

## Thieves of Baghdad – and of the world’s cultural property

By

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In New York, the Metropolitan Museum is considering what amounts to a plea bargain with Italian authorities for acquiring antiquities the Italian government says were stolen—including one of the Met’s most prized items: the Euphronios krater, a sixth century B.C. Greek vase. In California, the longtime curator for ancient art at the J. Paul Getty Museum has resigned to face trial in Rome on charges of conspiracy to receive stolen artifacts. In Iraq, a German archaeologist has been kidnapped by insurgents.

Having led the investigation into one of the greatest art crimes in recent memory, the looting of the Iraq Museum in April 2003, I find none of these events surprising. Indeed, one of the first lessons to emerge from the back alleys of Baghdad is that the patina of gentility we usually associate with the world of antiquities has always rested atop a solid core of criminal activity. The most recent lesson to emerge is that, while stolen art and weaponry have always traveled together, the exchange of art for cash for weapons has now increased dramatically. In a modern-day version of the old "molasses to rum to slaves" triangle trade of pious New England ship captains, the cozy cabal of academics, dealers, and collectors who turn a blind eye to the illicit side of the trade is, in effect, supporting the insurgents who are killing our troops in Iraq.

In eight countries over the last two and a half years, I have urged a more active role for international organizations, governments, and the art community, stressing the importance of preserving, protecting, and recovering the shared cultural heritage of all humanity. Most governments, however, have their hands full combating terrorism, with few resources left to

spare for tracking down stolen artifacts. Most international cultural organizations are content to issue proclamations, preferring to hit the conference center rather than the streets, and content to issue a call for papers rather than a call to action. As for the art community, some members wash their hands of unpleasant realities and argue that, while technically illegal, the market in purloined antiquities is benign—victimless—as long as it brings the art to those who can properly appreciate it (namely, themselves). This newly identified nexus between art theft and the insurgency in Iraq gives the lie to this self-delusion.

Having been recalled to active duty shortly after 9/11, I was put in charge of a multiagency unit that conducted counterterrorist operations in Afghanistan, Iraq, and the Horn of Africa. In April 2003, after many months of security work in and around Kabul, then investigative work in the southern Iraqi cities of Basra and Umm Qasr, I took part of my team to the Iraq Museum to launch an investigation into the looting of the museum and its antiquities. As we followed the trail of looted art throughout Iraq and into eight other countries, we frequently came upon weapons as well—merely confirming what law enforcement has always known: smugglers care only about making money. Whether the cargo is drugs, weapons, human beings, or antiquities is beside the point.

But recently, the relationship between the dog and the wagging tail has been reversed. Now, as we pursue leads specific to the trail of terrorists, we find antiquities. In a series of raids in June in northwest Iraq, for instance, U.S. Marines arrested five terrorists in underground bunkers filled with automatic weapons, ammunition stockpiles, black uniforms, ski masks, night-vision goggles, and 30 vases, cylinder seals and statuettes that had been stolen from the Iraq Museum. It does not take a counter-terrorism expert to connect the dots.

This was not an isolated event. As the 9/11 commission noted, international law enforcement has effectively squeezed terrorist groups by freezing assets, neutralizing charities that served as fronts for jihadists, and by otherwise cutting off traditional means of financing. But terrorists are nothing if not adaptive. Just as Taliban leaders in Afghanistan have begun to finance their activities through the opium trade, insurgents in Iraq have discovered a new source of income in the supposedly genteel world of antiquities.

The traffic in art for arms is too recent a phenomenon for hard statistics to be analyzed sufficiently, but all indications are that the money being raised by the trade in antiquities has become a vital and growing source of revenue for the terrorists, ranking just below kidnappings for ransom and on a par with forced donations from local residents and merchants. Given the almost limitless supply of antiquities in Iraq—the cradle of civilization—the insurgency appears to have found an income stream sufficiently secure to make any Chief Financial Officer sleep well at night.

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Looting has always been a cottage industry in Iraq, the region that gave birth not just to agriculture, cities, and the wheel, but to pottery as well. Yet for more than 10,000 known archaeological sites, Iraq's State Board of Antiquities has only 2,600 guards, half of them newly trained. The sad truth of the arithmetic—another invention from the land between the rivers—is that there is approximately one guard for every four sites, some of which, like the ruins of Babylon, need at least two dozen guards for there to be any semblance of security. Radios, vehicles, and body armor are in equally short supply.

As a result, the desert night is filled with the roar of bulldozers ripping into the ancient mounds of clay that were once thriving cities. This wholesale ransacking destroys not just the

antiquities themselves, but the context necessary for interpretation. It is the placement of objects in levels and clusters that provides the most meaningful information for archaeologists. Once an artifact is looted, that information is lost—even if we later recover the object.

Several countries—including the United States, Britain, Italy, and Japan—have pledged millions of dollars to upgrade the Iraq Museum to improve its conservation capacity and enhance the training of the Iraq State Board’s archaeological staff. But not a single international organization or private foundation anywhere in the world has provided additional funding for investigative purposes. Uncomfortable cooperating with police, many cultural leaders and organizations seem oblivious to the fact that a stolen artifact cannot be *restored* until it has been *recovered*. To put it more clearly: money for conservators is pointless without first providing the money to track down the missing objects.

This distortion of priorities affects investigative efforts worldwide. Interpol can afford to assign only two officers to its Iraqi Antiquities Tracking Task Force—and both have other responsibilities as well. Scotland Yard's art and antiquities squad has four officers covering the entire world. The F.B.I.'s Rapid Deployment National Art Crime Team has eight people. Regardless of the level of dedication and talent of these personnel, no enforcement agency can operate effectively at such levels.

To stop the rampant looting and the black market that funnels money into terrorist hands, we must adopt a comprehensive global strategy using all of the elements of international power. The cornerstone to any comprehensive approach must take into account that real, measurable, and lasting progress in stopping the illegal trade depends on increasing public awareness of the importance of cultural property and of the magnitude of the current crisis. The first step, then, must be to develop and communicate a message that resonates with mainstream society. The

message must eschew the sensational sky-is-falling quotes so favored by those wishing to make headlines. It must also steer clear of the discrediting and debilitating politics of red state vs. blue state rhetoric. It must, in clear, demonstrable, and reasoned language show—not dismissively “tell”—the world why a bunch of old rocks with funny writing matter so much today. But this is not enough. Very simply, we must create a climate of universal condemnation rather than sophisticated indulgence, for trafficking in undocumented antiquities

Second, and building on this increased public awareness and consequent condemnation, we must pressure all countries—but most especially the countries of origin, transit, and destination—to establish (and where they already exist, increase the size and scope of) robust, specialized art and antiquities task forces. But many countries have less interest in stopping the illegal trade than meets the eye. Some countries generate sizeable customs and excise fees from shipping and—despite their public protestations to the contrary—are not eager to impose any increase in inspection rates that might reduce such revenue. Unfortunately, “open” borders are, in fact, as profitable as they are dangerous. Moreover, the sheer volume of tonnage passing through certain international ports and free-trade zones makes anything approaching a complete inspection impossible. Even the improved technology installed at such ports and borders as a result of September 11 does not solve the problem: devices that detect weapons and explosives do not detect alabaster, lapis lazuli, and carnelian.

This is why we need a third component to leverage the other two. Most high-end smugglers are simply too sophisticated, and the questionable acquisition practices of some dealers, collectors, and museums, too entrenched to be defeated by improved border inspections and heightened public consciousness alone. The sine qua non for effective interdiction is an organized, systematized, and seamlessly collaborative law-enforcement effort by the

international community. We need coordinated simultaneous investigations of smugglers, sellers, and buyers in different countries. And—just as important—prosecution and incarceration need to be credible threats.

Thus, as a third component, the United Nations must be pressured to establish a commission to continue and to expand the Iraq Museum investigation, and the purview of this investigation must be enlarged to include other countries as well. After all, UNESCO does stand for “United Nations Educational, Scientific and Cultural Organization” and is, therefore, presumably the organization responsible for assisting in the coordination of the international community’s efforts in protecting, recovering, and restoring the world’s cultural heritage.

Interpol must become more active as well. All countries should sign a memorandum of understanding with Interpol stipulating that each country will forward immediately to Interpol, along a secure network, both a digital photograph and the particulars (who, what, when, and where) of all antiquities encountered by law enforcement or military forces anywhere in the world. This should include those items that were seized as well as those that were inspected and not seized due to insufficient indicia of criminality. Interpol should compile and analyze all of this data in a timely fashion and disseminate it as broadly as possible in order to permit countries to focus investigative strategies within their borders. Toward this end, Interpol's member nations should finance a much larger team of analysts specializing in stolen antiquities. Similarly, cultural foundations should help provide art-theft squads with vehicles, computers, communications equipment, and training.

Such international cooperation (promoted by the United Nations) and immediate dissemination of information (enabled by Interpol) would permit the use of a tactic long used against drug smugglers—that of controlled or monitored deliveries of stolen antiquities to their

destination. As in the drug and weapons trade, controlled deliveries enable legal authorities to incriminate—and thereafter prosecute—every culpable party along the trail, while also serving as a deterrent to those collectors or curators who could never be sure that the next shipment was not being monitored by law-enforcement officials.

Fourth, museums, archaeologists and dealers should establish (or, failing that, Congress should require) a strict uniform code of conduct. Similar to ethics rules for lawyers and doctors, this code would clarify the documentation and diligence required for an artifact to change hands legally. Although many argue that the interests of dealers, collectors, museums, and archaeologists differ from each other so dramatically that any single code of conduct acceptable to all is impossible, I point out that the differences within the art world are no greater than those existing between prosecutors and criminal defense attorneys. Yet, the American Bar Association has adopted and actively enforces a single Code of Ethics applicable to every attorney admitted to the bar.

Finally, the art community must break down old barriers and begin assisting investigators by serving as law enforcement's eyes and ears. We need scholars and knowledgeable dealers as on-call experts to identify and authenticate intercepted shipments, and to provide crucial in-court expert testimony. The art and archaeological communities should request appropriate law-enforcement personnel (depending on country and focus) to provide detailed, factual briefings at every conference purporting to address art or antiquities smuggling. The call for up-to-date investigative facts should become as standard as the call for papers.

But the education and information exchange should run in both directions. In 2004, Dr. C. Brian Rose, First Vice President of the Archaeological Institute of America, developed and implemented a program to conduct cultural awareness training for military personnel scheduled

to deploy to Iraq or Afghanistan. It has been very well received and must be continued and expanded. A similar program should be offered to the Federal Bureau of Investigation and the Department of Homeland Security on a regular basis.

Antiquities trafficking will never merit the same attention or resources as terrorism, drugs, human trafficking, or violent street crime, but, at the very least, it deserves to be on the same list. From the faculty lounge, to the precinct headquarters, to the museum boardrooms, to the galleries on Madison Avenue, to the media newsrooms, this cultural catastrophe must be confronted and debated. These are among the many reasons I will return to the Manhattan District Attorney's Office this spring and head the city's first task force dedicated to investigating and prosecuting antiquities theft and trafficking. I intend to expose those who engage in the illegal trade for what they are: criminals.

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