

The Internet Market in Antiquities

Neil Brodie

Since the launch of eBay in 1995, the Internet market in antiquities has grown into a sophisticated and diversified commercial operation (Barker 2000; Bruhns 2000; Chippindale and Gill 2001; Lidington 2002; Fay 2011). By 2014, antiquities from most countries in the world could be bought online in many other countries of the world. Alongside the continuing existence of eBay, which offers a platform enabling private transactions through auction, more traditional businesses have established themselves, including companies selling directly to the public from virtual 'galleries' (termed here 'Internet dealers'), and companies offering material for online auction (termed 'Internet auctions'). Just as notable was the appearance of Internet malls or marketplaces. These Internet malls gather together on one website links to a range of merchants or 'members', all offering related types of material. The Trocadero marketplace, for example, links to the inventories of dealers in art and antiques, including antiquities. Potential customers visiting the Trocadero website can search or browse according to material or vendor. VCoins, as its name suggests, is a venue for the purchase and sale of coins, including ancient coins. In February 2015, it listed 137 ancient coin dealers offering between them 91,764 items with a total asking price of \$22,897,792. Many of the listed dealers also sold antiquities.

The Internet market allows the participation of antiquities collectors from a much broader range of socioeconomic backgrounds than was previously the case. It works against traditional merchants who maintain physical galleries in expensive locations such as New York or London and favors a new business model whereby large inventories can be stored in low-cost locations, thus making it financially viable to trade in low-value and potentially high-volume material. It also brings geographically distant buyers and sellers together in electronic space. Individuals in Malaysia, for example, can sell directly to customers in the U.S.A by offering material on eBay U.S.A. Most antiquities are sold on the Internet without any secure documentation of provenance (ownership history) or find spot. Unprovenanced antiquities of this sort are known often to have been excavated and traded in contravention of national or international laws – they have been stolen and smuggled. The fact that antiquities sold on the Internet are of poorer quality than those that have been traditionally traded indicates that archaeological sites or cultural institutions that previously would not have been worth looting and thus left intact are now viewed in a more lucrative light and targeted accordingly.

Archaeologists, merchants and customers alike also believe the Internet market to be riddled with fakes. It was reported that, in 2009, 11 out of 99 antiquities' vendors were suspended by eBay for selling fakes (Fay 2011: 459). Yet, as an alternative to eBay merchants unsurprisingly recommended firstly, to purchase from established auction houses or dealers, particularly from those who are members of professional associations, and, secondly, to buy from dealers offering an unconditional guarantee of authenticity for sold objects. Trocadero and VCoins also look to have been exercised about the debilitating effect of fakes on market confidence. Both strongly proscribed misrepresentation of objects offered for sale and reserved the right to discontinue members who failed to comply with their rules on the issue. Kelker and Bruhns believe that only the more blatant fakes end up being sold on eBay, and give examples of more

convincing forgeries and pastiches being sold by other merchants and bought by wealthy collectors and museums (Kelker and Bruhns 2010: 45-58). Thus the expanding Internet market has had a destructive effect on the world's archaeological and cultural heritage and a detrimental effect on historical scholarship.

In response to growing concerns about the Internet market, UNESCO, INTERPOL and ICOM issued a joint statement in 2006. The statement recommended several actions that might obstruct the sale of illicitly-traded antiquities – in particular, that the following disclaimer be posted on any website offering antiquities for sale:

With regard to cultural objects proposed for sale, and before buying them, buyers are advised to: i) check and request a verification of the licit provenance of the object, including documents providing evidence of legal export (and possibly import) of the object likely to have been imported; ii) request evidence of the seller's legal title. In case of doubt, check primarily with the national authorities of the country of origin and INTERPOL, and possibly with UNESCO or ICOM (UNESCO 2006).

This paper looks more closely at the Internet market in antiquities. First, it presents some findings of original research by the author (Brodie 2014), describing the scale, structure and operation of the Internet market. It follows with a series of five short case studies and a concluding discussion.

The Internet Market in pre-Columbian antiquities

The structure of the Internet market in pre-Columbian antiquities

There are no reliable statistics describing the material volume or monetary value of the Internet market in its entirety. Using a sampling methodology, a study of the Internet market in pre-Columbian antiquities conducted over a three-year period (2011-2013) established some baseline estimates.

On average, over the period in question, a minimum of 6,285 lots of pre-Columbian antiquities were sold online each year. With the mean number of objects per lot varying between 1-1.7, the minimum number of antiquities sold annually would have been something in the region of 8,170. The annual aggregate value of this material is estimated to be \$3,605,385. These figures are likely to be underestimates because of uncertainties surrounding the methodology. The actual numbers are likely to be higher though less than double those estimated – between 8,000 and 16,000 objects sold annually with a total value of between \$3,600,000 and \$7,200,000. To put these figures into some perspective, the physical auction house Sotheby's in New York sells on average 35 lots per year, for a total value of \$1,644,032 and a mean price of \$46,972. Thus the Internet market comprises the low and middle sections of the antiquities market as a whole.

Figures 1-3 show a breakdown of the total figures according to Internet dealers, Internet auctions and eBay. eBay is the major market outlet in terms of material volume. It offers and sells large quantities of generally small, low-priced objects, though financially it accounts for less business than the Internet dealers and auctions.

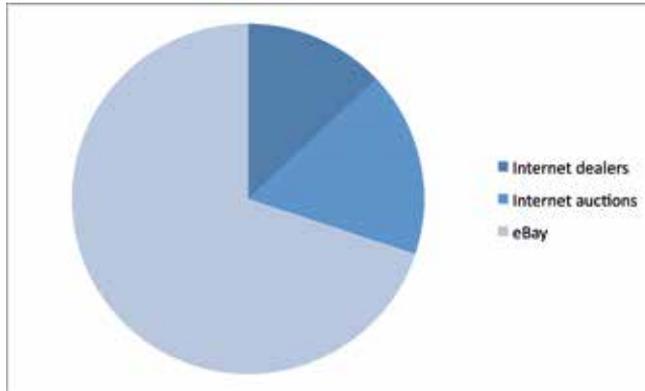


Fig. 1. Market shares according to material volume. Data from Brodie (2014: 255-56, tables 13.2 and 13.3).

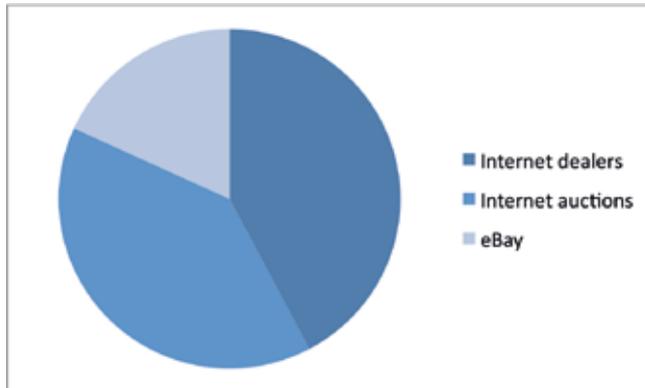


Fig. 2. Market shares according to monetary value. Data from Brodie (2014: 255-56, tables 13.2 and 13.3).

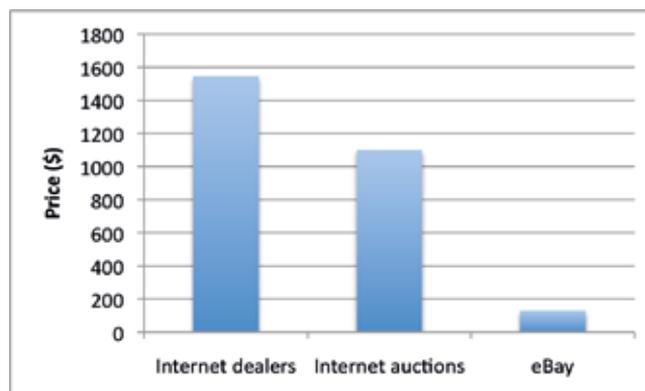


Fig. 3. Mean price (\$) per lot sold. Data from Brodie (2014: 255-56, tables 13.2 and 13.3).

The key indicator for assessing archaeological damage is material volume – the number of looted antiquities in circulation. The high number of objects being traded shows how damaging the Internet market has been when compared to the smaller, more traditional, physical market.

The provision of provenance for Internet sales of pre-Columbian antiquities

Figures 4 and 5 show provenance statistics for pre-Columbian material sold on the Internet between 2011 and 2013. Most lots are offered and sold with no verifiable provenance, or with a provenance that fails to date back to before 1970. Thus customers are not preferentially targeting provenanced antiquities, nor are they being frightened off by the absence of provenance, which indicates either ignorance or insensitivity on their part towards the provenance-related issues of illicit trade and authenticity.

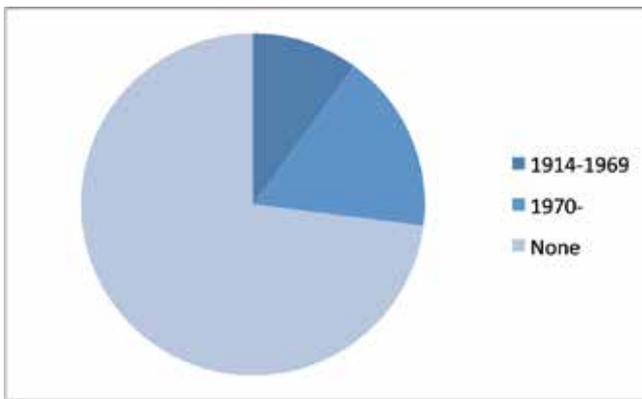


Fig.4. Internet dealers and auctions. Earliest verifiable provenance of lots sold. Data from Brodie (2014: 257, table 13.4).

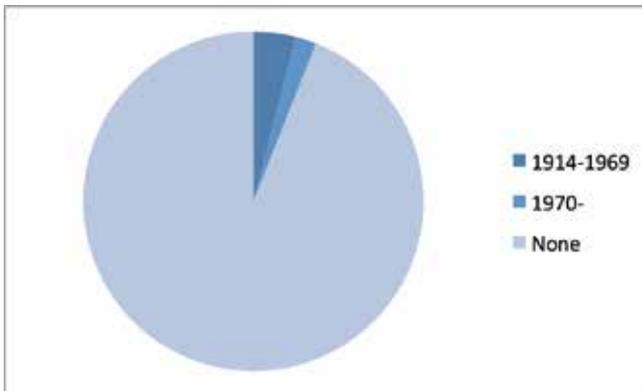


Fig. 5. eBay: earliest verifiable provenance of lots sold. Data from Brodie (2014: 257, table 13.4).

In 2013, the ICOM/INTERPOL/UNESCO disclaimer was not observed on any trade website inspected (except eBay, as will be explained below). More generally, advice on provenance or national and international laws is generally hard to find and usually inaccurate. Only a few websites offered any information about statutory regulation or

the importance of establishing a documented provenance. When advice was offered it was most commonly to assert the importance of the 1970 date of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property as a 'bright line', suggesting that material out of its country of origin before 1970 is legally on the market. This statement is incorrect. The legality or otherwise of export is determined by national legislation, not the 1970 UNESCO Convention. Where websites did provide information about appropriate laws and regulations it looked to be for cosmetic purposes only. On websites stating the importance of 1970 as a threshold date, for example, the majority of lots offered and sold had no dated provenance and thus nothing to guide a customer in search of pre-1970 material.

Most websites did offer 'certificates of authenticity', seemingly guaranteeing the authenticity of objects sold and offering the customer some protection against fraud. In reality, these certificates are badly misleading. They offer a money refund if a purchased antiquity is shown to be fake. As this would entail the customer paying for expert opinion or scientific analysis, a simple refund of purchase price would still leave the customer out of pocket. There is no incentive for a customer to pay for the necessary examination, and therefore little legal or financial risk to a merchant knowingly or unknowingly selling fakes.

The CCPIA and the Internet market in pre-Columbian antiquities

In 1983, the U.S.A enacted the Convention on Cultural Property Implementation Act (CCPIA) in implementation of the 1970 UNESCO Convention. Under the CCPIA, States whose cultural heritage is in imminent danger of looting and illicit trade can ask for a bilateral agreement obliging the U.S.A to place import controls on designated categories of cultural material from the country concerned. The agreements are formalized by means of a Memorandum of Understanding (MOU) and run for five years. They are open to renewal.

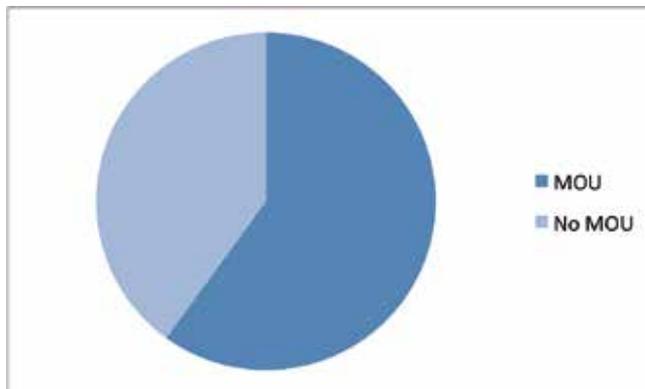


Fig. 6. Proportions of total lots sold from countries without and with MOUs reached under the 1983 CPIA. Data from Brodie (2014: 259, table 13.8).

Many of the Latin American countries that are the source of pre-Columbian antiquities have agreed MOUs with the U.S.A. Thus the import of pre-Columbian antiquities from any country with an MOU would be in violation of US law. There is no real evidence,

however, that concerns about illicit import are causing the suppression of information about the origins of unprovenanced antiquities offered for sale on US-based websites. Country names are frequently provided, and even when they are not, cultural terms offered in object descriptions are often specific to a single country – the Chavín culture, for example, which is restricted in its distribution to Peru. Peru agreed an MOU in 1997. Figure 6 (above) shows that merchants are not shy about selling objects from countries with MOUs and that customers are happy to buy them. No websites have been observed describing the regulatory substance of bilateral agreements enacted under the CCPIA, or providing details of specific agreements. There is no real evidence of customer caution or restraint when faced by unprovenanced material from countries with MOUs. Again, as in the case of provenance, customers seem either unaware of or unconcerned about the possible illicit origins of their purchases.

Some case studies

Stolen Coptic manuscripts from Egypt

Starting in February 2003, the St. Shenouda the Archimandrite Coptic Society, based in California, U.S.A., purchased 189 items on eBay, comprising parts of 22 different Coptic manuscripts, from 12 different sellers (Takla 2014). Many of the manuscripts had most likely been smuggled out of Egypt whole, and were sold whole on eBay or else dismembered and sold as lots of one or more pages. Perhaps 12 of the manuscripts had passed through the hands of one seller, resident in Turkey, who had been auctioning whole manuscripts and individual pages. Some of the material he had handled was later resold by three other people acting independently of one another. He also sold some intact manuscripts to a US-based husband and wife team, who in turn dismembered them before selling individual pages on eBay. It was established from following the sales history of one single manuscript that individual pages had been sold in at least 338 transactions to 70 buyers in 10 countries. The total price for all identified pieces was \$11,558, with the lowest price being \$601.89 and the highest \$1,660.50. The purchase of what might be stolen Coptic manuscripts of Egyptian origin by the US-based Coptic Society might be morally justifiable but is legally questionable.

Stolen antiquities from the Egyptian archaeological site of Ma'adi

In 2004, various objects from the Egyptian Predynastic site of Ma'adi began appearing on Internet dealer sites and for physical auction. They had been stolen from a storage facility at Cairo University in 2002 and offered for sale with a false provenance. US Immigration and Customs Enforcement (ICE) established that the material had been smuggled out of Egypt by a US Army helicopter pilot and sold to a US-based antiquities dealer who also sold online. She then sold the more valuable stone bowls through physical auctions in London and New York and the less valuable pottery by private sale to other Internet dealers who in turn resold the material online. In 2008 the helicopter pilot pled guilty to a charge of possession and sale of stolen antiquities and 79 objects were returned to Egypt (ICE 2008a, 2008b).

Illegally excavated coins from Bulgaria

Since the 1990s, large quantities of coins said to be from Bulgaria have been offered for sale on the Internet. Before 2007, when Bulgaria joined the European Union, it seems

likely that the country was sometimes being used as a fictional findspot for coins actually found in the EU. It is also believed that many of the coins are fake. Nevertheless, even leaving aside material from outside Bulgaria and fakes, there has been a very large and damaging trade in genuine coins from Bulgaria. In June 2011, for example, Canada returned 21,000 coins and pieces of jewellery that had been smuggled into Canada from Bulgaria in 2008 and seized by police (Canadian Heritage 2011). In May 2013 ICE returned from the U.S.A 546 coins that had been arrived in Newark by mail from Bulgaria in 2011 (ICE 2013).

More is known about the activities of one Bulgarian dealer based in the U.S.A. He moved to the U.S.A in 1999 after facing charges in Bulgaria related to antiquities smuggling. In March 1999, two parcels addressed to the dealer weighing between them 60 kg and containing between them 19,860 coins were seized at Frankfurt Airport (Dietrich 2002). Customs documentation stated that the coins had been bought a trade fair in Munich. Further investigations by German customs established that the same dealer had transited several previous shipments through Frankfurt, weighing in total close to one metric ton. This would be about 350,000 coins in total (Elkin 2009: 484). In December 2000, because of procedural difficulties, German customs released the material back to the owner, for shipment onwards to the U.S.A. Until June 2007, the dealer was selling coins on eBay. It is estimated from eBay records that between 2000 and 2007 he would have made \$1,251,994 from coin sales (Campbell 2013: 131).

The Nebuchadnezzar Larsa bricks from Iraq

Since 2005, it has been possible to find examples of objects looted from Iraq and Syria for sale on the Internet. One glaring example is that of the Nebuchadnezzar Larsa bricks (Brodie 2011: 125-126). Each of these clay bricks carries an identical Neo-Babylonian inscription celebrating King Nebuchadnezzar II's restoration of the temple of Shamash in Larsa. Images of bricks show that they have been sawn down in size to facilitate illegal transport from Iraq. The faces of whole bricks measure something like 34 x 33 cm, while those of pieces offered for sale are in the region of 19 x 11 cm. The bricks are thought to have been taken from the site of Larsa when it was badly looted in 2003. They started appearing for sale on eBay and other Internet sites in about 2005. To date, more than ten different ones have been identified. On 12 February 2015, one US-based seller was offering a brick for \$1,900. He claimed to have bought five in 2005. A UK-based dealer was offering a similar brick for \$2,289.

A comparison of eBay regulations in Germany and the U.S.A

eBay regulations as regards the sale of non-domestic antiquities vary according to country, both in terms of requirements and enforcement. In Germany, a clear definition of an antiquity is provided on the eBay site, where it is stated that an antiquity can only be offered for sale if accompanied by valid documentation of legal export from its country of origin. It is prohibited to sell any object listed on an ICOM Red List. In the U.S.A, antiquities are defined as 'items of cultural significance [...] from anywhere in the world' and, like Germany, the eBay site states that an antiquity can only be offered for sale if accompanied by an image of valid documentation of legal export from its country of origin. The German and US rules are broadly in line with the 2006 ICOM/INTERPOL/UNESCO recommendations.

A quick inspection of eBay Germany on 12 February 2015 found only a handful of

antiquities offered for sale, all accompanied by an image of relevant documentation. On the same day, however, on eBay U.S.A, despite a similar rule to the German one, there were thousands of objects for sale without any kind of documentation, many offered by non-US-based sellers. The startlingly different sales numbers on the US and German eBay sites despite similar rules about the provision of provenance indicate different standards of self-regulatory compliance that are probably due to the presence or absence of external oversight. In Germany, inspection and oversight is provided by state representatives of the *Landesdenkmalpflege* (Monument Protection Authority). In the U.S.A, there does not appear to be an appointed responsible monitor of that sort. There was not a disproportionate number of German sellers on either the UK or US eBay sites, suggesting that the strong German regime has not simply displaced activity to other countries where eBay has a less stringent regime. More systematic research would be needed to confirm that fact.

Discussion

Some antiquities offered sale without provenance on the Internet, such as the Coptic manuscript pages and the Ma'adi antiquities are the product of theft and recent illicit trade. Many other unprovenanced antiquities have been out of their countries of origin for 10, 20 or more years and an unknown proportion are probably fake. Thus the size of the market is an indication of the failure of public policy to achieve any kind of decisive response to the Internet market since its inception in the late 1990s. Buoyant sales figures show that the general absence of provenance (with its implication of illicit trade) and the likely presence of fakes are not deterring customers, who are either unaware of the possible illicit or fraudulent sources of material up for sale, or do not care. Thus the Internet market is flourishing in part because of widespread ignorance or indifference on the part of customers to the issues involved.

Merchants do nothing to help. Several websites provide lengthy advice about avoiding fakes on the market while proffering questionable 'guarantees of authenticity', but have less to say about illicit trade. The reason presumably is to protect business by reassuring customers about the authenticity of material up for sale while at the same time not frightening them off with talk of laws and law-breaking. The recommended ICOM/INTERPOL/UNESCO statement is nowhere to be seen. Self-regulation appears to be largely non-existent. Even on eBay U.S.A, its own rule requiring sellers to include an image of an official document confirming legal export is completely ignored.

The experience of eBay U.S.A shows that in the absence of effective oversight self-regulation is likely to fail, and concerned public or professional bodies need to step forward and respond to the challenge. Bland (2009: 90-91) reports the heavy time burden of monitoring eBay UK, but perhaps that is because of the complexity of UK national legislation as reflected on the eBay UK policy page. The German experience seems more positive. The simple rule for non-domestic antiquities that an offered object has to be accompanied by an image of valid export documentation should reduce to a minimum the time burden of monitoring. Clearly, documents can be forged, but at increased risk to the merchant. Professional bodies or other independent organizations with the necessary expertise should be prepared to monitor eBay regularly to ensure self-regulatory compliance.

The emphasis of law enforcement should be on convicting criminals and removing them from the market. The seizure of material in itself does not exert a deterrent effect. It

simply imposes another cost of doing business. No Internet dealers caught selling stolen material from Ma'adi were indicted; presumably they were left free to go about their trade. There have been convictions of people offering stolen antiquities on eBay, but they are the small fish of the antiquities market pond and their convictions have had have no discernible material or deterrent effect.

The one dependable constant of the Internet market is that it is continually creating or adapting to new commercial opportunities. In March 2015, Sotheby's and eBay announced jointly that Sotheby's would commence live streaming auctions on eBay (Grimes 2015). In Syria, militia members have been reported selling antiquities over WhatsApp and using Skype to arrange deals (Hardy 2015). In June 2015, several Facebook pages were identified offering for sale antiquities thought to have come from Syria or Iraq. When alerted, Facebook acted expeditiously to close the pages down (Daftari 2015).

Acknowledgements

The writing of an earlier version of this paper was supported by the Antiquities Coalition. It was further supported by the European Research Council under the European Union's Seventh Framework Programme (FP7/2007-2013)/European Research Council Grant agreement no. 283873 GTICO.

References

- Barker, Alex. 2000. 'Ethics, E-Commerce, and the Future of the Past'. In *SAA Bulletin* 18, No. 1. URL: < <http://www.saa.org/Portals/0/SAA/publications/SAAbulletin/18-1/saa13.html> > [accessed 18 August, 2015].
- Bland, Roger. 2009. 'The United Kingdom as a Source Country: Some Problems in Regulating the Market in UK Antiquities and the Challenge of the Internet'. In *Criminology and Archaeology: Studies in Looted Antiquities*, edited by Simon Mackenzie and Penny Green (Oxford: Hart), pp. 83-102.
- Brodie, Neil. 2011. 'Academic Involvement in the Market in Iraqi Antiquities'. In *Crime in the Art and Antiquities World: Illegal Trafficking in Cultural Property*, edited by Stefano Manacorda and Duncan Chappell (New York: Springer), pp. 117-133.
- Brodie, Neil. 2014. 'The Internet Market in Precolumbian Antiquities'. In *Cultural Property Crime: An Overview and Analysis on Contemporary Perspectives and Trends*, edited by Joris Kila and Marc Balcells (Leiden: Brill), pp. 237-262.
- Bruhns, Karen. 2000. 'www.plunderedpast.com'. In *SAA Bulletin* 18, No. 2. URL: < <http://www.saa.org/Portals/0/SAA/Publications/SAABulletin/18-2/saa11.html> > [accessed 18 August 2015].
- Campbell, Peter B. 2013. 'The Illicit Antiquities Trade as a Transnational Criminal Network: Characterizing and Anticipating Trafficking of Cultural Heritage'. In *International Journal of Cultural Property*, pp. 113-153.
- Canadian Heritage. 2011. 'Government of Canada Returns its Largest Ever Seizure of Cultural Property to the Republic of Bulgaria'. In *Canadian Heritage*, 10 June 2011. [Press Release] URL: < <http://archive.newswire.ca/en/story/815789/government-of-canada-returns-its-largest-ever-seizure-of-cultural-property-to-the-republic-of-bulgaria> > [accessed 22 August 2015].
- Chippindale, Christopher, and David Gill. 2001. 'Online Auctions: A New Venue for the

- Antiquities Market'. In *Culture Without Context*, pp. 4-12.
- Daftari, Lisa. 2015. 'Facebook Purges Pages Offering Priceless ISIS Plunder for Sale'. In *Fox News*, 11 June 2015. < <http://www.foxnews.com/world/2015/06/11/facebook-purges-pages-offering-priceless-isis-plunder-for-sale/> > [accessed 22 August 2015].
- Dietrich, Reinhard. 2002. 'Cultural Property on the Move – Legally, Illegally'. In *International Journal of Cultural Property*, pp. 294-303.
- Elkins, Nathan. 2009. 'Treasure Hunting 101 in America's Classrooms'. In *Journal of Field Archaeology*, pp. 481-489.
- Fay, Emily. 2011. 'Virtual Artifacts: eBay, Antiquities, and Authenticity'. In *Journal of Contemporary Criminal Justice*, 27, pp. 449-464.
- Grimes, William. 2015. 'eBay Begins Streaming Live Sotheby's Auctions'. In *New York Times*, 1 April 2015. URL: < <http://www.nytimes.com/2015/04/02/business/ebay-begins-streaming-live-sothebys-auctions.html> > [accessed 22 August 2015].
- Hardy, Sam. 2015. 'Is Looting-to-Order "Just a Myth"? Open Source Analysis of Theft-to-Order of Cultural Property'. In *Cogent Social Sciences*, forthcoming.
- ICE. 2008a. 'US Arrests Army Pilot for Dealing in Stolen Egyptian Antiquities'. US Immigration and Customs Enforcement, press release, 6 February 2008. URL: < <http://www.ice.gov/news/releases/us-arrests-army-pilot-dealing-stolen-egyptian-antiquities-0> > [accessed 22 August 2015].
- ICE. 2008b. 'ICE Returns Stolen Antiquities to Egypt'. In *US Immigration and Customs Enforcement*, press release, 3 December 2008. URL: < <http://www.ice.gov/news/releases/ice-returns-stolen-antiquities-egypt> > [accessed 22 August 2015].
- ICE. 2013. 'Federal Authorities Return Ancient Coins to Bulgaria'. In *US Immigration and Customs Enforcement*, 20 May 2013. [Press release]. URL: < <http://www.ice.gov/news/releases/federal-authorities-return-ancient-coins-bulgaria> > [accessed 22 August 2015].
- Kelker, Nancy L. and Karen O. Bruhns. 2010. *Faking Ancient America*. (Walnut Creek: Left Coast).
- Lidington, Helen. 2002. 'The Role of the Internet in Removing the "Shackles of the Saleroom": Anytime, Anyplace, Anything, Anywhere'. In *Public Archaeology*, Vol. 2, pp. 67-84.
- Takla, Hany N. 2014. 'The Massacre in San Jose – The Sale of Dismembered Manuscripts of Christian Egypt on eBay'. In *Synaxis katholike*, edited by Dilia Atanassova and Tinatin Chronz (Vienna: LIT), pp. 705-716.
- UNESCO. 2006. *Basic Actions Concerning Cultural Objects Being Offered for Sale Over the Internet*. URL: < <http://portal.unesco.org/culture/en/files/21559/11836509429MesuresTraficIlliciteEn.pdf/MesuresTraficIlliciteEn.pdf> > [accessed 22 August 2015].