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Lies, damned lies, and archaeologists:
Antiquities trafficking research as criminology and the ethics of identification

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Abstract

By definition, our interactions with those that we consider to be 'extra-disciplinary' are predicated on our own self-identification as archaeologists. It isn't news that some stakeholders react negatively to archaeologists. To them, we are not neutral, well-meaning stewards of the past, but rather a competing group that doesn't compromise and stifles dissent by claiming a mandate on defining 'the public good'. How can I effectively engage with such groups when my identity as an archaeologist is unforgivable? Perhaps the archaeologist must leave archaeology.

This paper is about transitioning from a PhD in archaeology to a post doctoral fellowship in a criminology department. As part of the University of Glasgow's Trafficking Culture project, I study the looting of archaeological sites and the illicit trafficking of cultural property. For half a century archaeologists have clashed with antiquities intermediaries, collectors, and dealers leaving wounds and scars on both sides. These folks will not engage with an 'archaeologist', but they are willing to talk to a 'sociologist' or even a 'criminologist' which is how I now present myself. This paper will focus on the ethical issues of disciplinary labelling. What are the primary benefits of presenting myself as 'extra-archaeological'? Of not asserting archaeological expertise? Am I obliged to reveal my archaeological background? Does this change of discipline have a tangible effect on the research that I conduct? Do I protect cultural property or protect informants? Am I still an archaeologist?

Keywords

Discipline Boundaries, Criminology, Illicit Antiquities, Ethics

Working with people who don't like you

How does one develop any sort of useful partnership (or even civil exchange) with a stakeholder group that specifically hates 'archaeologists'? Although this may be a rare occurrence, when talking about 'decentering' the discipline of archaeology we must come to terms with the idea that some people will not be receptive to us specifically because of the implications of who we are and what we are perceived to stand for. The complications of working with people who hate us are, perhaps, most important under certain serious circumstances: 1) When the goal is to develop equitable and reasonable public policy; 2) When poor communication may lead to intentional and unintentional law-breaking and resulting penalties; 3) When disagreement may lead to the destruction of heritage sites; and 4) When livelihoods and even lives are threatened by the conflict. In other words, in situations where damages caused by conflict and distrust are severe and irreparable.

Coming to terms with the idea that other groups may have different interests, concerns, and needs than archaeologists and heritage professionals is a basic tenet of inclusive heritage management. In most cases, discussion of this topic takes the form of accepting, promoting, and preserving multiple narratives about the past, developing alternative heritage spaces, and fostering fora in which stakeholders can take the reins when it comes to present/past interaction. What we rarely discuss is how our own personal disciplinary identification affects our dealings with others. We should all consider what interacting with an 'archaeologist' means to the stakeholders we encounter. In many, if not most, situations I believe that the public would consider interacting with an archaeologist to be a positive experience. We have a good reputation in the popular media and are seen as interesting. Our claimed 'authority', however controversial that term may be, is respected and valued. Yet this is not always the case.

In this paper I will discuss the methodological problems associated with conducting sociological research on stakeholder groups who, broadly speaking, see archaeologists as representing a viewpoint that is contrary to their interests and values. Specifically, I will present a personal account of the ethical issues involved in not presenting oneself as an archaeologist, despite decades of archaeological

training and participation in the archaeological mainstream. Does a nominal change of discipline affect the reactions of informants and interview subjects? Does so-called 'full disclosure' prevent us from doing meaningful research? Can an archaeologist ever really distance herself from her past?

Illicit antiquities research: an area where stakeholders hate archaeologists

One prominent area of focus that places archaeologists in a position to directly interact with stakeholders that hate them is illicit antiquities research. The looting of archaeological sites, the commercialisation of sellable artefacts and the transnational trade in these artefacts is complex and controversial. A number of groups involved in these practices see archaeological interests as diametrically opposed to their own and archaeologists as people who are trying to interfere with their ownership rights and their right to interact with the past as they see fit:

- Antiquities Dealers: They see the 'archaeological' position as fundamentally challenging their livelihood. They see archaeologists as attempting to reduce their social status by denouncing what they see as fair and ethical business practices and resent that we call them criminals. They feel that archaeologists question their role as experts in what they see as their own field. They accuse archaeologists of "prejudice, ill-will or simply ignorance" (Ede n.d.).

- Metal Detector Users: Especially in locations where metal detecting for artefacts is legal, metal detector users feel that archaeologists portray responsible hobbyists who work within the law as ethically questionable. There is a strong feeling that archaeologists are hoarding the past, keeping it from people who lack academic credentials, and excluding them from information that they sometimes helped to gather. They feel they have a deep personal interest in the past and enjoy the discovery process (Thomas 2012: 53). Furthermore, they feel quite rightly that the general public sees metal detecting as a socially acceptable pastime and that only archaeologists demonise it. Said one metal

detector user about archaeological perception of them: "we are the enemy unfortunately" (Thomas 2012: 55).

- Collectors: They feel that archaeologists falsely equate their socially-sanctioned hobby with criminal behaviour while challenging their valid love of the past. Furthermore, they believe that archaeologists are trying to get their legally and rightfully acquired property taken away from them. They sincerely believe that they are "preserving and expanding knowledge of the past" (White 1998: 170) and that the hostile environment that archaeologists are creating towards collecting is causing information to be lost as dealers withhold information that used to be shared (White 1998: 172).

- 'Looters': They may see archaeologists as threatening an income stream that, in cases of poverty, is one of the few avenues for earning money. In some locations archaeologists are seen as 'looting' the site for antiquities as well: taking them far away for personal gain and treating descendants like ignorant peasants (Matsuda 1998: 93). By supporting bans on non-archaeological digging, archaeologists can be accused of challenging the right of descendant communities to decide the fate of the material remains of their own past.

On top of these rather basic characterisations of various stakeholder groups, it is worth noting that most of these groups believe that all archaeologists are biased against them: that we hate them. If this is how several major stakeholder groups see us, and if they are at all correct about how archaeologists approach and interact with them, something is very wrong here. How, then, can we possibly conduct useful research towards effective and reasonable policy when simply saying "I am an archaeologist" shuts down an interview and makes a potential informant call their lawyer?

Can we 'decenter' certain research by not being an 'archaeologist'?

"Interdisciplinary" is currently one of academia's favourite buzz words. Linking science, social science, humanities, and arts has become a standard element in many funding calls and novel

scholarship, it can be argued, requires these novel connections. This is seen as "a parallel of the wider societal interest in holistic perspectives that do not reduce human experience to a single dimension of descriptors" (Aboelela *et al*. 2006: 330), indeed a move towards 'decentering' every discipline for the greater good of all involved. Generally speaking, disciplinary identity can be defined by what it excludes (e.g. I am an archaeologist so I do not dig up dinosaur bones; that is what palaeontologists do), or by how they are related to or positioned near other disciplines (e.g. describing how archaeology and palaeontology interrelate and thus describing each) (Massey 1999: 6). Discussing this web of interrelation, then, could allow scholars to transcend false barriers and become interdisciplinary.

Yet "it is hopelessly utopian to imagine that we could in one moment blow the whole disciplinary structure apart" (Massey 1999: 5). Disciplinary boundaries are entrenched in the structure of our research institutions and, indeed, in the structure of our own identities regarding our work. "Disciplines are given tangible form and defined boundaries in the basic units or departments of universities and their role in the shaping of the substance of academic identities is there reinforced" (Henkel 2005: 158). Despite talk of transcendence, despite buzzwords, our academic identities are often strongly self-defined and the disciplinary constraints placed upon us by research institutions are often insurmountable. Furthermore, 'interdisciplinary research' is poorly defined in academic literature to the point where some question the ability of funding agencies and researchers themselves to both identify it and take advantage of it to further their goals (Aboelela *et al*. 2006: 329).

I have three degrees, all of them focused on some aspect of archaeology and granted by archaeology departments. I have participated in numerous archaeological digs, I have worked for the US Army and a UK County Council in archaeological positions, and I have helped write several basic archaeological textbooks. In other words, being an archaeologist is who I am, it is part of my identity. However, at the moment I am employed by a criminology department to conduct 'sociological' research on the illicit trafficking of antiquities out of Latin America (see Trafficking Culture 2013). At the university that employs me, archaeology is considered to be

in 'Arts' and sociology/criminology is considered to be in 'Social and Political Sciences'; I am not in the same school as the archaeology department. This physical separation from the formal discipline of archaeology puts me in a unique position to reevaluate the effect that calling myself an archaeologist could have on the practicalities of my research.

Fuller (1991: 302) states that "disciplines mark the point where methods are institutionalized, or, so to speak, the word is made flesh". A move away from disciplinary archaeology and the research norms of an archaeology department allows for the introduction of a diverse methodological and theoretical toolkit. Previously, illicit antiquities research has been conducted under the aegis of either heritage or legal research and has suffered from a lack of cross-disciplinary work. To study this phenomenon from a criminological standpoint significantly expands upon our ability to address this complex issue. Broadly speaking, criminological research models are based on learning why people deviate from established social and legal norms regarding criminality and criminal behaviour. This is a key aspect of understanding looting and antiquities trafficking, but it is not within the normal archaeological research skill set. A significant amount of criminological research has focused on subjects that are directly relevant to illicit antiquities research: crime and poverty, corruption, white collar crime, desistance, regulatory theory, etc. Much of this research is focused on producing results that both aid in the development of effective policy and establish what we mean exactly by the term 'effective policy'. This is exactly what prior research into the illicit trafficking of cultural property has lacked.

Practically speaking, I am in a position where I can honestly present myself as a sociological researcher without mentioning an archaeological past. This has a direct impact on both my ability to conduct field research and how I can approach potential funding sources. In both cases I am now able to use a compelling vocabulary of serious-sounding buzz words. Phrases like 'trans-national organised crime' and 'global criminal networks' simply sound sexier than 'heritage studies', 'illicit antiquities', or even 'archaeological site looting'. Saying that I am conducting 'criminological research' sounds infinitely more *serious* than 'archaeological research' and saying that I am conducting 'sociological research' sounds infinitely

more nondescript. A move away from the mentioning of archaeology places the researcher in a different conceptual place in the mind of whoever is being spoken to. This is true for the general public and I believe that it is true for the previously mentioned stakeholders who believe (perhaps correctly) that most archaeologists are out to get them. Perhaps interacting with these stakeholders without archaeological baggage is the only way to incorporate their views into our research. I wonder if it is the only way to decenter in a manner that includes them.

But is it right to not tell people that I am an archaeologist?

In planning my approach to potential informants and interviewees during the course of my project on illicit antiquities trafficking, I have become keenly aware of the potential benefits of not volunteering details of my archaeological past. A clear benefit of presenting myself as a sociological researcher to various stakeholders is that I am less of a threat during initial contact. In a situation where all archaeologists are perceived of as being 'out to get' the stakeholder, as a sociologist I may have a chance to explain myself, my research, and my motivations without being immediately denied access. In many respects my views are quite practical and moderate: I think most illicit antiquities regulation does not work for anyone and I would like to see a situation where all stakeholders are satisfied or at least feel that their concerns have been listened to. Not being an archaeologist may lead to initial dialogue and, eventually, to trust. If I am a sociologist the informant may feel that I do not have an obvious 'side' or 'stake' in the issue. The livelihood of an archaeologist is tied to preservation of and access to archaeological sites and other stakeholders know this. The livelihood of a sociologist is much more opaque. The informant might feel a level of comfort with a sociological researcher that they cannot feel with an archaeologist as the sociologist is not fighting for their profession, they are researching a phenomenon.

Another possible benefit of not presenting oneself as an archaeologist in this situation is that interviewees may be more likely to share valuable and important information. When interviewing stakeholders over controversial topics that have

both ethical and legal implications there are often two types of responses: the 'correct' response and the honest response. There is a big difference between "I would never deal in illicit or illegal antiquities" and "I would never knowingly deal in a stolen antiquity but I don't really dig too deeply because I would rather not know". The first is the 'correct' response, the on-the-record response, the response given to an archaeologist on 'the other side'. The second is the honest response, the response that is actually useful when it comes to understanding how the market for antiquities works, how people justify their actions, and how they see the extent of the law and the justifiability of low- and high-level law breaking. We will never develop effective regulation and, indeed, never decenter this research if we only get the 'correct' response.

Finally, I wonder if the removal of the perceived 'us vs. them' barrier of being an archaeologist will allow for the clarification of the personal expectations of the researcher to the stakeholder being approached. This is part of being given the opportunity to explain motivations, ideas, and biases rather than being painted with the same broad brush, being assigned a belief system based on disciplinary allegiance to archaeology. I wonder if this might slowly humanise archaeology to those who feel we are the enemy.

But is this truly inclusive or is this a relationship based on a lie? There are drawbacks to withholding exactly who I am.

One clear drawback to presenting myself as either a sociologist or a criminologist is that it obscures my allegiances. Simply put, do I protect my informants or do I protect cultural property?

Ethically, criminologists are meant to report blatant and obvious criminal acts that they witness to the authorities in accordance with the law. However, there are various disciplinary actions that can be taken to avoid this. For example, the British Society of Criminologist's Code of Ethics states that criminologists must be upfront with their interviewees about the bounds of confidentiality and that "[o]ffers of confidentiality may sometimes be overridden by law: researchers should therefore consider the circumstances in which they might be required to divulge information to legal or other authorities, and make such circumstances clear to participants when seeking their informed consent" (British Society of Criminology n.d.). In

practice 'informed consent' means that criminologists can either tell interviewees the sort of things they should not say before they say them or to not ask questions which would require legal action on the part of the researcher (Buckland and Wincup 2009; Johnston 2005: 61). Informed consent is a perennial problem in criminological research: the nature of speaking to criminals (who themselves are often in difficult situations) and the danger inherent in what they say makes the trust in clearly communicated consent both necessary and nearly impossible.

Yet, this level of trust is critical and much of our understanding of crime and criminals is based on discussions that are predicated on not reporting described actions to the authorities. Criminologists report actively resisting all orders to turn over research documents to authorities and facing allegations of obstruction by protecting their sources (e.g. Wolfgang 1981: 351–353). Sources, then, are seen as the vital resource, the path to understanding greater criminality. As such, they must be preserved. But I am an archaeologist at heart and I do sincerely want to protect cultural heritage from destruction. I am not sure I will be able to professionally ingest information about site looting and antiquities trafficking loopholes without eventually getting the authorities involved at some point. I am not sure I can refrain from asking the questions that I want answers to. An anonymous tip? Who knows, but it is a difficult position to be in. Thus far, I have kept my mouth shut and I have not asked.

Another drawback is that informants might feel as if they have been tricked. Although the goal is 'more informed' and 'more inclusive' research, this research may lead to policy recommendations and publications that some groups still do not like. Will finding out later that I am an archaeologist lead to increased accusations of unreasonable bias? Will such a situation increase the divide between archaeologists and these groups? Will it make matters worse?

Finally, I wonder if by presenting myself as either a sociologist or a criminologist I would be bending the truth for my own benefit. I really am not a criminologist: it is not what I am trained as and it is not what I think of myself as. However, experience shows that for whatever reason, interviewees are willing to say wild things to criminologists (especially criminologists that tell the interviewees

that they are writing books about them) and it would be better for my research if interviewees say wild things. It would be better for me if they admitted to major crimes, if they detailed entire criminal networks, and if they go significantly farther than they normally would in an interview. In a way, this may be a case of the researcher avoiding the issue for results.

In practice

This line of research has only just begun. However, there have been a few occasions where I have tested introducing myself as a sociologist rather than an archaeologist to a potential informant. The following is one of those occasions. Please note that some details of this section have been purposefully obscured to protect the identity of my informant. Interestingly, the informant did not request his identity be protected: is this because I was not an archaeologist? There is no clear way for me to know.

In mid-2012 I became interested in the story of the looting of a particular Maya temple façade while conducting research for the Trafficking Culture website (Freidel 2000: 24; Yates 2012). Through a series of careful emails to other archaeologists I ended up with nearly fifty scanned slides of the temple being looted in the 1960s (Trafficking Culture 2012). The slides show three men (one clearly not from Central America) removing the façade and preparing it for transport. The person who supplied me with the slides suggested that I contact the man in the photo before using them. As it turned out, the man in the photo has been involved in a number of dubious dealings involving not just antiquities but other illicit items as well. It was through a newspaper article from the 1970s, public housing records, and an old newsletter for an interest group devoted to these other illicit items that I located an email address for him.

After discussion with my research group, it was decided that I would contact him. I would explain that I was a sociology researcher looking into the movement of Maya antiquities in the 1960s and 1970s; I had come across these photos that I would like to use on my website; I would like him to confirm what was going on in the photos; and I would love to interview him sometime if the chance

arose. I indicated that I was writing a book on the subject as, I was told by my criminologist colleagues, "people like that sort of thing; they respond to it". All of this is true, yet I did not reveal any aspect of my archaeological past. Essentially I was asking this person, a person with sophisticated knowledge about how archaeologists view what he has done, to admit to actions that were likely illegal in one country and dubious in another and to authenticate photographs of this activity.

The results were instantaneous and positive. He confirmed what was happening in the photos, asked for copies of them which I provided (he said he has not seen them in decades), said he would love to be interviewed, and even volunteered information about certain looting activity that he participated in at what is now a UNESCO World Heritage Site including whose collection the objects are now in. I could not have asked for more: and I didn't!

The question I am left with is: did the informant reveal interesting and relevant information because I did not identify myself as an archaeologist, or would he have told me such things anyway? I suspect the former but the latter is certainly a possibility.

Final thoughts

I think that the way forward in illicit antiquities research is not to retreat further into archaeology and heritage research: not to build a wall around us, define ourselves as a stakeholder group, and to only interact in that way. I think the way forward is in cross-disciplinary regulatory and policy research: fields that have not historically been associated with archaeology. Furthermore, I think that people with archaeological backgrounds must move in these directions. Why don't we just get criminologists to do this type of research? Because we still have the specialist knowledge.

The specialist knowledge of the archaeologist is vital to understanding and explaining some of the more important aspects of heritage crime, heritage site protection, and the different types of value that can be applied to material culture. I have seen serious papers and books written about illicit antiquities by specialists from other fields describe classes of artefacts entirely incorrectly,

or explained the ever-holy idea of 'context' in a way that betrays that they do not understand the meaning of their own explanation. Seemingly simple questions such as "what is an artefact?" and "what is an antiquity?" are answered in ways that most archaeologists would disagree with. Such definitional issues are exactly the sort of things that compromise otherwise-good legislation and regulation. We are the ones that need to develop new skills and, perhaps, forget old prejudices (or at least tuck them away).

But to do so, at least in the circumstances of my research, requires soul searching, identity challenges, and, arguably, deception. How I portray my own disciplinary identity is an ethical question that does not have an easy answer. I fear that this may not be decentering, but rather deflecting the discipline. We will see how it goes.

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