supply and demand) and their consequences (criminal acts, smuggling, illegal sale, counterfeiting, and so on). For this reason, and because, as explained above, it is a global problem that affects the whole of humanity, the solution must have multiple actors and actions, and among the actors we cannot forget the transcendental responsibility that the scientific community has in this fight. In this article that responsibility will be put on the table, specifically analysing the ethical and legal aspects in relation to the publication (or not) of studies based on archaeological objects whose exact origin is unknown.

On the one hand, we will try to show and analyse the consequences arising from the lack of origin of an archaeological artefact. On the other hand, we will review the editorial response of some of the most prestigious international publications to this problem, with the selection being representative rather than exhaustive. Finally, we will try to highlight the need to revise the ethical codes of the profession, as other disciplines have done, adapting to new social challenges (such as, for example, experimentation with stem cells or animals, or in relation to data protection). In particular, our challenge is how to prevent the looting and illicit sale of antiquities, and one possible response is, for example, to promote greater transparency regarding the provenance of archaeological goods. We believe that only a unanimous and consensual response can have any effect.

Some definitions

Before beginning the discourse, it is necessary to clarify some terms, among them the distinction between plundered, illegal and undocumented as descriptions of an archaeological object. As the jurist P. Gerstenblith has explained: by “plundered artefact” it is understood that object that has been recovered in a non-scientific manner, with the risk of endan-

gering its integrity. Therefore, it is a decontextualized object, devoid of associations with others in its own context and whose exact origin is unknown, all of which prevents us from understanding its function; the value it brings us is exclusively intrinsic to the object. On the other hand, an “illegal artefact” is one whose history or acquisition implies some violation of legality (clandestine excavation, illegal extraction from its country of origin, smuggling, and so on). An “undocumented artefact” is one that has little or only very recent evidence of its provenance or how it was acquired. This term is often used to describe pieces obtained before the 1970 UNESCO Convention (Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property) or those that were illegally obtained and exported from their country of origin after this date. However, it should be borne in mind that these three categories are not mutually exclusive (Gerstenblith 2016: 5-6).

Another term of key importance, due to the implications of the meaning attributed to it, is “provenance”. In English we can distinguish between ‘provenience’; and ‘provenance’:

It is important to distinguish the two different and successive aspects to the story of an object, from its first ancient creation to its present possession and whereabouts, which are often treated under the ambiguous word “provenience” (usual in American English) or “provenance” (typically used in British English). Although the Oxford English Dictionary treats the words as exact synonyms, there is some nuance in how the words are now used, of which Clemency Coggins remarks: “The differences are exemplified by the difference between the stark English provenience, meaning the original context of an object, and the more melodious French provenance, used by the art world, which may include the original source but is primarily concerned with a history of ownership”. Central to archaeological knowledge of an object is its provenience, the fact of its having come from some particular place. Artefacts with known provenience promise more information than those without provenience and are accordingly “better.” Provenience also affects the monetary valuation of fine art objects in general: those of known history are worth more than those that have simply “surfaced”; those with a complete history right back to a first owner’s acquisition or to the artist’s studio rank highest of all. (...) To an extent, “provenience” in art-historical use equates to “context” in archaeological discussions. (Chippindale and Gill 2000: 467)

In that way, “provenience” should be understood as indications of the place of origin of the artefact: the site, area, stratigraphic stratum in which it has been found,⁵ and “provenance” as a map of subsequent narratives about origins and itineraries of objects (Lyons 2016: 245); that is, the modern account of the object or its history (Chippindale and Gill 2000: 463). From this distinction, it follows that: “Hovering close to the surface of the provenience/provenance debate

are the ethical issues of cultural property. Provenience exposes the conditions of ownership, while provenance accepts them.” (Higonnet 2012: 203)

However, recurrently these two terms “provenience” and “provenance” have been used interchangeably (Tabitha 2014: 19). This indiscriminate use of the terms has created some confusion in the literature, with the need to specify in what sense they will be used in a given publication⁶ and discipline:

Provenience and *provenance*, variably used by scholars in different disciplines, both reference places in a series of chronologically arranged spatial locations. Only discipline-specific considerations provide reasons to privilege one part of an object’s itinerary: thus, the geologist is concerned with the raw-material provenance and archaeological provenience but not particularly with the steps that intervened between these; the archaeologist decries the loss of provenience that comes when objects are not professionally excavated; and the art historian understands that, using stylistic and other clues, a provenance can be reconstructed from the place of manufacture through to the present. But the object itself is more than any one of these descriptions. (...) *Provenience* and *provenance* each index only part of the dynamic itinerary of an object, and they do so in such variable ways that, in some senses, they fail to discriminate usefully how objects pass in and out of meaningfulness. As references to the movement of objects from place to place, provenance and provenience can be seen as ways of framing parts of the object’s itinerary as it moved from hand to hand. That itinerary itself provides a framework to begin to consider the biography of the object more broadly. (Joyce 2012: 55-56, 58)

According to this biographical approach to the object, the aim is to understand the way in which objects have been invested with meaning through the social interactions of which they have been a part, meanings that vary according to the life that the object has had (Joyce 2012: 58).

Due to this confusion of meanings, there are authors who have avoided using them and have proposed other terms to refer to these concepts, such as, for example, D. W. Gill’s preference for “collecting histories” and “archaeology” (Gill 2009):

We feel uncomfortable with the word “provenance” and have suggested that its use be discontinued for dealing with archaeological material. Instead, we have suggested the adoption of the terms “collecting histories” and “archaeology”. Archaeology identifies the deposition of an object in the ground or on a monument. The collecting history maps the trail of the object once it has left the archaeological deposit and then passes through the hands of individuals or enters public collections. (Gill 2016: 237)

Instead, scholars like E. Marlowe prefer to use the terms “grounded” and “ungrounded”; i.e. objects that come from an archaeological excavation and those that do not, in order to avoid ambiguity:

6. “Throughout this report the term ‘provenance’ is used to mean the ‘original findspot’ of an item, in its usual archaeological or geological sense. This is distinct from the normal fine-art usage of the term ‘provenance’, where it is used to mean ‘ownership history’” (Brodie, Doole and Watson 2000: 3).

5. “Archaeologists are more precise; for them, provenience refers to a three-dimensional location in space” (Joyce 2012: 49).

Conversely, the term “unprovenanced” is routinely used to characterize objects with an unknown archaeological find-spot, an unknown ownership history, or both. Attempts by some scholars to introduce the term “provenience” to indicate archaeological find-spot have not been successful, as many have understood it merely as a “dialectical variant” of provenance. Scholarly hypotheses about ancient material culture are strongest when they are anchored by grounded objects. Attributions of ungrounded objects to particular dates and places are strongest when they are based on comparisons to specific, grounded objects. (Marlowe 2016: 224-225)

In this article will always use the term “provenance” to indicate the archaeological context of an object, and consequently, ignorance of this information is the key aspect of the discussion.

Context

It does not seem possible to start dealing with this subject without referring, in the first place, to the archaeological context. Why is this subject so transcendent and so surprisingly ignored or underestimated, not only by the general public, but also by the scientific community?⁷

Perhaps part of the problem lies in the fact that from archaeology we have not been able to make people understand, to explain what it implies to ignore the exact origin of an artefact, that piece of the puzzle which, for it to fit in, it is imperative to know its exact position on the board, which pieces surround it and its relationship with them; only in this way, by placing the piece in its exact position on the stratigraphic board, can we try to gather enough data to be able to date, understand and interpret it. If the piece is removed from its position and isolated, it loses its meaning. We are no longer able to see the complete image, we cannot even establish its date, that is, we cannot place it in space or time. We can appreciate its aesthetic value, we can read the text, but we will still lack the whole: part of its history, the how, the why, the when, through whom it came to that place, what was its primary or secondary function, etc. In other words, we lose, and we lose forever, the full story which that piece could tell us. Without information, not only about the country of origin, the specific site where it was found, but also about its precise position within the site (house, tomb, levels of use, collapse, destruction, abandonment, etc.) we irreversibly and definitively lose what leads us precisely to where we want to go, which is nowhere else except trying to understand and reconstruct what preceded us: the past.⁸

7. “Archaeology is all about context, we say to our first year students. Yet, our colleagues, with some exceptions, seemed to have (or have chosen to) ignored this context” (Hamilakis 2009: 44).

8. “The association between artefacts *inter se* and their place in the earth in which they are found can add greatly to our knowledge about the human past. The collection of such knowledge and its publication is the essence of archaeology (Coggin, 1969, 1970) (...) The loss caused to the archaeological record by looting is, on the other hand, irremediable – once context is destroyed, the knowledge it can never be reclaimed

From archaeology we have failed to transfer the consequences of this loss not only to society in general, to private collectors, or to donors of pieces to museums, but also to other specialists in the study of the past, such as some epigraphers, philologists or art historians; scholars who do not share our constant interest and obsessive concern for context. We simply have not been able to explain ourselves. And this inability leads us over and over again to watch helplessly as archaeological pieces extracted from their context are plundered and sold, studied, published and exhibited, showing only part of their potential, bringing to light only a fraction of the story they could have told us. In other words, if we work with artefacts whose exact origin we do not know, and do not demand to know, the publication and/or diffusion of these elements involves a whole series of serious repercussions, some of which have remained largely ignored:

Further, it is argued that the methodology employed by many scholars concerned with the material has been defective and improper and that many art historians and archaeologists have generally tended to ignore the serious implications involved in seeking firm cultural and archaeological conclusions when working with objects claimed to derive from sites that were not excavated by archaeologists. (Muscarella 1977: 197)

We will now comment on some of these repercussions.⁹

First of all, an archaeological object which lacks solid information about its provenance, i.e. which does not originate from an official archaeological excavation, inevitably implies that it is the product of an illegal excavation or is an illicit export from its country of origin (Brodie & Renfrew 2005: 350).

Thus, many of the objects with no known provenance come from illegal excavations. This type of excavation is characterised by the use of methods and tools that cause irreparable damage to archaeological sites, not only by destroying the context in which the objects were found, i.e. houses, palaces and tombs, but also the whole area, leading to the destruction of the site. In addition, this is now happening on an even larger scale, due to the use of new and easily accessible technologies (Brodie 2003: 14). In the words of J. A. Cohan:

Several thousand years ago, the tools employed in tomb-robbing were limited to simple digging implements and probing rods. The tools used today include bulldozers, mechanized drills, dynamite, metal detectors and power saws. Modern looters have at their disposal all-terrain vehicles and helicopters; to probe the deep sea, they use remotely operated submersibles. When something is illegally excavated from an unknown site, it may be nearly impossible to prove that it was “stolen” or exported, especially so with respect to any state umbrella retention laws

(Gill and Chippindale, 1993; Chippindale and Gill 2000)” (MacKenzie and Green 2009a: 2).

9. Some authors like Chippindale and Gill talk about “collateral damage to the archaeological record” (Chippindale and Gill 2000: 499).

that may only apply to objects taken after certain dates. (Cohan 2004: 14)

Although it would be possible to establish the geological origin of the raw material of an object or to carry out stylistic studies that may indicate the probable place where it was made (Joyce 2012: 57), once that context is destroyed, such information is lost forever.¹⁰ There is no way to recover data that could not be scientifically recorded: “[T]hat scholarship cannot give an object back its context or enable a sufficiently good scholar to recreate the context” (Chippindale and Gill 2000: 500).

Nor is it possible to establish the chronology of the artefact based on its stratigraphic position (Gill and Chippindale 1993: 627). This means that we cannot understand the function of that object in the place where it was deposited, since this varies according to the circumstances of the discovery; the objects may have been reused or inherited, and their meaning will vary depending on the use a particular object may have had (Joyce 2012: 58):

Objects are not fixed entities; they are always “on the move” and mutate as they inhabit different social settings. Failure to investigate them holistically diminishes their scientific, artistic, and cultural values beyond the final archaeological moment and hampers the prospects of uncovering clues about their backgrounds. (Lyons 2016: 246)

The decontextualization of archaeological artefacts implies the irreversible loss of information. This is what is lost when, for example, it is not possible to carry out residue analysis to know what a certain ceramic vase contained (Brodie, Doole and Watson 2000: 11), or the traces of use of a stone or bone tool.

Consequently, without access to complete and reliable information on the provenance of an object, through the application of archaeological methodology, it is impossible to establish hypotheses on trade relations between settlements, since objects cannot be located in their areas of origin in order to establish connections between zones. It is also impossible to infer cultural and/or social aspects and, in consequence, to be able to propose interpretations of the object of study. In C. Renfrew’s words:

It is only through the proper study of the context of archaeological finds that it is possible to begin the task of their interpretation (Hodder 1991; Renfrew and Ban 2000). The task can deal both with aspects of the society of the time, and with the belief systems of the day, including religious beliefs (Flannery and Marcus 1983; Renfrew 1985). Very little of this interpretation can be achieved from the study of single objects taken out of context. They do not contribute to our knowledge of the past; indeed they are parasitic upon that knowledge, for they themselves can only be dated, authenticated and given any kind of interpretation by comparison with similar artefacts that have indeed found within a coherent context. (Renfrew 2006: 22)

10. “This aspect is still poorly understood by the general public: the loss of stratified context inflicts irremediable damage on the understanding of the past. Once the context and stratigraphy are lost, the information they contained can almost never be recovered.” (La Foyelle 2017: 681)

Ultimately, it makes us unable to reconstruct and comprehend the past:

Artistic and utilitarian objects, faunal and floral remains, architectural features, human remains, and their original contextual relationship to each other are all equally essential in achieving an optimal understanding of the past. This full body of contextualized information is a destructible, nonrenewable cultural resource. Once it is destroyed, it cannot be regained. The looting of archaeological sites destroys this knowledge and forever impairs our ability to understand our past and ourselves. (Gerstenblith 2007: 171-172)

In addition, this inability to understand the past is not only due to a lack of information, but also to the consequences of evaluating and interpreting decontextualized objects from which inferences are made that may well be incorrect and which we cannot verify. In effect this is what Gill and Chippindale (1993) have called the “corruption of reliable knowledge”.

In an illustrative article, O. W. Muscarella showed how the place of origin of objects without a clear archaeological context also varied in the various publications in which they were discussed. Also, most of the time no photographs or drawings were included that would have made it possible to identify the object in question and to know whether or not it had been published before. These circumstances only contribute to further confusion (Muscarella 1977: 200, 203).

Secondly, this illegal looting contributes to a climate of insecurity and criminality in the areas where it takes place, which, either because of armed conflicts or because of situations of political instability and poverty, are a breeding ground for despoilment.¹¹

Thirdly, illegal excavations often lead to extracted artefacts being cut into fragments to facilitate their transfer and sale. In this way the different parts of an object become dispersed around the world.¹² This practice has been documented, without going any further, in the wall reliefs of King Sennacherib in his palace in Nineveh (8th century BCE). The interior walls of the palace were covered with panels made of large stone slabs and decorated with reliefs illustrating the king’s victories. The dispersion of these pieces, cut up and sold to different collectors, has prevented

11. “Many of the police forces of the world are now concerned at the extent to which the trade in illicit antiquities is increasingly linked with money laundering and the traffic in drugs” (Renfrew 2006: 10). Cf also Brodie, Doole and Watson 2000: 16-17.

12. See John H. Merryman 2000-2001 on international laws on the ownership of objects and Merryman 1994 for a discussion of the politics of ownership of objects from the dichotomy of nation-oriented versus object-oriented. In the latter, the author situates the debate around preservation, truth and access: “In an object-oriented cultural property policy, the emphasis is on three conceptually separate but, in practice, interdependent considerations: preservation, truth and access, in declining order of importance. The most basic is preservation: protecting the object and its context from impairment. Next comes the quest for knowledge, for valid information about the human past, for the historical, scientific, cultural and aesthetic truth that the object and its context can provide. Finally, we want the object to be optimally accessible to scholars (for study) and to the public (for education and enjoyment)”. (Merryman 1994: 64)

us from reconstructing the narrative of the episode that was represented in each room, as explained by J. M. Russell, the author of the study:

All of these examples of trimming and reorienting show how important context is in understanding the significance of each fragment, and how much crucial information is lost in the breaking up of a sculptured slab into fragments for the antiquities market. Not only is a unique cultural artefact destroyed, but even the fragments that remain are reduced to incomprehensible ciphers, the meaning of which is lost with the destruction of the full composition (Russell 1997: 14).

At the same time that the reverse situation occurs, objects that did not belong to the same context but that have been acquired by a dealer and sold jointly may lead to the belief that heterogeneous materials were part of the same deposit, period and/or place, eventually causing, in the same way, a distortion of knowledge (Brodie, Doole and Watson 2000: 8).

On the other hand, the looting and sale of items without a legal origin favours the circulation of forgeries (Brodie, Doole and Watson 2000: 17-18, Brodie 2003: 16), thanks to the complicity of collectors who acquire items without demanding documentation that proves their authenticity and legality (Gerstenblith 2007: 172). This fact has serious consequences for research because it contaminates the historical record, as well as preventing the authentication of those items, as they cannot be compared with other well-documented objects, since, in many cases, there is no certainty either of the place from which they come.¹³ Often, some of these decontextualized objects turn out to be so unusual that they make us question what is known about a certain period or culture:

The challenge to the objects singled out is not presented in categorical fashion. Yet given the significant facts that, first, they have not been excavated and, second, that ancient parallels are not forthcoming, they cannot be automatically accepted as genuine merely because they exist. The question to be asked is not so much why are they suspicious, but rather, why are they genuine (Muscarella 1977: 211).

This scenario is compounded by the reluctance of institutions to publish information about fake items once a fraud has been detected, thus depriving the investigator of knowledge that is entirely necessary to identify the objects correctly, since both the originals and the forgeries must be examined in order to be able to differentiate between them (Muscarella 1984: 62).

It is also particularly serious in relation to certain types of archaeological evidence which, due to their characteristics, are more easily falsifiable, such as manuscripts.

In an article specifically devoted to the illegal trafficking of antique documents, N. Brodie paid particular attention to the large number of ancient manuscripts and inscribed objects of unknown provenance that have flooded the international antiquities market over the past two decades. Although their origin is

not known, from their characteristics it is possible to deduce some data about where they could have come from. What is clear is that in the absence of evidence to prove the contrary, these materials come from clandestine excavations and have been illegally removed from their countries of origin. However, they have been bought by both public institutions and private collectors and published by renowned specialists (Brodie 2009: 41-42). This has serious consequences:

The academic identification and, particularly, translation of an ancient manuscript establish its historical interest and scholarly importance, and so provide the criteria of rarity that allow it to be assigned a monetary value. Thus academic intervention is crucial for price formation and makes a positive impact on the market (Brodie 2009: 44).

Academic intervention, sometimes through contracts to verify the pieces before they are sold, not only gives them a market price and increases their value, but at the same time increases the profile of similar pieces and, consequently, does not stop the illicit traffic (Brodie 2009: 44; Brooks 2017: 30-31).

In addition, the introduction of pieces of dubious origin into the textual or artefact corpus, since their authenticity cannot be proved because their origin is unknown, contaminates the historical record (Muscarella 1977, Wiseman 1984). This aspect is extremely serious, since it jeopardizes the veracity and validity of their study.

Publications also have an adverse effect on subsequent academic discourse and scholarship. The introduction of unprovenanced material into the corpus of texts of a particular period has the potential to contaminate literary, paleographic, and linguistic datasets upon which scholars rely. (...) In other words, once an unprovenanced artefact has entered the discussion, especially when inaccurately marked, there are a number of ways that it can directly and indirectly contaminate academic corpora, datasets, and discussions with effects that can be mutually compounding (Brooks 2017: 31-32).

A significant example of what is discussed here is what ensued to five manuscripts supposedly from the Dead Sea. On November 5th, 2018, Roberta Mazza published an open letter to Brill Publishers about what happened on October 22nd, 2018, when the Museum of the Bible was forced to issue a press release announcing that five of the fragments it had recently acquired alleged to be part of the Dead Sea Scrolls corpus were modern forgeries. The damage was already done, since in 2016 those five manuscripts were published, even though some of the authors of the study had doubts about their authenticity, in the first volume of *Publications of Museum of the Bible* in the prestigious publishing house of Brill. In that letter, Mazza, a specialist in papyrus, called attention and awareness to the seriousness of the case ("Open letter to Brill: Fake and unprovenanced manuscripts" <<https://facesandvoices.wordpress.com/2018/11/05/open-letter-to-brill-fake-and-unprovenanced-manuscripts/>>).

Specifically, in relation to documents associated with the Dead Sea Scrolls, in an article, M. Brooks discussed, in particular, the second publication of texts with no known provenance, a subject that has

13. This fact is particularly marked in relation to the Cycladic figurines (Gill and Chippindale 1993: 616-617).

also not yet triggered a debate in academia. When the first publication of these decontextualized materials often ignores or minimizes this aspect, and many others do not even discuss the subject, or provide a possible explanation of their provenance based on scientific research that attempts to investigate the origins of the text, but instead studies the content of the text without further details, what can a second publication contribute?

The worst case scenario is that an initial publication provides an unwarranted provenance for unprovenanced material. To a lesser degree, subsequent publications can also have a negative impact if they too ignore or misrepresent the artefact's unprovenanced status. Therefore, in view of the existing ethical guidelines, one should avoid introducing new unprovenanced material and make every effort to "keep the checkered past of an object out in the open and part of the continuing scholarly discussion" in secondary publications (Brooks 2017: 33).

In other words, if the aim of a second publication was not to shed light on the possible origin of that object, or to warn of the consequences of the particular use made of the information that can be extracted from this artefact, it did not seem like a good idea, since it only magnifies the problem.

Thus, if researchers do not critically examine what has been published about a decontextualized artefact and it is simply accepted as valid information, the data ends up being institutionalized, giving rise to a discourse that lacks a solid foundation. This situation was illustrated by O. W. Muscarella in relation to the material attributed to Ziwiye (Muscarella 1977: 214). This type of acceptance, without questioning the validity or veracity of the data, can only lead to the discrediting of the research itself:

The objects "said to come from" these sites are sold by the same dealers, the stories concerning their "excavation" are told by the same story tellers to the same receptive audience, an audience of credulous individuals whose desire for objects *qua* objects is so insatiable, they will destroy their own discipline in order to acquire and publish them (Muscarella 1977: 216).

Unfortunately, not only do false pieces circulate, but documents proving the alleged authenticity of these pieces are also falsified (Rodríguez Temiño *et al.* 2018: 284); such documents are rarely questioned and it is difficult to unmask them. An example of this is the case of S. Kapoor:

In 2011 the New York-based art dealer Subhash Kapoor was arrested in Germany prior to being extradited to his native India in 2012, where he currently awaits trial for overseeing a vast, international antiquities smuggling syndicate. Under the guise of an otherwise reputable Manhattan gallery, Mr. Kapoor ultimately dealt in looted artifacts to the value of almost US\$100 million. A key component to the success of this illegal trade was forged provenance. Mr. Kapoor and his associates knowingly faked a series of export licenses and prior ownership records for well over 200 objects that were then directly acquired by such world-renown museums as the National Gallery of Australia, the Los Angeles County Museum of Art, the Asian Civilizations Museum in Singapore and the

Metropolitan Museum of Art, among many others (Tabitha 2014: 22).

The result is that illegally obtained artefacts end up in museums and become the object of study: "In reviewing the literature, it is clear that scientists or conservators carry out scientific studies of such objects and the results are used to authenticate them or increase their monetary value through publication" (Argyropoulos *et al.* 2011: 214). And this, as E. Marlowe has stated, entails the hermeneutic problem of the generation of knowledge about the past based not on solid and verifiable data, but on decontextualized objects of which we can only assume their antiquity (Marlowe 2016: 219).

In this way, publishing an article on objects without context, both in a journal and in the catalogue of an exhibition,¹⁴ provides them, whether we like it or not, with a legitimacy, an authentication; in this way the pieces end up being bleached (Muscarella 1977: 214; Chippindale and Gill 2000: 484, 488; Brodie 2003: 15; Cohan 2004: 12). This laundering does nothing but encourage the trade of these objects, because in accordance with the law of supply and demand, until collectors and museums stop buying undocumented objects, they will not stop appearing for sale.

Looting imposes costs on society by destroying the original contexts of archaeological artifacts and impairing our ability to reconstruct and understand the past. Because looting is motivated by profit, the rate of looting should respond to the basic economic law of supply and demand. If collectors in the market nations refuse to buy undocumented artifacts, then incentives for the looting of artifacts will decrease. The law should therefore impose a cost on those who contribute directly or indirectly to the looting of sites by punishing the handling, selling, and buying of looted antiquities (Gerstenblith 2007: 174).

Unfortunately, this is how the market works, which at the same time suffers its own repercussions, since it contains both legal and illegal antiquities, whose origin is unknown. The absence of a careful and effective investigation into the origin of the artefacts has become commonplace, so much so that objects are sold without it being known whether they have been stolen or not. In addition, although the UNESCO Convention requires that objects excavated and exported after 1970 be certified, the websites of auction houses do not require their sellers to provide this certificate to potential buyers. This lack of transparency, as some researchers have already expressed, causes the antiquities trade to be a grey market in which:

This signifies that the flows of licit and illicit objects are intermixed and therefore that, rather than being a market characterised by a 'clean' public trade a 'dirty' private or 'underground' trade, the supposedly clean public trade in antiquities is tainted 'grey' by

14. "Some museums, including the Getty, have regarded the publication of the collection in such a volume as a mark of legitimation. Indeed the full scholarly treatment sometimes amounts to academic laundering, making the acquisition of unprovenanced and possibly looted antiquities somehow less offensive: 'Provenance through publication' as one critic has commented." (Renfrew 2006: 35)

the circulation therein of illicit antiquities (Polk, 2000) (Mackenzie and Green 2009b: 154).

To this increase in the presence of plundered objects in antique markets must be added the impact that the use of the Internet and social networks is also having in this area (Brodie, Doole and Watson 2000: 9). Today, sales are no longer just open-source, as on the websites of auction houses such as Christie's, but are bought and sold through private and encrypted transactions using mobile phone applications such as WhatsApp.

Finally, another unwanted repercussion is the vision given to society about plundering, such as is offered by some professionals who, instead of censoring the sale of undocumented antiquities, buy archaeological pieces without requiring a certificate of provenance. This perception even causes some plunderers not to see themselves as criminals, as shown by a study carried out on looters in Sicily, the Levant and Lydia. These looters not only failed to understand an archaeologist's actions, but also did not perceive their own activities as any different from those carried out by archaeologists, who also took the pieces and even bought them without taking into account the fact that their context was unknown and could therefore be the result of looting (Kersel *et al.* 2008: 314).

A symptomatic example of this situation can be found in relation, once again, to the Dead Sea Scrolls, documents that have become "economic investments for local communities" (Kersel *et al.* 2008: 299) and in which we also find academics involved in their purchase certainly quite opaquely, ultimately without the exact origin of the rolls being revealed. This is the case involving a well-known specialist in these documents, H. Eschel:

In October 2005, Eshel and an associate were arrested (and later released) under suspicion of violating the Israeli Antiquities Law of 1978 after it was revealed that Eshel had purchased what was believed to be a 1900-year-old biblical scroll from a Bedouin family for US \$3000 (Lefkovits, 2005). After making the purchase, Eshel failed to inform officials from the Israel Antiquities Authority (IAA), in direct violation of Chapter 2, Section 3 of the law, which states: 'A person who discovers or finds an antiquity otherwise than in an excavation under a license pursuant to this Law shall notify the Director within fifteen days of the discovery or find.' Eshel claimed that 'he did not report the find to the Antiquities Authority because he was afraid that "they [the IAA] would steal the credit", for the miraculous find' (Lefkovits, 2005). Eshel averred that he bought the scroll in order to save it for the state of Israel, and that his final intention was to donate the fragments to the Israel Museum, once he had completed his studies and translations (Lefkovits, 2005). As part of this investigation three Bedouin were arrested for illegally selling antiquities; they have since been tried and convicted of the offence of dealing in stolen antiquities (Rubinstein, 2007). The three were heavily fined (Kersel *et al.* 2008: 313).

This consequence leads us once again to assume that part of the problem lies in the lack of involvement of the scientific community in the environment in which it works. This applies both to explaining what it does and why it does it, and to presenting

the results of its research to the public, because how this is done may change irrevocably the way that work will be perceived and understood by society. To this last aspect, i.e. how the results are presented, specifically in scientific journals, we dedicate the following lines.

Problems

As just explained, the importance of finding an object in its archaeological context is opposed to the view of the object as "a work of art"¹⁵ or as "a text with its own message". In particular, when it comes to textual evidence, the problem is accentuated by the fact that, on the one hand, epigraphers/philologists often carry out their work individually, unlike archaeologists who, given the characteristics of their work, require the collaboration of a team; this individuality often makes it difficult to find consensual positions, and personal opinions prevail.

On the other hand, assuming that the text can be read and studied and that very valuable information can be extracted (although incomplete because its context is not known), it causes a division in the academic community. Some researchers advocate the publication of these texts, even at the expense of not possessing certificates proving that they are not stolen or are authentic pieces. They continue to see them as a legitimate resource for research, without questioning how that document reached them, or where it will go after its study. It also justifies the acquisition, study and publication of artefacts without provenance as an act of salvation for posterity, rescuing the piece and the information that can be obtained from it.¹⁶ It is further argued that there is an urgent need to have available, without exception, any and all possible evidence of all types of objects:

To my mind, the most telling argument against the publication of unexcavated material is that in the great majority of such instances scholars have ignored the epistemological implications involved in acquiring knowledge from such material. But this is an issue tangential (however significant) to that concerned with the need to know the corpus of material in existence (Muscarella 1984: 64).

Some scholars, even in their eagerness to justify the publication of the pieces without a clear origin, have come to compare the situation with the absence of scientific publications resulting from archaeological

15. The case of the Cycladic figurines is emblematic of the aesthetic value of the piece above all other aspects and its repercussions on its acquisition and destruction of the archaeological heritage. On this problem, see Gill and Chippindale 1993.

16. One of the strongest voices raised in the defense at any cost of the publication of unprovenanced cuneiform tablets has been that of D. I. Owen, his arguments consisting in the defense of knowledge and in arguing that this has been the case since the beginning of the discipline. This scholar repeatedly uses the word "censorship" to describe the position of those who advocate non-publication, his criticism goes so far as to place the non-publication of the results of a scientific excavation on the same level as that of publishing artefacts without provenance (Owens 2009).

excavations, reaching the same result, that is, the destruction of knowledge (Tabitha 2014: 21-22; Owen 2009). We consider that the two situations should not be confused, as they are clearly two different problems. On the one hand, it should be borne in mind that the drawing-up of a monograph with the results of an archaeological excavation is not the work of the director of the intervention alone, but of a whole multidisciplinary team made up of various specialists, each one with their own projects and agendas, so the final publication requires a great deal of coordination. On the other, on many occasions the lack of economic funding prevents a complete and rigorous report on the excavations from being carried out, but if the information has been properly collected that information is not lost, much less destroyed, since another scholar will be able to carry out the task.

On the contrary, there are researchers who consider that the loss of context and data provided by the correct application of excavation methodology reduces their historical value, in addition to the fact that this clandestine practice leads to the destruction of the sites and puts the integrity of the pieces at risk. Scholars with these views fear that the economic value and legitimacy conferred on them by the acquisition and publication of these pieces do nothing but encourage more destructive excavations and continue to feed the market for decontextualized objects (Brodie 2009: 41, 45; Brooks 2017: 28, 32).

Another argument put forward, which seems to have had little impact on the discussion, concerns the type and quality of information that can be provided by the publication of pieces of which absolutely everything is unknown, and in which no exhaustive research is provided on the possible origin of the object (without bibliographical references of possible parallels from properly documented objects, analysis of date and the origin of the material, etc.) as is often the case, for example, in catalogues. As O. W. Muscarella has stated:

Unless the catalogue writers present new and important material fully, and unless they offer new information or interpretations along with cogent commentary and bibliography, catalogue publications remain merely ego trips for individual collectors and museum administrations. Surely, mere casual illustrations or brief captions of, for example, another Luristan finial or pin, or Near Eastern weapon, adds nothing to archaeological knowledge (Muscarella 1984: 62).

This duality of visions can determine and condition the position adopted concerning the publication or not of an artefact and/or text with an unknown origin. This is, of course, a very complex and tricky issue, but, without doubt, one that every editorial board of any scientific journal, in particular, and the entire discipline, in general, should consider, despite the reluctance that so far the academic community has shown to face it (Brodie & Renfrew 2005: 357).

An exception is provided by two articles published in 1984 in the *Journal of Field Archaeology*. In one, the editor, J. Wiseman, discussed the danger of basing cultural and historical interpretations on artefacts of dubious or unknown provenance, as well as the limitations that an artefact can present in

communicating information regardless of the context from which it comes (Wiseman 1984). In the other, O. W. Muscarella, based on a review of a catalogue of pieces that did not come from an archaeological excavation, examined the question of whether or not archaeological materials should be published without a clear archaeological context (Muscarella 1984). Despite the fact that these authors put forward arguments that placed them in opposite positions, both agreed that the debate was not over, but on the contrary, that it was the way forward in order to resolve it. In that article, Muscarella concluded:

The problems briefly presented here encompass both moral as well as academic issues and are not easy to resolve to everyone's satisfaction. Some colleagues may still decide that while in the short run it may be inconvenient, and even a loss to archaeology, to exclude unexcavated objects from publication, in the long view it is justified, that the discipline will benefit. They may be right, and we should continue to listen to their arguments, for these colleagues are on the side of those concerned with the integrity of archaeology. Dialogue in scholarly forums, such as the JFA, with different points of view expressed, is the first step on the long road that leads to the achievement of our goals (Muscarella 1964: 65).

It is in this sense that it is necessary to have recourse to ethical codes, a tool that must be a guide when making decisions. Codes of ethics should define the conduct expected of members of the profession by describing which practices are considered acceptable and which are not, thus also helping the training of new members. Taken together, the codes should emphasize responsibility and reinforce the primary functions of the discipline, in this case: protecting heritage and disseminating the work being done to society. But, in addition, in a changing world, with constant new challenges, ethical codes must be dynamic: they must respond to new problems and they must prepare for new challenges.

In this respect, it is very significant that the website of the Committee on publication ethics (COPE) says in the section on ethics:

COPE's Core Practices also specify the need for editors to maintain ethical oversight of published research. If appropriate to the subject areas covered by your journal, you might also need to establish policies and procedures to address: • Details of ethical approval and informed consent for studies in humans. • Registration of clinical trials and other study designs according to standard practice. • Details of approval and ethical conduct for animal experimentation. • Data availability and the appropriate handling of confidential data or proprietary business information. For studies in humans, regulations regarding what type of study requires ethical approval vary worldwide. In some countries, all studies require ethical approval. You should determine a process for handling submitted manuscripts relating to such studies that do not satisfy your journal's normal requirement for independent ethical approval. Guidance is available from *Guidance for Editors: Research, Audit and Service Evaluations* <https://bit.ly/2V7XM2Z> (COPE 2019: 6).

Experiments on humans and animals as well as data protection are mentioned, but not a word about

safeguarding cultural heritage. It is therefore evident that there is no ethical debate on the subject.

Until now we have referred to ethical codes, but there are other dimensions that also come into play when we talk about plundered or falsified objects. That is, when we deal with illegal practices such as looting and the trafficking of antiquities, we cannot ignore the fact that legal aspects are involved (Brodie 2009). To sum up, complicity in such practices is implicit in the action that a researcher adopts with respect to these materials, acts such as the appraisal, verification, exhibition or publication of an artefact with unidentified provenance.

What, then, can we do about the consequences of the plundering and illicit sale of antiquities that we have mentioned? What should the ethical position of the editors of scientific journals be? What are the legal consequences of being complicit in illicit practices such as looting and smuggling? Which should prevail: the protection of heritage or the information that a particular object or text can provide? Should we ask the long-term question or focus on the here and now?

As we have seen, there are so many questions to consider before outlining answers. And before doing so, we will now review the attitude that some scientific journals have adopted towards the publication of objects without origin.

Scientific journals: some examples

In the following section, we will comment on the response of some of the most prestigious international journals to the problem of archaeological artefacts with unknown provenance.

A strong response was adopted in December 2004 by the *American Journal of Archaeology*.

As a publication of the Archaeological Institute of America, the *American Journal of Archaeology* will not serve for the announcement or initial presentation of any object in a private or public collection acquired after December 30, 1973, unless its existence is documented before that date, or it was legally exported from the country of origin. An exception may be made if, in the view of the Editor, the aim of publication is to emphasize the loss of archaeological context. Reviews of exhibitions, catalogues, or publications that do not follow these guidelines should state that the exhibition or publication in question includes material without known archaeological findspot (Norman 2005: 135).

The reasons that led to this statement were also clearly detailed:

The intent here is to keep the checkered past of an object out in the open and part of the continuing scholarly discussion of that piece. All too often, once a piece gets “proper scholarly presentation” and the debate begins, scholars forget that the object is without archaeological context and may have come to the market illegally. If the original intent of the resolutions and the AJA policy was to cast a spotlight on the problem of the illicit trade in antiquities, the intent of this revision is to try to keep the spotlight on the problem even after an illicit object has become part of standard scholarship. The point is to remind us all of how much information and value

is lost when an object is illegally removed from its archaeological context (Norman 2005: 136).

The Society for American Archaeology (SAA) with its journals: *American Antiquity* (AQ), *Latin American Antiquity* (LAQ) and *Advances in Archaeological Practice* (AAP) specifically mention in their ethical policy how to deal with artefacts that do not come from scientific excavations:

1.1.8 Artifacts not obtained through professional field research. SAA strives to balance the goal of generating and disseminating knowledge about the past and the archaeological record with the goal of not adding commercial value to archaeological, ethnographic, or historical-period objects that (1) have been obtained without systematic descriptions of their context, (2) have been recovered in such a manner as to cause unscientific destruction of sites or monuments, or (3) have been exported in violation of the national laws of their country of origin (per SAA Ethics Principle 3). Descriptions, discussions, or images of artifacts that fulfill any of the three criteria listed above will be subject to review by journal editors and the SAA Publications Committee. Authors may be asked to remove these items as a condition of publication. Specifically, SAA will not knowingly publish manuscripts that provide the first descriptions of such objects. In the case of LAQ, the editors are particularly wary of publishing images of looted artifacts that are in private collections or held by museums, whether or not they have been previously published. Authors are encouraged to contact the editors of each journal before submitting a paper that contains text or images that may be in conflict with SAA Ethics Principle 3. It is the author's responsibility to provide justification for the publication of information that might be in conflict with this policy or with the Society's goals as stated above, and the editors' and reviewers' responsibility to determine the validity of the justification (SAA 2018: 7).

Specifically, it is also ethically committed to the antiquities trade, as reflected in its Principle of Ethical Archaeology, Number 3:

Principle no 3; Commercialization: The Society for American Archaeology has long recognized that the buying and selling of objects out of archaeological context is contributing to the destruction of the archaeological record on the American continents and around the world. The commercialization of archaeological objects — their use as commodities to be exploited for personal enjoyment or profit — results in the destruction of archaeological sites and of contextual information that is essential to understanding the archaeological record. Archaeologists should therefore carefully weigh the benefits to scholarship of a project against the costs of potentially enhancing the commercial value of archaeological objects. Whenever possible they should discourage, and should themselves avoid, activities that enhance the commercial value of archaeological objects, especially objects that are not curated in public institutions, or readily available for scientific study, public interpretation, and display (SAA, <<https://www.saa.org/career-practice/ethics-in-professional-archaeology>>).

Another great institution such as the American Society of Oriental Research (ASOR) also echoes

the problem and in its professional conduct policy, adopted in 2015, its members must:

support efforts that are in accordance with national law and international conventions to establish, fund and enforce the prohibition and prevention of the looting of archaeological sites and the trade in illicit antiquities; and cooperate with law enforcement by providing authentications and valuations upon request from such entities; refrain from activities that contribute directly or indirectly to the illicit markets for antiquities and to the value of artifacts in such markets through their publication, authentication, or exhibition. (ASOR 2015, <<http://www.asor.org/about-asor/policies/policy-on-professional-conduct/>>)

And specifically, in relation to publications:

- “studies of the past are enhanced when an artifact is clearly associated with an intact archaeological context. Artifacts which lack a defined archaeological findspot or provenience have a greater potential to undermine the integrity of archaeological heritage in view of the possibility of admitting suspect artifacts into archaeological heritage. Looting is an illegal act that breaks the association between artifact and context. A looted artifact may be considered stolen property. Therefore, archaeological heritage that is looted is more likely to travel through illicit channels of distribution and/or exportation, which involve processes that may mask or confuse the identification of the artifact or its true findspot.
- authors of publications or presentations should be transparent when introducing data of uncertain reliability to the realm of public knowledge, particularly when research and publication involves artifacts that lack an archaeological findspot or that are illegally exported.
- authors of publications or presentations should identify clearly any artifact that lacks an archaeological findspot in a prominent manner in the text of the publication and the caption of its illustration and, if intermixed with artifacts having provenience, also in the index or catalog.
- the publications and presentation venues of ASOR shall not serve as the initial place of publication or announcement of any object acquired by an individual or institution after April 24, 1972, which is the date of entry into force of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, with the following exceptions: (7)a. the object was documented as already being in a collection before April 24, 1972; and further, if that object is no longer in its country of origin, it must have been legally exported; b. the object was acquired after April 24, 1972 but it is considered to be a forgery and is published as a forgery; c. the object’s publication or announcement serves primarily to emphasize the degradation of archaeological heritage.” (ASOR, <<http://www.asor.org/about-asor/policies/policy-on-professional-conduct/>>)

That is to say, in all its publications, ASOR requires authors to identify clearly the material without origin, nor does it permit an initial announcement of this type of object either in its publications or in its meetings. But in 2004, an exception to these rules was included:

- “a limited exception to the publication and presentation policy noted immediately above is available for cuneiform texts because a. in zones of conflict since the early-1990s, most prominently in Iraq and Syria but also elsewhere, looting of cuneiform tablets has occurred on a truly massive scale; b. cuneiform texts may be authenticated more readily than other categories of epigraphic archaeological heritage; c. the content of a cuneiform text can provide information independent of archaeological provenience. Therefore, in accord with the policy that was established by ASOR’s Board of Trustees in November, 2004, the *Journal of Cuneiform Studies* (“JCS”), its related annual book publications, and the ASOR Annual Meeting may serve as the initial place of publication or announcement of a cuneiform text that lacks archaeological provenience and that was acquired by an individual or institution after April 24, 1972, if all the conditions outlined in paragraph E.6 have been satisfied. This is to be known as “the cuneiform exception” and its limits will be reviewed every three years.
- the conditions that shall enable the cuneiform exception to be exercised are as follows: a. the author notes that the text-bearing artifact lacks archaeological provenience in a prominent manner in the text of the publication, in the caption of its illustration, and, if intermixed with objects having archaeological provenience, also in the index or catalog; and b. the author demonstrates that an effort has been made to determine the probable country of origin, which is the location of its final archaeological deposition within a modern nation-state; and prior to publication, the author receives and is willing to transmit to ASOR a written commitment from the owner of the artifact asserting that the artifact will be returned to the Department of Antiquities or equivalent competent authority of the country of origin following any conservation or publication, once permission for its return has been received; or alternatively, that its title has been ceded to the determined country of origin, or to some other publicly-accessible repository, if return to its country of origin is not feasible.
- they may consider for inclusion in ASOR publications and presentation venues research that has been undertaken in occupied territory and its contiguous waters as defined by the United States Department of State when that research is required strictly to safeguard, record or preserve the archaeological heritage of the occupied territory, or when permission of the competent national authorities of the occupied territory has been obtained by the researcher.” (ASOR, <<http://www.asor.org/about-asor/policies/policy-on-professional-conduct/>>)

Thus, in view of the large number of cuneiform tablets that were being extracted from the Near East and which, in principle, are difficult to falsify, ASOR modified its editorial policy, establishing an exception to the rule, the exception being cuneiform texts, but, as we have just mentioned, a series of requirements for their publication is demanded.

This policy was adopted and approved on April 22, 2017 by the Society of Biblical Literature (SBL) for its publications and meetings:

SBL Policy on Scholarly Presentation and Publication of Ancient Artifacts Members of the Society of Biblical

Literature encounter issues related to the authenticity and provenance of ancient artifacts (hereafter Artifacts), including but not limited to ancient texts (including papyrus, inscriptions, cuneiform tablets, and codices). This policy applies to SBL program session presentations at Annual, International, and Regional Meetings (hereafter Programs) and books and serials published by SBL Press (Publications). SBL Affiliate sessions shall also be reviewed for conformity with this policy. 1) The Society of Biblical Literature endorses the guidelines for the treatment of antiquities laid out in the American Schools of Oriental Research Policy on Professional Conduct (approved 18 April 2015). Specifically, section III, parts D and E, are to be applied to SBL's Programs and Publications. 2) When their proposals or manuscripts deal with such materials, members shall be asked to submit relevant information on ancient Artifacts for all conference paper proposals and manuscripts for publication (hereafter Submissions). It is further noted that the submitter of a paper or publication is to inform the Program Unit Chair (hereafter PUC) and Series or Serial Editor (hereafter SE) if any of this information changes prior to presentation or manuscript Submission. 3) PUCs and SEs should familiarize themselves with the ASOR policy when considering Submissions. If a Submission conflicts with the standards of the ASOR policy, the PUCs and SEs are expected either to reject it or work with the submitter to resolve the conflict with the policy. 4) Council will establish and maintain an Artifact Advisory Board (AAB) that will serve in an advisory capacity for the PUCs, SEs, and Council when issues arise related to artifacts in SBL Submissions. The AAB will comprise four members including one Council member. When a Submission is rejected due to a conflict with the policy, the PUC or SE will inform the chair of the AAB, which will keep track of all such conflicts. This policy will be in effect for Submissions for the 2017 Annual Meeting as well as for Press Submissions beginning in 2017. Council will review the policy and process no longer than two years after its adoption. This will give ample time to determine how the ASOR policy relates to the needs of SBL and its members, and how the process operates within SBL Programs and Press. (SBL 2019: 96: <<https://www.sbl-site.org/aboutus/governance.aspx>>).

The recent commitment of this institution is not surprising, considering that it was made in areas of interest to it, such as studies on the origins of Judaism and Christianity, where there has been growing concern about the influence that the publication of materials of unknown origin may have on the illicit trafficking of antiquities. This concern stems from the emergence of notorious cases of forgeries and the flooding of the antiquities market with plundered artefacts from the Middle East. The main concern is that publications give legitimacy to artefacts that can potentially be stolen, faked or illegally imported. Counterfeits are especially alarming because, as we have already mentioned, they have the capacity to contaminate the corpus of ancient texts. For this reason, SBL rejects any advertisement, presentation or publication of unprovenanced material at its meetings (Brooks 2017: 28).

However, the reluctance to ignore texts without provenance but which can provide information causes some to advocate not restricting the publication of textual artefacts of this nature. Such is the case of

the Biblical Archaeological Society (BAS). BAS made its position and arguments public in a “statement of concern”; which appeared on its website in response to AIA’s recommendation to refrain from engaging in any activity that would support the market for unprovenanced material. That statement set out:

We also recognize that artefacts ripped from their context by looters often lose much of their meaning. On the other hand, this is not always true, and even when it is, looted objects, especially inscriptions, often have much of scholarly importance to impart (Paragraph 2, BAS 2006 in Brodie 2009: 46).

The following paragraphs mentioned well-known manuscripts as examples, as well as asserting that not all artefacts without provenance are necessarily stolen, as some may be fortuitous discoveries or come from old collections (Paragraph 3); however, in this case no evidence was given to prove it. Further on, in paragraph 6, it was confirmed that the scientific publication of the study carried out on unsourced material has little or no effect on looting. This statement is too restricted and difficult to verify irrefutably. As Brodie has put it: “This claim might, in fact, be true—for manuscripts at least. If direct academic involvement with the manuscripts trade is as pervasive as it appears, with pre-publication services of identification and authentication crucial for price formation, then subsequent publication of unprovenanced material in the academic literature may have further effect on price and thus the trade” (Brodie 2009: 47).

The statement goes on to establish that important artefacts and inscriptions should be rescued and made accessible to scholars despite their lack of provenance because: “When such objects have been looted, the antiquities market is often the means by which they are rescued, either by private party or a museum. To vilify such activity results only in the loss of important scholarly information” (Paragraph 7, BAS 2006 in Brodie 2009: 47). It is not specified who should decide what is considered important and it is observed that the only argument that seems to have relevance is exclusively the recovery of academic information.

In July 2007 this declaration was supported by the signature of 157 academics, most of them philologists.

Curiously enough, this statement no longer appears on the journal’s website, nor does any section deal with the editorial policy of its publications or a statement of ethical principles (BAS, web site <<https://www.biblicalarchaeology.org/about-the-biblical-archaeology-society/>>; visited September 2019).

It is not only in the field of textual studies where there is reluctance to prevent the publication of research on artefacts without provenance, or not to mention the subject at all. As explained in an article by Argyropoulos *et alii*:

Surprisingly, none of the journals that study applications of physico-chemical techniques on cultural heritage objects (e.g., *Archaeometry*, *Journal of Archaeological Science*, *Journal of Cultural Heritage*, *Archaeological and Anthropological Sciences*) or conservation journals (e.g., *Studies in Conservation*, *Journal of AIC*, and *Journal of CAC*) make any reference to the problem

of publishing unprovenanced objects into their “guide for authors”. Despite the absence of explicitly written rules, the archaeometry journals, in general, publish unprovenanced material with detailed acquisition information (...) We do not imply that the purpose of these publications is to legitimize unprovenanced objects, but we believe that archaeological objects must not be treated as mere laboratory specimens since they have an historical value, which is even more important than their economic worth (Argyropoulos *et al.* 2011: 215-216).

It does not seem so surprising when it is noticed that most archaeological journals do not refer to the publication of articles on archaeological objects without known provenance.

The other side of the coin is represented by several publications devoted exclusively to this subject, the most relevant of which are the following. First, *Culture without context*, a biannual magazine, launched in 1996, edited by Cambridge University's Illicit Antiquities Research Centre (IARC) under the auspices of the McDonalds Institute in Cambridge. Secondly, the supplement “The Antiquities Market” of the *Journal of Field Archaeology* edited by Boston University, whose objective is to inform about and comment on aspects related to illicit trafficking of antiquities and other issues connected with cultural heritage.¹⁷

Some final considerations

Finally, once the problem has been set out, we would like to summarise some of the most important issues dealt with here and point out some final considerations. In the first place, it should be noted that all the issues outlined here deserve to be addressed with more attention and detail given their transcendence and repercussions, but the underlying idea of this article is precisely that they should be addressed. We see it not as a comprehensive treatment of the topic but as a way to open a discussion and encourage reflection on the more tacit concern. It becomes necessary to begin a discussion about the publication (or not, and if we do publish, how and where) of unprovenanced archaeological artefacts.

We are aware of the complexity and magnitude of archaeological plundering. We have already commented that its solution cannot be reduced to a single measure, we agree with authors such as E. Herscher who advocate a multifocal, balanced response that combines legal, diplomatic, economic and educational aspects (Herscher 1989: 123-124). We also share Herscher's idea that:

Ultimately, changing attitudes on ethics probably will be the most effective means of reducing the demand for illicit acquired objects. Laws at best can only be incompletely enforced, but the existence of the laws and the efforts to achieve their passage have themselves an educational effect. Other educational efforts are now widespread as well, including articles in the popular media (e.g. National Geographic), museums

17. “Finally, special mention should be made of the work of ICOM (<<http://icom.museum/>>) (...) with their series of “100 Missing Objects” publications, and their “Red Lists.”” (Brodie & Renfrew 2005: 346)

exhibits, programs involving amateurs in archaeological projects, and special discussions, meetings and symposia (Herscher 1989: 126).

Indeed, a change of attitude is imposed in the face of despoliation. This change can only be brought about, on the one hand, through an educational and pedagogical policy by all the professionals and institutions who are first-hand affected by the looting and illicit trafficking of antiquities. From all these fronts, a clear and rigorous information campaign through public education and awareness programmes must be conducted to explain the looting and illicit trafficking of archaeological goods, as well as an explanation of all its causes and consequences. On the other hand, this requires all these professionals and institutions to reflect seriously on their role in this fight. From archaeology we have already commented on the need to explain better what archaeological work consists of, its techniques and methods for reconstructing the past: from the study of the territory, to excavation, the collection and analysis of information to its publication, detailing how the pieces are extracted until, after being classified and studied, they are deposited in museums. The consequences of the unscientific extraction of an artefact from its context in order to sell it must be clearly and directly exposed. We must help people to understand that knowledge of an object's history is lost when a site is plundered. There is room for greater involvement at the local level, as some authors have already expressed, since our actions have not only social but also economic consequences (Kersel *et al.* 2008: 315).

This change of approach must be led by professionals: it is their duty to educate the public in general and other researchers in particular.¹⁸ Specifically, other scholars should be informed to prevent them from being used to authenticate or appraise plundered pieces.

Once again, we quote the words of C. Renfrew that summarise the situation:

But ultimately it is *we* the academic community and *we* the informed public, who must bear the main responsibility. I mean this in both a particular and a general sense. In this particular sense, it should become widely understood and agreed among academics, which is not the case at present, that it is unethical and immoral to aid and abet the sale of illicit antiquities by offering authentication and expertise (see Vitelli 1996). Some archaeologists have argued that, in order to maintain that principle, they should never publish or give a citation in print to an unprovenanced antiquity. Although I have myself done so in the past (Renfrew 1991), I now feel that there is much to this argument. Indeed I would not today commit again what I now see as the ethical mistake of using a collection of unprovenanced antiquities to illustrate a discussion of a specific early period in the history of art (in this case Cycladic art), even though the collection was formed within the country of origin and with the formal permission of the government of that country. (...) Certainly I share the view that it is inappropriate for a scholar to authenticate or

18. “It is incumbent upon a profession to define and protect its own professional standards.” (Wiseman 1984: 73)

document an unprovenanced antiquity in such a way as may facilitate its subsequent sale. Such a view has been formulated and endorsed by the Council of the British Academy (Appendix 6), and it is to be hoped that other scholarly academics and learned societies will adopt the same position. (...) For similar reasons the Research Laboratory for Archaeology and the History of Art at Oxford no longer carries out thermoluminescence determinations: it had proved difficult to avoid their use in the authentication and marketing of unprovenanced antiquities. But it is also our role to seek to persuade scholars more widely as to the logic and merit of this position (Renfrew 2006: 74-76).

In summary, as academics:

Scholars need to reassess, in my view, the ways in which they study ancient objects, especially those that are claimed to be, or are thought to be, items new to the market. We need also to reassess the standards we as scholars require ourselves and others to meet. The secrecy that has been practiced with wide acceptance in the past is no longer appropriate, all claims of impracticality aside. Forging a provenience, or covering a known provenience with a broader term to avoid self-incrimination (or for whatever reason), is not only a corruption of scholarship, but is at least unethical behavior, and can be illegal. Scholarship and ethics here cannot be separated (Wiseman 1984: 76).

It is obvious that, given the serious nature of looting and the illicit sale of antiquities, especially in countries such as Iraq, where it has become an endemic problem,¹⁹ a mere change of attitude will not put an end to the problem, but it can help to restrain it. As already formulated: "Education is not the whole answer, but it is a powerful tool in the struggle." (Brinkman 2000: 5). For example, from all the multilateral efforts intended to have an impact on the demand for antiquities: "[w]e can find ways to strengthen the impact of deterrence-based strategies, and/or we find other means of discouraging the demand for such antiquities" (Polk 2009: 19). That is to say, it is known that many of the buyers/sellers may not care about the consequences of their actions, but many of them are unaware of those repercussions, especially considering the large number of people involved in this illicit traffic, in a chain that begins with the one who extracts the piece, and via the one taking it out of the country ends with the one who sells it (Polk 2009: 20). It is therefore necessary to undertake a campaign aimed at informing, raising awareness and convincing; if potential consumers refuse to buy and sellers refuse to sell material without a clear provenance and accreditation, the demand would eventually decline.

This change of attitude and determination against pillaging must be across disciplines, including all types

19. "The current conventions in place to protect cultural property are inadequate to deal with the situation in Iraq. This inadequacy stems from a lack of commitment from States to become part of these agreements and make serious efforts to protect cultural property (...) The problem of illicit trafficking can best be addressed at the domestic level, particularly at the borders." (Zelig 2005: 322)

of organisms and institutions: from museums²⁰ – where the origin and acquisition of pieces should be clearly identified²¹ – to laboratories – which should demand to know the origin of the objects before carrying out any kind of analysis – and to schools – educating students with the knowledge of what pillage is and its consequences. In fact, this change of attitude is already starting to be seen in certain areas:

In this regard, a few institutions are establishing themselves as models. Some provenance information for their antiquities is now provided on the websites of major US museums like the J. Paul Getty Museum, the Metropolitan Museum of Art, and the Museum of Fine Arts, Boston. This last, which boasts its own curator for provenance, Victoria Reed, even provides such information for the public on the object's gallery label. (...) Another area where more openness about provenance is called for has to do with the object registry for antiquities established by the AAMD in 2008 (...) It only lists those new acquisitions (after 2008) of archaeological material and ancient art whose provenance history back to 1970 features gaps (La Follete 2017: 673-674).

In this respect, this concern has also reached laboratories, in some of which no tests are made to authenticate objects unless accompanied by certificates clearly proving that they do not originate from an illegal activity.

Some of the Archaeometry laboratories now have policies on such analyses. Important examples are the Research Laboratory for Archaeology and the History of Art (Oxford), Rathgen Scientific Laboratory (Berlin) and the Laboratory for Archaeometry in NCSR "Demokritos" (Athens), which either will not carry out authentication studies from private collectors or the objects must be accompanied by information about their provenance or ownership (Argyropoulos *et al.* 2011: 215).

Another of the transcendental areas in the change of attitude must be education: in schools. Projects such as: "The 'Witness the Past'; Education Programs for Public and Culture Heritage Professionals on Illicit Trafficking of Antiquities (WTP)" can contribute greatly to raising awareness of the problem by educating future generations about the dissemination of knowledge and ethical values:

Our goal is for the educational program directed towards children and the general public to stigmatize the practice of collecting antiquities as works of art, especially for looted antiquities, and in accordance with the 1970 UNESCO Convention (UNESCO 1970). However, our children program tries not to address issues such as 'who owns antiquity' or legal problems involving collection of antiquities, but rather proposes that educational programs especially for children should emphasize on the importance of finding an artifact in its context, and understanding its use and production technology (Argyropoulos *et al.* 2014: 6).

20. On this change in the museums' attitude to acquire pieces with regard to their origin cf Levine 2009.

21. "Greater methodological self-awareness and epistemological frankness in exhibition labels and catalogues are desirable for many reasons, not least of which is to mitigate the risk of being duped by forgeries" (Marlowe 2016: 227).

And the scientific community, both individually and collectively, cannot be left out of this task, where the role played by scientific journals can be decisive in the long term. This strategy of informing and demanding transparency in any transaction, diffusion or exhibition of archaeological artefacts should also be applied to scientific journals for the publication of articles.

The academic debate on objects without provenance, and especially on textual evidence, must be addressed and broadened. Since, despite the restrictions on publication required by certain journals, as we have seen, this policy is not having much effect on stopping the proliferation of looted archaeological goods. Probably without these restrictions the situation would be much worse, but as is evident this measure is not enough.

We must consider long-term policies and their global nature, rather than focusing on immediacy and the specific specimen, as has been the case until now. The complex reality of archaeological artefacts without provenance demands a reconceptualization of the ethical and licit discourse of scientific journals. Professional codes of ethics must respond to new social needs. What worked in the past may not necessarily work today. It is also necessary to reflect on the sale of archaeological objects, since a legal sale does not necessarily mean that it is ethical.

Just as the natural sciences have had to implement their ethical codes in the face of new research challenges and the social sciences have had to protect personal information, all disciplines devoted to studying the past should also promote a revision of ethical codes in the face of the current problems of looting and destruction of the world's cultural heritage. In a world in constant movement and transformation, our disciplines cannot be left behind, they must commit themselves to their social function and face the current problems. And the most urgent of these, as we have shown, is the plundering and illicit sale of archaeological goods. Faced with this situation, a change of perspective and attitude is necessary. To put it simply, the scientific community cannot remain impassive in the face of the destruction of its own object of study.

If we do not act decisively and jointly, in the best of scenarios, the remains of past civilizations will cease to be protected underground and will be exhibited in antique shops. The current situation, in constant development and expansion, demands that measures must be taken now; faced with the level of global plundering, one can no longer look the other way.

It has been shown how some academics argue that the publication of archaeological unprovenanced artefacts causes damage to objects and sites, the dispersion of pieces from the same site, with the consequent deprivation of information about the past and the contamination of historical discourse with falsifications. Briefly, their publication contributes to such objects continuing to be extracted and marketed illegally. While another part of the academic community focuses its discourse on the knowledge gained by studying the object itself, regardless of the way in which it has appeared, they justify publication by arguing that the information that the study of the piece provides is essential and, if ignored, those data

would be lost forever, damaging the advancement of knowledge in the discipline.

But as Brodie has explained:

What is missing from the debate, however, is any real consideration of the fact that the trade in unprovenanced manuscripts is illegal. No one is under any illusions about the illegal origins of these unprovenanced manuscripts, but the social harm that might be caused by their criminal trade is not something that impinges upon the academic consciousness (or conscience) (Brodie 2009: 49).

That is to say, the fundamental and basic aspect of the discussion, which is being ignored, is that studying, exhibiting and publishing pieces with unknown origin is an illegal act, complicit in a possible act of theft, contraband or falsification.

Publishing is legitimising. Publishing a study of an object gives it authenticity, gives it a new identity, and, instead of regulating the illicit antiquities market, since certification of its provenance is not required, encourages it to continue. As academics we must help protect what we study, we must face the ethical and legal responsibilities of the decisions we make and the consequences they entail. The fact of publishing articles on objects without context has obvious and evident repercussions, often underestimated or ignored, but what we publish authorizes, authenticates, legitimizes; we must be aware of this, because it is our presentation of the object before society that marks a certain way of understanding the past.

On the other hand, for the sake of legality and transparency, can we ignore those objects without context and the information that we can obtain from them? Following the explanation of the problem in the words of Muscarella:

To get right to the heart of the matter: is it possible to reconcile unambiguous opposition to the plundering of tombs and mounds with acceptance of the publication and citation of the material derived from that activity? The answer I suggest is that no matter how long or arduously one wrestles with this emotionally and scholarly charged problem one is ultimately forced (however reluctantly) to acknowledge the necessity of accepting the reconciliation (Muscarella 1984: 64).

In agreement with this author and with the great majority of philologists and other scholars, reconciliation is possible, since we cannot avoid the subject of our study. However, publishing them as if they were legal objects is not the solution either. Peer-reviewed scientific journals should not be the place for this. One proposal would be to launch a specific journal, or a monographic series, dedicated especially and specifically to studies made on artefacts whose origin is not known; it would therefore be very clear from the beginning that what is going to be found in that publication lacks any archaeological context. Of course, the publication should contain a clear and argued discussion about the origin of the object, if there are suspicions about the illegality of its acquisition or its authenticity, those suspicions must be expressed; we must denounce and condemn, not minimize or ignore. Research should extend not only to the text, in particular, but also to the full history of the artefact, from how it was acquired to where it will be deposited. As has been observed:

Higher provenance standards reduce the chances that law-abiding and legitimate institutions, collectors and vendors contribute to the cycle of looting and destruction of archaeological sites - and the irreparable loss of historical context and information that goes hand in hand with looting. A higher standard of care in due diligence research provides the best mechanism to distinguish between objects that are legal to sell either because they have been excavated and exported legally or because they have been out of the ground and their countries of modern discovery for so long that they are not reasonably connected with recent criminal looting, and objects that are the products of recent and ongoing looting and destruction of sites (Levine 2009: 221).

It is therefore absolutely essential to broaden and deepen research into the provenance of archaeological artefacts, together with greater transparency in the results of that research (Levine 2009: 233). What this implies, as E. Marlowe has put it, is firstly, not to minimize the epistemological importance of artefacts coming from an archaeological excavation and secondly:

the tolerance for the practice of not citing the archaeological documentation for grounded ancient artworks; the over-valuation of second-hand find-spot information relayed by financial stakeholders; the tolerance for the practice of passing these reports on without naming their source and without critical analysis; the tolerance for the intermingling of fact and hypothesis in catalogue and wall-label tombstones; and the belief that all attributions based on style are either equally useless or useful (depending on one's disciplinary position), regardless of whether or not specific, grounded comparanda are adduced (Marlowe 2016: 229).

And that leads to breaking the taboo of anonymity that surrounds the whole world of provenance:²²

Scholarship, too, would be better served by less anonymity in the attribution of provenance than is now customary in the publication of artifacts in museums or private collections. Why should scholars not seek to verify or disallow attributed provenance with the same concern that they show in investigating stylistic connections or age? Why should they not be expected to do so? And why should they not document in the publication the results of their investigation? Why should they not offer a specific assessment of the reliability of their sources? Why, indeed, should they not name those sources? (Wiseman 1984: 75).

Thus, by separating publication between the two types of objects, it would be clear which type of information could be obtained and which could not, and each researcher could decide how to use that information and the extent to which he or she could do so. It is not a question of stigmatizing artefacts and scholars, but rather of drawing a clear line between artefacts whose origin is a scientific archaeological excavation and those whose history is partly unknown. In summary, publishing should serve to denounce, not to cover up illegal actions.

Similarly, the question arises as to whether journals are the appropriate places to publish other types of studies, for example, those carried out by laboratories on certain pieces, such as authentications:

Further examination is needed on why it is important for conservators to publish authentication studies in peer-reviewed journals, since they involve cultural objects that have not been excavated by archaeologists at a known site, and often such studies result in increasing the monetary value of an object. If the fight against illicit trafficking of antiquities is a major issue for ICOM and UNESCO, then scientific research and publication of such cultural material needs to be more directly addressed so that at least conservation journals produce clear guidelines to the authors according to their code of ethics and/or international conventions (Argyropoulos *et al.* 2011: 218).

In conclusion, it is an issue that requires serious and profound reflection and a solution. It is necessary to articulate a response to this phenomenon of unprovenanced archaeological objects from a comprehensive perspective that, primarily, places context at the centre of the debate.

The second step to implementing an integrative perspective is to make context central to how one understands cultural heritage issues. Most of the physical remains of the past are at best fragments. All cultural properties, like the cultural heritage that constitutes the past, come with a context. Objects without a context (i.e., without provenance) are dispossessed of the very sorts of information that are essential to their constituting a cultural heritage. An integrative perspective to cultural heritage issues would make context central to any adequate account or resolution of cultural heritage issues (Warren 1989: 22).

Secondly, part of the reflection should include whether our collective heritage should be for sale. We must rethink the discussion in terms of the protection and preservation of heritage from compromise and consensus, but at the same time with a certain flexibility that allows adaptation to the changing conditions of our environment.

And thirdly, but no less importantly, we must broaden our scope, and be aware of the academic responsibilities of our work, beyond the domain of knowledge, we must accept the social implication of our actions. Once again, in Brodie's words:

There is an urgent need for primary research in this area to investigate the socio-economic and cultural contexts of the manuscripts trade, and a corresponding need for the academic community to reflect upon the broader social context of its research (Brodie 2009: 56).

We need a unanimous response that can bring together the various specialists who study the past in a common agreement, over and above particular professional interests. An answer that cannot wait any longer, as pointed out in the sentence with which we began this article: "One thing is certain. If we continue, intellectually ostrich-like, on our present course, there is no future for the past."

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22. For an example of this practice with the complicity and silence of both institutions and academics, see Gill 2012.

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