Multiple-Role Actors in the Movement of Cultural Property: Metal-Detector Users

Suzie THOMAS
The Scottish Centre for Crime and Justice Research, University of Glasgow, UK


Abstract

Much of the recent literature has discussed the various stages in the criminal market for looted cultural objects, and the different actors that are present at each of these stages. For many of the best-documented types of looted cultural object, often at the higher end of the price spectrum, these stages are represented by quite diverse groups and individuals such as subsistence diggers, auction houses and wealthy collectors. In the case of lower-end objects, however, which are perhaps more common, of lower artistic quality, in a worse state of preservation or intrinsically made of less expensive material, it is possible to see the same individuals acting at all stages of the process. In other words, the person who finds and digs up an object also transports or arranges to transport it (sometimes smuggling it over national borders), sells it, and is a collector of similar objects in their own right. This ‘multiple-role actor’ scenario is particularly prevalent in the phenomenon of hobbyist metal detecting. In this paper, I will first outline the accepted model for trafficking in cultural objects, before relating this to what we know about metal-detector users and their interaction with the market.

Keywords: illicit antiquities, metal detecting, trafficking, cultural property.

Introduction

Much work has been, and is being carried out, to attempt to understand more clearly the nature of trafficking in cultural objects. Although research into this trade, and revelations about its nature, are not necessarily a new phenomenon in the academic discourse (e.g., Coggins 1969; Meyer 1973), there is still much to contribute. This is exemplified by the University of Glasgow’s current ‘Trafficking Culture’ funded research project, which aims to create a contemporary and informed picture of the global trade in looted cultural objects, based on empirical data¹.

Trafficking Culture comprises a diverse research-focused team, including specialists with interdisciplinary backgrounds (with training in such as law, criminology and archaeology), looking at a variety of regions as diverse geographically and culturally as Cambodia (e.g., Davis 2011) and Bolivia (e.g., Yates 2011), and shedding light on the various influences on the antiquities market (e.g., Brodie 2011). As part of this suite of research, the current paper first discusses what the literature, tells us about the nature of the trafficking process for cultural objects.

In the second section of the paper, this more-or-less accepted model is then discussed in relation to the less well-researched, and often financially less spectacular, trade in metal-detected objects by metal-detector users in parts of northern Europe. While research into this phenomenon in relation to the

transnational movement of cultural objects is still developing (with much academic discourse still directed to the more lucrative end of the market), what will become clear is that the traditional model, with different actors performing different functions at different stages, becomes more fluid, although not necessarily less intricate, when the commodities being traded do not have the financial draw to attract high-end buyers.

A Matrix for Global trafficking in objects

Various researchers, including Dietzler (2013) and P. Campbell (2013), have identified four elements to the process of trafficking of cultural objects. These have been summarised by Polk (2014) as ‘Extractors’, ‘Middle Men’, ‘Dealers’, and finally ‘Buyers’. In the following sections, I will give a précis of these different categories of actors.

Extractors

This category comprises the people who carry out the initial digging (or extraction), often through looting, from sites and monuments. Various names have been employed at local levels to describe these groups and individuals, including, ‘nighthawks’ [in the UK (Thomas 2013) and Ireland (Kelly 1994), specifically using a metal detector], ‘tombaroli’ [in Italy (Ruiz 2000), Raubgräber [in Germany and Austria (Laufer 2006)], ‘black archaeologists’ [in parts of Eastern Europe including Estonia (Ulst 2010)], or ‘huaqueros’ [in parts of South America including Peru (Alva 2011)].

As has been noted elsewhere, the looters have traditionally been researched the most fully by academics, while journalists have often targeted dealers, wealthy private collectors and museums (Brodie 2012) — the ‘Dealers’ and ‘Buyers’ of our matrix. In many (but not all) cases studied, the people carrying out the looting are from economically impoverished backgrounds, such as small rural settlements in third world countries, and may be reliant on the revenue generated by extracting and selling the archaeological material. For this reason, the term ‘subsistence digger’ (Staley 1993) has been employed by some researchers, in order to highlight the point that they may be plundering sites out of necessity to survive.

Frequently, the extractors in the typical trafficking matrix sell on their artefacts for only a fraction of the final market price, in some cases as little as 0.1% (Brodie 1998). As this activity is a criminal (and hence clandestine) activity, images such as Figure 1 from Placeres, Mexico, of looting in action, are relatively rare to find.

Middle Men

This part of the chain can actually be several transactions itself (Brodie 1998: 8), and forms, essentially, the go-between stages connecting the Extractors to the dealers. As Polk (2014) noted, these middle men will often have knowledge of what dealers and collectors are looking for and what objects are the most desirable (and where they can be found), but they will also have local knowledge of the extractors, including cultural capital in the form of socio-cultural and language knowledge. For example, carrying out research in the Middle East, Kersel has suggested that middle men, may see themselves as both feeding the demand of consumers and also helping the financial stability of the communities in which the looters are found (Kersel 2012). However, as Bowman Proulx has pointed out, in reality they often exploit the extractors (Bowman Proulx 2011).

Middle men are also often involved in the movement of cultural property over national borders, and hence can have a direct connection to smuggling: “With the help of middlemen, antiquities looted from archaeological sites are generally smuggled transnationally, laundered, and end up in the open, legal antiquities market” (Passas and Bowman Proulx 2011).
Dealers

Dealers are also traders, and may include the top-level private dealers and auction houses selling the most desirable antiquities but also the so-called ‘Secondary Dealers’ handling less expensive material (Polk 2014). They may be located in the so-called market nations (where demand is highest for cultural objects) or transit portals. The boundaries between this category of ‘Dealers’ and the previous one of ‘Middle Men’ can also, in practice, be fairly fluid due to the presence of multiple layers of transaction and activity. So, high profile dealers such as Robert Hecht (now deceased, but responsible for facilitating some of the more infamous museum purchases in the past such as the Euphronios Krater (Silver 2009) have also been referred to as ‘middle men’ due to their facilitating role (Felch 2005).

Figure 1. Section of stucco temple facade at the Classic Maya site of Placeres, in Campeche, Mexico, photographed in the process of being looted using plaster and saws. The images of the looting event, which took place in or around 1968, were provided to Trafficking Culture courtesy of David Friedel with the permission from the original (anonymous) photographer. Further images are available at traffickingculture.org/data/placers.

As well as private businessmen, who may or may not carry out their transactions through an official premise such as a shop or gallery, for the purposes of this model ‘dealers’ can also be larger institutions such as auction houses. Much has been written about the sometimes-complicit nature of these organisations and their staff in facilitating the illicit trade, both wittingly and unwittingly (e.g., Watson 1997; Alderman 2008), although others have pointed out that not all the trade coming through auctions has criminal origins, with due diligence increasingly playing a role. This was noted by Rick St Hilaire in his blog, Cultural Heritage Lawyer Rick St Hilaire, in which on the 30th of April 2010 he praised the auction houses that had introduced compliance officers in order to assist with appropriate diligence (St Hilaire 2010).

Buyers

The final stage of the trafficking matrix is the ‘buyers’ — the endpoint of the market. These may be private collectors [some of whom have been verbose in advocating their hobby choices (e.g., Ortiz 2006)], or they may be collectors in the sense of institutions such as museums, galleries, foundations and charitable trusts. Arguments in favour of museums collecting cultural objects from a wide range of cultures and geographic locations (while not condoning illicit trade), have included the 2002 ‘Declaration on the Importance and Value of Universal Museums’, which was signed by the directors of eighteen of the major museums of Europe and North America (ICOM 2004). This declaration, aimed primarily at advocating the role of the museum as a disseminator of cultures to a wider audience, as well as acknowledging that many objects within their collections were acquired at a time when different attitudes towards the movement of cultural objects prevailed, attracted critical responses from some observers due to its seemingly exclusive and elitist stance (Abungu 2004: 5), but also because of its lack of clarity concerning how the illicit trade might be “abated by due diligence in continuing museum acquisition” (Brodie and Renfrew 2005: 345).

Certainly examples exist that show the involvement, often unknowingly, of a major organisation in a trafficking process. Perhaps one of the most well-known examples ever to come out of the UK, for example, is the case of the Salisbury Hoard, for which a flow chart (Figure 2) was developed by British Museum curator Ian Stead (1998), following investigation into the different routes and networks involved in the movement of the assemblage pieces after their illegal looting from a site in Wiltshire in southern England.

Figure 2. Flow chart showing what is known of the trafficking routes and actors involved (after Stead 1998). Originally shown at traffickingculture.org/encyclopedia/case-studies/salisbury-hoard/.
It should be added at this point that not all actors in this category, nor indeed in the previous category of ‘Dealers’, are necessarily aware that they are even a part of the chain in trafficking looted cultural objects, and that it is nonetheless possible to purchase cultural objects without breaking any laws. Mackenzie, having interviewed a number of registered dealers as well as specialists from archaeology and law, suggested that antiquities sold on the open market can be placed into one of three categories (licit, grey and illicit, with a possible fourth being fakes), as follows:

1. Antiquities excavated by an authorised person. That person would usually be an archaeologist, who would have documented the find and its context for publication in research journals before relinquishing possession of the objects found to their appropriate legal owner who, depending on the country where the object is found, will usually be either the State or the owner of the land on which the find was made. With a few exceptions, countries where antiquities are found try hard to retain their heritage; the result is that the number of objects entering the market as part of this category is small.

2. Looted antiquities not excavated by an authorised person, but which have been out of the ground, or other context, for such a length of time that their presence on the market, or (sometimes more accurately) in private collections with the potential in the future to enter the market, is tolerated by those with a legal interest in the trade of stolen goods. Remember that in this context we apply ‘looting’ to any illegal excavation of antiquities or their illegal removal from sites or structures to which they are attached or properly belong. Illegal, of course, by the law which governs individuals at the time of excavation; always the lex situs (the law of the State where the object is when it is looted). These, therefore, are originally illicit antiquities made licit by the operation of time. It is currently not possible to know the relative size of this category.

3. Recently-looted antiquities, whose presence on the market would not be similarly tolerated by the law, but which are accepted by the market for either both of two reasons. They can masquerade as category 2 antiquities. It is this masquerade, of stolen goods being sold in apparently legitimate circumstances, which partly holds the key to the open trade in looted antiquities that currently persists. In addition to this masquerade, the market holds out that many antiquities are accidental finds, discovered for example in the course of roadworks. This enables chance finds to be viewed as morally acceptable subjects of purchase for the market, although they are illicit (Mackenzie 2005: 4-5).

Hence, not only is there fluidity in the nature of some actors in the matrix (especially the further we move away from the ‘Extractors’ and ‘Middle Men’), but there is also an obfuscation between outright illicit material and that which may have been ‘out’ for a longer period, (through the creation of a false or misleading provenance story, for example), which is extremely unhelpful for those trying to separate the legal from the criminal markets.

**Mixing the matrix: hobbyist metal-detector users**

In northern Europe in the above subsections I have introduced, very much in outline, the different components of the recognised components that form the accepted stages and actors for trafficking cultural objects. In the case of metal detecting, as mentioned earlier, as also is seen between actors such as dealers and middle men within the matrix above, some of these roles may conflate, as individuals take on more than one role in the process.

The motivations for taking up metal detecting, which emerged as a publicly-accessible hobby in countries such as the UK and the USA as early as the 1960s, have been the subject of several studies already. In my own doctoral research, I identified a number of leading drivers for hobbyist metal-detector users active in the UK, based on responses from several hundred individuals which, from most popular to least popular (with some identifying more than one key driver), were: (1) Interest in the past; (2) Other (including a wide
range of unique responses); (3) General interest in finding things regardless of value/age; (4) Encouraged to take up hobby by friends; (5) Exercise; and (6) Interest in finding items of value (see also Thomas 2012: 53-54).

Motivations for metal detecting could be varied, sometimes even surprising (such as the two women that I interviewed who had taken it up as a form of outdoor exercise following a recommendation from their doctor to become more active). As was noted at the time, driver number six (above) may in reality have a greater impact than the responses suggested due to what Oppenheim has identified as barriers to accurate responses, including the ‘barrier of self-recrimination’ (Oppenheim 2011: 211-212), meaning that this may compromise the responses given based on what the interviewee thinks the interviewer would like to hear, or due to a desire to avoid admitting to something that the interviewee may themselves regard as a social taboo. In addition, a metal-detector user may go on to find items of value, or participate in trade involving their own and other metal-detector users’ discoveries, without this having been a primary reason for their taking up of the hobby to begin with.

In some northern European countries, such as Ireland, the hobby is not permitted by law (although this does not mean that archaeological sites are not damaged or even destroyed by this and other activities (O’Sullivan and Kennedy 1998). However, in many others, including Scotland, England and Wales, Denmark, Estonia, and Finland, metal detecting for cultural material is permitted, albeit with varying legal requirements attached. In some cases, such as has been observed in Denmark and the UK, a relatively long tradition of cooperation between metal-detector users has developed, encouraging observers to be relatively confident in their assessments of their respective countries’ status quo as encouraging high frequency of finds recording (relative to discoveries made) and disclosure of information to archaeologists (e.g., S. Campbell 2013 for Scotland; Dobat 2013 for Denmark). This may be true, but should not be taken to mean that an associated market in cultural objects found with metal detectors, which themselves may or may not be perceived by archaeologists as of interest, does not also exist.

Indeed, as noted by Campbell, the tradition of trading in metal-detected objects, between metal-detector users and others, put simply, may itself be down to historic developments: “...the period between the appearance of metal detecting and the willingness or ability of archaeologists to engage constructively with metal-detector users created a gap, which was readily filled by other groups. Foremost among them were coin and antiquities dealers and the proliferation of adverts in metal detecting magazines is a testament to the enduring influence this group has” (S. Campbell 2013). As I have observed myself at metal detecting rallies in the UK, at least some of these dealers themselves are also (or have been the past) hobbyist metal-detector users.

That there is a trade in low-cost metal-detected finds, that occurs domestically but also transnationally, is beyond doubt. A ready source of information on sales of metal-detected artefacts comes in the form of online auction sites, for example eBay but also other national sites such as huuto.net in Finland (which National Board of Antiquities staff have noted sometimes features metal-detected objects). However, due to the high the frequency of lots, the sometimes-obfuscat ing nature of lot descriptions (it may not be clear for example where an object comes from, whether it is authentic, or indeed if it was found with the use of a metal detector at all), and the changing nature of prices, it may be challenging, not to mention excessively time-consuming, to capture meaningful data from such sites.

Montalbano (2007) made observations that while sites such as eBay were utilised, opening up the potential pool of buyers exponentially, many metal-detector users that she interviewed from England and Wales with objects to sell seemed to be returning to using personal contacts such as local dealers and other metal-detector users as contact points for trade. With increased observation of online auction sites by heritage authorities and others (for example, the Portable Antiquities Scheme in England and Wales has
been intermittently monitoring eBay since 2006 (Bland 2014), it is perhaps to be predicted that less transparent methods for selling might in turn become favoured in order to avoid unwelcome scrutiny.

Certainly in other, seemingly more lucrative markets, such as that of ancient Greek vases, the presence of the ‘invisible market’ has been discussed (Nørskov 2002: 30-31); the market of private transactions that are not available to view through auction catalogues or online sales.

So, returning to the four stages in the illicit antiquities trade, how do these relate to metal detecting in Europe? All active metal-detector users, whether acting within or outwith the law, are essentially ‘extractors’ — removing the cultural material from (usually) the ground. Interestingly, metal-detector users interviewed in 2013 in Estonia indicated that sometimes they are also asked to search within floorboards of houses. Whatever the source of the metal-detected objects, the action is nonetheless by definition one of extraction.

Observing metal-detector users at their club meetings (in the UK, club nights are often held in pubs and working men’s clubs (Thomas 2012: 57), indicates, at least anecdotally, that transactions and discussions of transactions can take place in such informal environments. A dealer who I interviewed at a metal detecting rally in Scotland in 2013 indicated to me that not only had he previously been a metal-detector user himself, but that almost all of his clients were metal-detector users. His relationship with them, attending a high number of metal detecting rallies across the UK as well as selling through internet auctions, was such that he bought his stock from the metal-detector users as well as selling to them. Hence, in this sense, this person fell into the ‘dealer’ and ‘middle man’ categories, but so did the metal-detector users with whom he interacted (in addition to their ‘extractor’ role).

Metal-detector users interviewed in Estonia in 2013, where by law a license is required in order to carry out their hobby (Ulst 2012: 20) (although in practice more are active than would be suggested by official license numbers), indicated that they often sold objects that they had found, especially material connected to the Second World War, to tourists and others through holding stalls at summer fairs. Some of these tourists, anecdotally at least, included metal detecting enthusiasts from countries such as Sweden and Finland.

The metal-detector users encountered in this admittedly currently small sample, are the extractors but they also move the material, sometimes cross-border other times only domestically. They collect and they also sell. They also feed onto the wider second-hand market, for example in the case of more recently-dated finds such as militaria from the twentieth century. This is attested to by evidence of treasure hunting activity at sites associated with the Second World War, suggesting searches specifically for this type of material (Figure 3).

**Figure 3. Evidence of the stripping of topsoil treasure hunting activity in Finnish Lapland, connected to the presence of World War II sites. Photograph courtesy of Oula Seitsonen.**

Rarely, an object or objects found through metal detecting will appear that emerge in a higher-end auction house due to their scarcity or market value (examples include the Crosby Garrett Helmet from Cumbria, sold at Christies in London in 2010, or the Ubina Hoard found in northern Estonia but subsequently illegally exported and put up for auction in Dortmund in 2005 (Tamla, Kiudsoo and Rohtla 2005: 231-244). However, assuming that most finds do not cross this ‘line’ (wherever it sits) into becoming items of more considerable value, it would seem that material frequently passes between metal-detector users and other agencies, such as individual collectors and dealers, on a regular and often informal basis.

Another point that is important to make, echoing Mackenzie’s observations about the illicit, grey, and licit markets (Mackenzie 2005: 4), is that not all metal-detector users act illegally. Furthermore, differences in
legislation across different countries, concerning restrictions that might affect metal detecting and/or export of cultural property, may be less well known to those from other jurisdictions.

One Finnish metal-detector user interviewed in 2013 commented: “And then we have the problem that, in Finland, I’d say, most of the Finnish detectorists are quite law-abiding citizens. But then more and more have been noticing [...] and they know, because they have seen much Latvian and that kind, Russian cars on their parks, and swim areas and such, and they know that they have been there with metal detectors”.

Whether this comment reflects a genuine problem presented by the mobility of hobbyists across borders (not to mention an assumption that other nationalities are less law-abiding!), or just unfounded suspicions on the part of one individual, requires further evidence for analysis. Certainly, as far as the market itself is concerned, while much material can be sold entirely legally, it would be (and is) relatively straightforward to insert illegally-obtained collectibles onto this market with little risk of discovery. Criticism of the Portable Antiquities Scheme in England and Wales, for example, has sometimes centred on the scheme’s reliance on trust of the reporter (usually a metal-detector user) for find spot data (Gill 2010), implying that using such a system as a way of creating false provenances would be extremely feasible.

Conclusions

The presentation at the meeting in Ia i, on which this paper is based, has come at an early stage this particular strand of research, with further data still to gather to support my assertions. It becomes apparent, however, on examining the activity of metal-detector users in a northern European setting (but also perhaps in other regions too such as parts of North America), that the accepted matrix for illicit antiquities, while multi-layered and complex in itself, needs to interpreted extremely flexibly in order to articulate what is happening in the ‘grey’ market of metal-detected objects in Europe. This is still an emerging area of interest (especially compared to some other components of the illicit trade in antiquities).

Much of the future research in this area needs to focus on the testimonies of metal-detector users and other dealers and collectors as participants in this particular market. This is because the more common focus of surveys and other data-gathering approaches on those not directly involved with the market (such as archaeologists and lawyers), has been seen as a “major shortcoming” for not targeting active participants in the trade at different stages (other than professionally registered dealers and museum workers) (Brodie 2012: 243). Hence, interviews with and observations of metal-detector users themselves (and not just official spokespeople for the national and regional metal detecting organisations), is crucial for understanding the nature of this particular network. This paper has therefore set the scene, as it were, for this fascinating area of enquiry, and it is hoped that in the coming years it can be revisited with corroborating data to shed more light on the activities of this particular group.

Acknowledgements

This paper was written while the author worked as a Research Associate, with Trafficking Culture, which is funded by the European Research Council under the European Union’s Seventh Framework Programme (FP7/2007-2013) / ERC Grant agreement n° 283873. University of Glasgow, UK. Thanks to Oula Seitsonen for permission to use his image, and to Ingrid Ulst for her assistance with translation in Estonia. Particular thanks to Sergiu Musteata, and for inviting me to contribute to this publication.

References


