

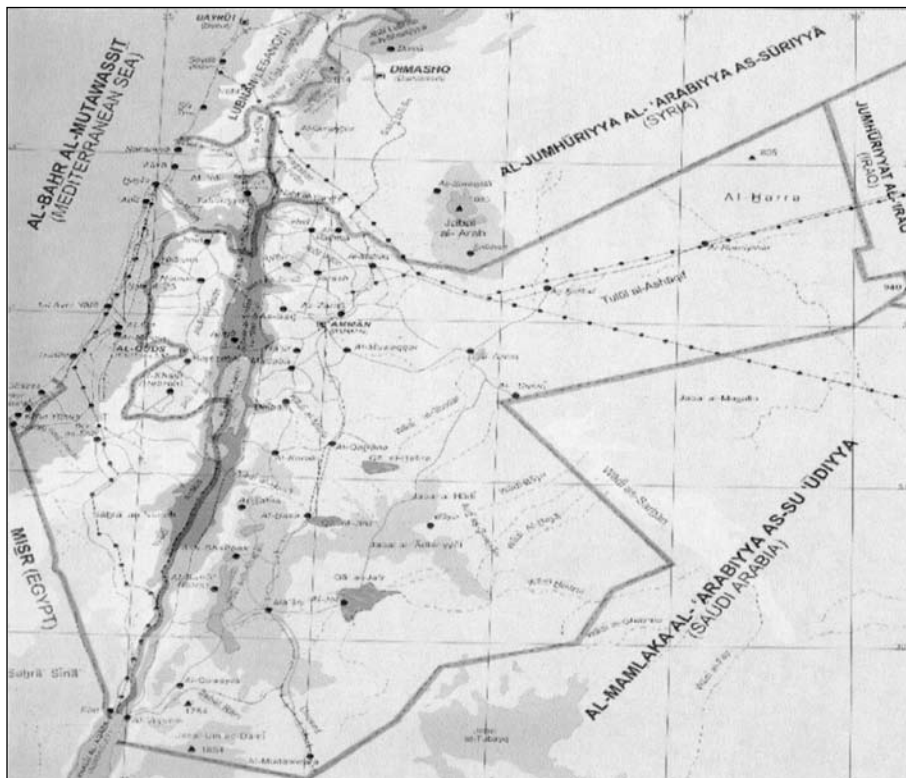
## The Role of the Department of Antiquities of Jordan in Preventing the Illicit Trade in Cultural Heritage

### Introduction

Antiquities in Jordan are considered one of the main attractions for tourism and are consequently an important income generator for the national economy. Since Jordan is a country with limited natural resources and mineral wealth, it is fortunate that it is rich in archeological sites that are found all over the country, varying from minor features such as cairns and caves, to forts and even whole cities such as Jarash, Umm Qays and Petra (al-Shami 2002a: 2). It is the responsibility of the Department of Antiquities to preserve all movable and immovable antiquities in the country (FIG.1) and to control them according to the Jordanian Law of

Antiquities. Established in 1924, the Department of Antiquities is one of the oldest departments in the Jordanian government. Currently it is part of the Ministry of Tourism and Antiquities (al-Shami 2005c: 2) (FIG.2).

Around 27,000 archeological sites are now officially registered in Jordan, but the actual number is thought to be over 100,000. Many of these sites are in relatively remote areas where unemployment is widespread and where many people are unaware of the significance of their archaeological heritage. Add to this the various economic and political problems that occurred in the Middle East during the 1980s and 1990s and the result was an increase



1. Map showing the location of Jordan in the middle of the Levant.



2. The Department of Antiquities at Jabal ‘Ammān, near the Ammonites’ Tower.

in antiquities smuggling and the illicit trade in cultural property. Owing to the geographical location of Jordan, which has long made it major crossroads for trade between Syria, Palestine, Egypt, Iraq and the Arabian peninsula, there have also been many modern attempts to utilise the country for the illicit trafficking of antiquities (al-Shami 2005a: 2-3) (FIG.3).

#### **When Did the Problem Start?**

Before 1976, it was legal to trade in antiquities in Jordan with an authorisation issued — and renewed annually — by the Department of Antiquities. However, in 1976 a new law was passed which prohibited the trade (The Jordanian Law of Antiquities for 1976, Articles 8 and 23) whilst giving dealers a period of one and a half years to rectify their positions. Two provisions were made to reduce the economic loss incurred by the dealers:

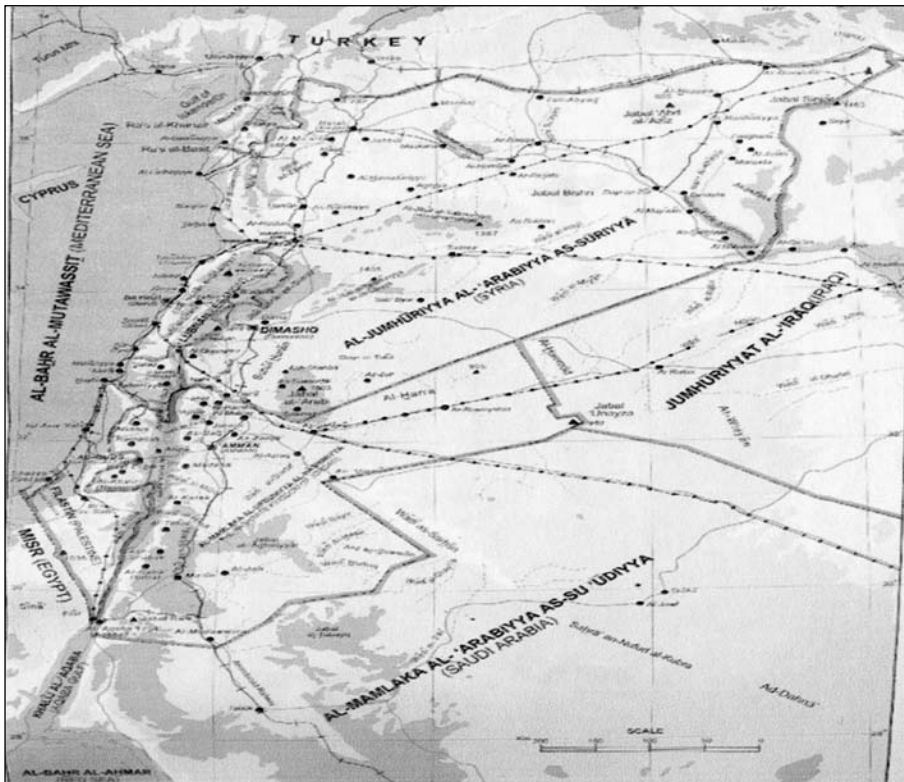
1. The Department of Antiquities would purchase a large proportion of their collections (The Jorda-

nian Law of Antiquities for 1976, Article 8; The Jordanian Law of Antiquities for 1988, Articles 23 to 25).

2. The Department of Antiquities allowed them to keep the remaining artefacts, which were officially registered and authenticated by the Department of Antiquities (The Jordanian Law of Antiquities for 1988 to 2004, Articles 8 and 23 to 25).

After the period of adjustment, trade in antiquities became illegal and hence the problem started. The price of antiquities increased, as they were not available in the shops. The new legal position and subsequent price increases encouraged some dealers and other providers of movable antiquities. Before 1976, foreigners were allowed to buy and export antiquities at reasonable prices. Under the new law, a few members of the diplomatic community exploited their privilege of diplomatic immunity in order to smuggle antiquities in diplomatic bags. A number of these attempts were discovered

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3. Map showing the illicit trafficking of antiquities through Jordan, Syria-Palestine, Egypt, Iraq and the Arabian peninsula.

when boxes containing antiquities broke open during loading and transport, when customs officials suspected certain packages and when informers provided information (al-Shami 2005c: 3).

Under the new situation, some 'gold hunters' recognised the high price of antiquities and therefore turned to robbing antiquities from archaeological sites (FIGS. 4 and 5). The desire of the country's expanding *nouveau riche* community to possess antiquities, imitating what they saw in the houses of the wealthy that acquired antiquities under license before 1976, also increased the demand for antiquities at any price. Some of them also tried to bring in antiquities from neighboring countries such as Iraq and Turkey.

The Department of Antiquities did not appreciate the problems that would subsequently emerge when the law of prohibition was passed in 1976. At that time, the dealers had large stocks of antiquities in special warehouses from which they could meet the needs of their customers. This kept the price of antiquities low and did not encourage illicit excavations. However, in time their stocks ran out and certain types of antiquities became much in demand, which led some dealers to resume business with their previous suppliers, paying them higher prices and encouraging illicit excavations (al-Sha-

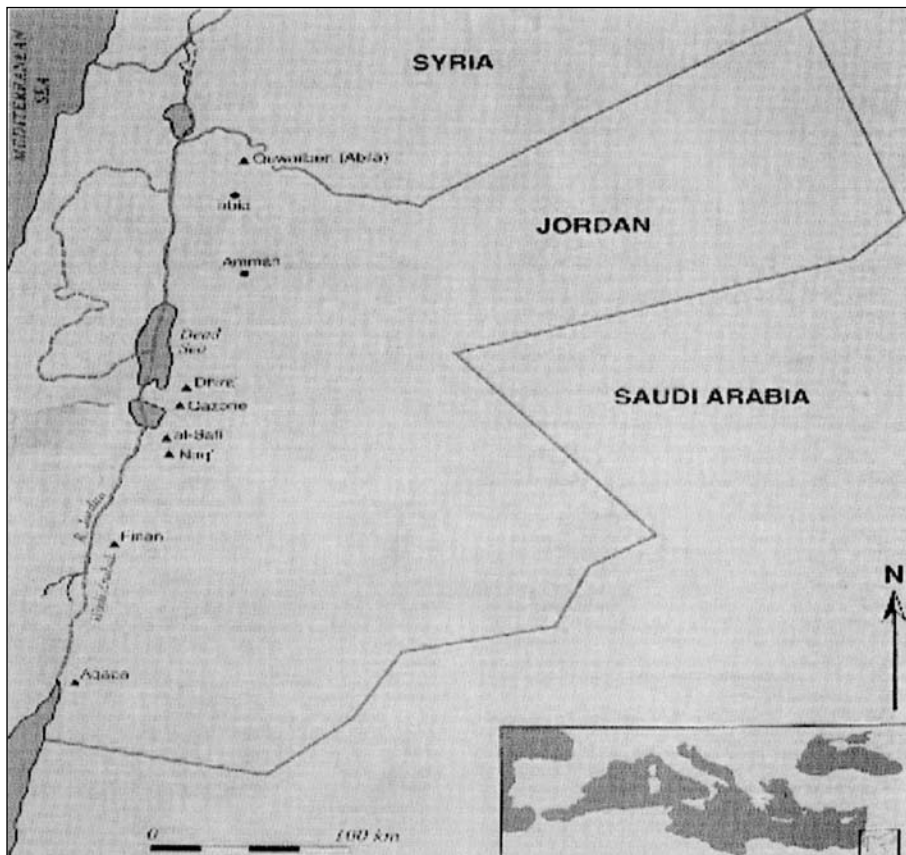
mi 2005a: 3-4) (FIG. 6).

The Department of Antiquities eventually recognised the scale of the related problems of (1) the decline in the security of the archaeological sites and (2) the illegal possession of antiquities. At the end of 1996, the Department of Antiquities offered an amnesty to collectors of antiquities in Jordan, giving them the opportunity to register their collections. This was an attempt to control the illicit trade in cultural property and to check the private collections.

Despite all efforts, the problem is getting worse all over the world. This has led several neighboring countries to sign agreements targeting the smuggling of antiquities, making provision for the exchange of information relating to this issue and enabling smuggled antiquities to be repatriated to their original countries (al-Shami 2002a: 3).

### Causes Behind the Increased Pressure on Antiquities

1. The country has witnessed an increase in the pace of construction that has inevitably led to some destruction. Some of the destruction has however been deliberate and appropriate precautions should therefore be taken (FIG. 7).
2. War and unrest in neighboring countries have



4. Map showing the location of affected sites in Jordan.



5. Bulldozed remains of the Ottoman fort of al-Mudawwara at the al-Mudawwara border crossing.

- increased the problem of antiquities smuggling into Jordan, or through Jordan *en route* to other countries. There has been a noticeable increase in cases relating to antiquities originating from neighboring countries.
3. The significant increase in the price of antiquities has encouraged some people to deal illegally

- and / or smuggle.
4. The economic situation and high unemployment has led some people to deal illegally and / or to search for antiquities in order to fulfill their basic needs.
  5. The establishment of new museums overseas, or the expansion of existing museums, in addition

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6. Archeological site surrounded by modern houses (the Iron Age Ammonites' Tower at 'Ammān).



7. The increase in construction led to destruction-a new city built over the old one at Bayt Rās, north Jordan.

to the desire of rich foreign collectors to possess antiquities (al-Shami 2005a: 4).

### **The Precautionary Procedures Taken by the Department of Antiquities**

In an attempt to control the problem, the Department of Antiquities has increased the number of guards at threatened archeological sites. In addition, several sites have been fenced for their protection and new Antiquities offices have been established to safeguard and manage them. The Department of Antiquities also co-operates closely with the various public security services in order to protect archeological sites. These services are:

1. The Police Department, representing all police

stations in the country as well as border check-points.

2. The Desert Police and Border Guards.

3. The Drug Control Department.

4. All branches of the Customs Department, plus the Smuggling Control Directorate.

### **The Role of the Security Services in Implementing the Archaeological Security Policy**

The security services assist the Department of Antiquities in the implementation of the first phase of the archaeological security policy that is up to the point when cases reach the law courts. The regional security centers can arrest violators and assist with the passing of relevant information to the Depart-

ment of Antiquities. They also help in the temporary guarding of threatened sites until the Department of Antiquities can take over (al-Shami 2005c: 4-5).

At the border checkpoints, the security services play a significant role in fighting the smuggling of antiquities. Since 1996, the Police Department has assigned responsibility for the fight against the illicit trade in cultural property and smuggling of antiquities to the Drug Control Directorate. As a result, an Antiquities branch has been established within the Directorate in an attempt to control antiquities smuggling.

In co-ordination with the Department of Antiquities, the Customs Department collates all data relating to the import and export of cultural property, and passes on any suspicious information. In addition, the Customs Department consults the Department of Antiquities in cases concerning ‘old objects’, investigates the possessors, issues confiscation papers and puts violators before the courts in accordance with the Law of Customs and the Law of Antiquities (al-Shami 2002a: 5).

For the quantity of antiquities confiscated by the security forces and currently in storage at the Department of Antiquities see the table below.

Year	No. cases	No. confiscated artefacts
1991	Several	1103
1992	3	26
1993	3	457
1994	6	1234
1995	6	897
1996	4	45
1997	2	27
1999	7	4136
2000	12	744
2001	15	3600
2002	13	4662
2003	23	2247
2004	19	4695
2005	5	272
2006	25	2178

### Field Experience

A large number of archeological sites in Jordan are

looted for gold, ceramics, glass, tomb stones etc. It is however difficult to quantify the scale of the problem, owing to the following factors:

1. Not all archaeological sites are known and registered; most are still undiscovered.
2. Most sites are discovered by accident, for example during agricultural or construction activities.
3. Most threatened sites are located in remote or uninhabited areas and therefore lack proper security and supervision.
4. Other than the problem of being in remote or uninhabited areas, most of the threatened sites are also cemeteries that are still underground. These cemeteries are most often discovered by accident (al-Shami 2002b: 54) (FIG. 4).

The number of cemeteries is large; examples include (1) the site and cemetery at Bayt Rās in north Jordan, where the modern town is built over the ancient one and some people dig on a daily basis looking for expensive objects to loot (al-Shami 2004: 11; 2005: 511) (FIG. 7); (2) the second-third century AD cemetery at Queen Alia International Airport, which was partly discovered in 1978 and then again in 2000, when salvage excavations took place prior to destruction; (3) the fifth-seventh century AD Byzantine cemetery at Khirbat as-Samrā in al-Mafraq governorate; and (4) the Byzantine cemetery at Faynān in Wādī ‘Araba where salvage excavations were conducted by the Council for British Research in the Levant and Yarmouk University (al-Shami 2005c: 7).

There are also the southern sites in the Jordan Valley, including (5) Khirbat Kazūn in Ghawr al-Mazra‘a, close to the southern end of the Dead Sea; this cemetery, which contains around 7,000 burials, has been subjected to destruction on a massive scale. Salvage excavations carried out there by the British Museum unearthed second-third century AD Nabataean and Roman burials in which both textiles and leather goods were preserved (Politis 1988b: 613); and (6) the an-Naq‘ and (7) Fifā cemeteries in Ghawr aş-Şāfi, which date to the Early Bronze Age or *ca.* 3000BC. At an-Naq‘ there is also a Byzantine cemetery which is rich in glass and ceramics; Hundreds of *dunums* had been totally destroyed there (Politis 1988a: 628). The Department of Antiquities has conducted salvage excavations at both cemeteries, first, in 1994, at an-Naq‘ and second, in 2000, at an-Naq‘ and Fifā (FIG. 8).

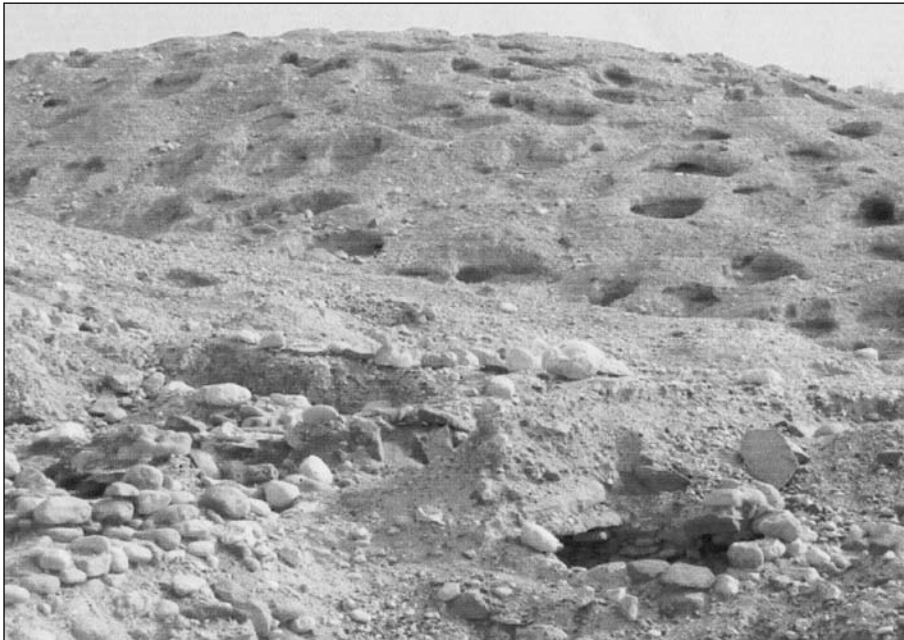
As a result of the dire agricultural situation in

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the southern part of the Jordan Valley, many people resorted to looting these cemeteries and selling the artefacts to dealers at low prices. For example, the Drug Control Directorate arrested a dealer trying to smuggle a consignment of 300 artefacts through the airport. The warehouses of that dealer in Amman were searched and around 3,500 artefacts confiscated. These artefacts originated from the above-mentioned cemeteries and included ceramic vessels, sculpture, glass, basalt tools and other objects.

At the beginning of 1996, the Department of Antiquities established large warehouses to store artefacts recovered through legitimate excavation.

These warehouses have an independent hall for artefacts confiscated by the police, including those recovered during the course of operations against smuggling and illegal dealing (FIG. 9). They contain hundreds of ceramic objects, stone tools, glass vessels, sculptures and bronze, silver and gold coins, in addition to the fakes that some dealers have tried to introduce into the local market or to smuggle out of the country. They also house the files of cases dealt with by the security forces in collaboration with the Department of Antiquities (FIG. 10). The official record of these artefacts, which are classified according to type and date, includes a precise description of each object with a serial number at-



8. Illicitly excavated Bronze Age cemetery at an-Naq' in Ghawr aş-Şafi.

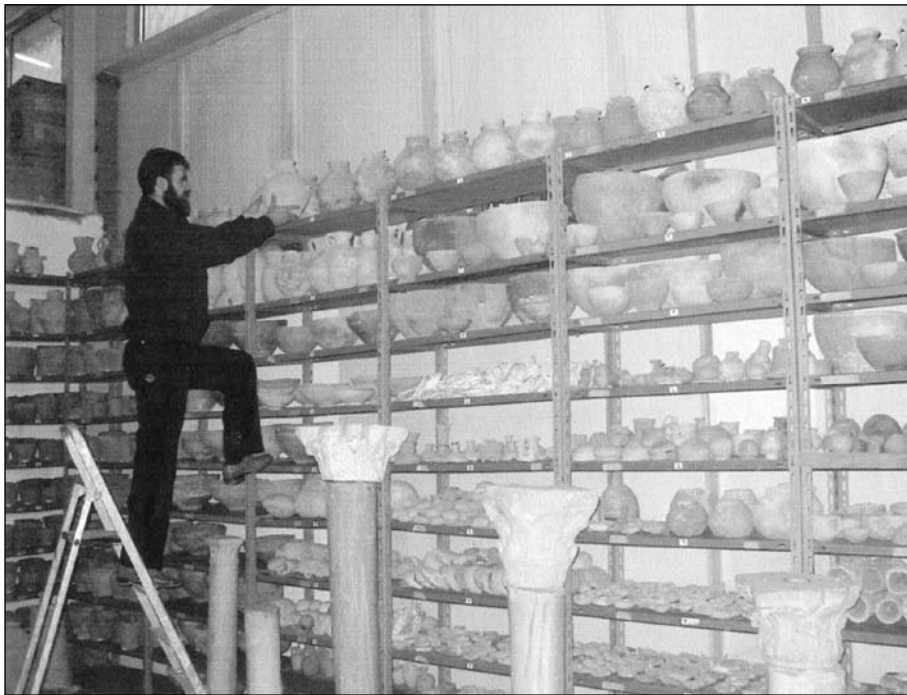


9. The DoA established large warehouses in 1996 to store the artefacts discovered during excavations.

tached to the artefact itself.

These operations cannot be implemented by the Department alone, owing to a lack of funds and the difficulty of covering archaeological sites which are spread all over the country. The importance of co-operation and co-ordination with Jordanian security forces has been mentioned above. Equally important is co-ordination with other Arab and foreign countries, through their diplomatic represen-

tatives in Jordan. For example, a shipment of 798 artefacts was returned to Jordan from Italy (FIG. 11); these artefacts came from the cemeteries mentioned above and the Italian government arrested the smugglers (al-Shami 2005c: 6-7). Similarly, the Jordanian government, represented by the Department of Antiquities, has returned hundreds of objects to the Iraqi government, including sculptures, seals and inscribed clay tablets. In addition, one



10. The warehouses hold hundreds of ceramic objects.



11. 798 artefacts returned to Jordan from Italy following operations against smuggling and illegal dealing.



piece of sculpture has been returned to Egypt and another to Syria. All these objects were recovered by the security forces, which handed them over to the Department of Antiquities.

These cases indicate the effectiveness of co-ordination between the Arab countries in preserving their cultural heritage and fighting the illicit trade in antiquities. Just as important is (1) the exchange of information about smuggled objects and returning them to their country of origin as stipulated by the UNESCO agreements and (2) co-ordination and co-operation with the international organisations and bodies that deal with the preservation of culture and antiquities. In this sphere, the role of UNESCO in preserving cultural heritage is conspicuous, by urging countries to join and sign agreements that encourage the protection of cultural property and human civilization (al-Shami 2002a: 7).

### Conclusion

The questions now are (1) how can we solve the problem of illicit trade in antiquities and (2) what procedures should be taken to protect archeological sites? Is it sole responsibility of a single body, such as the Department of Antiquities, to provide the necessary protection to archeological sites? The answer of course is that the Department of Antiquities cannot do it alone, but that it can take preventative measures including:

1. Fencing the sites.
2. Assigning guards.
3. Open regional offices.

Such measures are however limited and inadequate. By way of example, the Ghawr aṣ-Ṣāfi area has the largest archaeological cemeteries in the Middle East. These measures reduced the scale of illicit excavation but did not totally stop it as the area affected is huge, extending from the southern edge of the Dead Sea to Wādī Faynān, and is in need of continuous supervision.

4. There is a need for closer co-operation between the regional Antiquities offices and the central administration at the Department of Antiquities in Amman.
5. There is an urgent need for more co-operation between the Department of Antiquities, represented by its regional offices, and the security forces in the areas most at risk.
6. The establishment of a special unit within the Police Department is also an option. Such a unit should be responsible for pursuing the theft and

smuggling of antiquities, and some of its members should hold degrees in archeology.

7. The Customs Department could employ personnel with degrees in archeology and special training in the identification of archaeological objects at airports and border checkpoints.
  8. Active participation by the Department of Antiquities in conferences, symposia and workshops. Examples include (1) participation in the meetings organised by UNESCO to establish the basis for combating the illicit trade in antiquities and (2) the organisation, with co-operation from the Italian Embassy at 'Ammān, of a workshop dealing with the protection of antiquities and works of art.
  9. Efforts should be made at the Ministry of Justice and within the judicial system at large to implement the penalties stipulated by the Law of Antiquities.
  10. Active public awareness programs that emphasize the importance of antiquities should be conducted through the media, exhibitions, lectures and seminars. Such programs would help to develop national and cultural values amongst Jordanian citizens.
  11. Urge Arab governments to exert tighter control over the illicit trade in and smuggling of antiquities.
  12. Establish the necessary basis for Arab and international co-operation aimed at limiting the theft and smuggling of antiquities.
- Finally, is the trade in antiquities the real reason for the destruction of archeological sites and the loss of objects, and is a ban on the trade in antiquities effective in stopping the destruction by eliminating the market? Can we come to the conclusion that the antiquities dealers cause the destruction of sites, or should we open the market for trade — within certain legal constraints — in carefully selected, commonly found antiquities in co-ordination with international organisations and concerned Arab countries, whilst at the same time making punishments for violators more severe? These questions are still open for discussion in spite of their difficulty (al-Shami 2002b: 55).

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