

## ARCHAEOLOGY

# University Suppresses Report on Provenance of Iraqi Antiquities

University College London (UCL), one of Britain's premier universities, has become embroiled in a dispute over its handling of a large collection of religious artifacts that may have been part of the illicit trade in archaeological relics from Iraq in recent years. Last year, a committee of experts UCL established to investigate the matter concluded that "on the balance of probabilities," the artifacts were illegally removed from Iraq, and in the past months Iraqi officials have taken steps to recover the relics. Their actions come after UCL agreed this summer to return the collection to its owner, a wealthy retired Norwegian businessman who had sued UCL for their recovery. As part of a settlement of that suit, UCL agreed not to publish the committee's report.

"It is shameful that a university should set up an independent inquiry and then connive with the collector whose antiquities are under scrutiny to suppress the report through the vehicle of an out-of-court settlement," says Colin Renfrew, an archaeologist at the University of Cambridge, U.K., and a longtime critic of trade in antiquities of questionable provenance. Renfrew was one of three experts appointed by UCL in early 2005 to look into allegations about the provenance of the Aramaic incantation bowls and to propose new antiquities guidelines. Neil Brodie, an archaeologist at Stanford University in Palo Alto, California, and former research director of Cambridge's Illicit Antiquities Research Centre—created by Renfrew in 1996—calls suppression of the report "an attack on academic freedom, because the illegal trade in antiquities is a legitimate research subject."

Salah al-Shaikhly, Iraq's ambassador to the United Kingdom, told *Science* last week that Iraqi authorities have asked British authorities to block the export of the bowls and that the Iraqi government hopes to go to court to recover the bowls "in a matter of weeks." The removal of the artifacts, al-Shaikhly says, is "a great loss to the Iraqi national heritage."

The affair has also caused considerable discomfort within the university's Institute of Archaeology, which has played a

leading role in developing strict antiquities rules. "I deeply regret the fact that the panel's report will not be published," says UCL archaeologist Kathryn Tubb, who co-wrote the institute's guidelines. "The results of the deliberations were to have informed future policy for the whole of UCL."

UCL officials have refused to comment on the matter, and Martin Schøyen, the owner of the bowls, declined to be interviewed for this story. But a series of press statements on the Schøyen Collection's Web site ([www.schoyencollection.com/news.htm](http://www.schoyencollection.com/news.htm)) explains that "any assertion that the bowls in the Schøyen Collection might be looted is incorrect." The Web site notes that the artifacts came from a Jordanian collection "built over many years."

The UCL committee of inquiry's report—a copy of which *Science* has reviewed—concludes that the bowls most likely left Iraq illegally sometime after August 1990, when Iraq invaded Kuwait. Schøyen subsequently bought them from dealers based in Jordan and London. The 94-page report says that the committee found "no direct evidence that positively contradicts or impugns Mr. Schøyen's honesty" in his account of how he obtained the bowls and credits him with "openness" in the way he purchased them. But it sharply criticizes UCL for agreeing to store the bowls without looking into their origins or "the manner in which Mr. Schøyen came to possess them."



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## "A potentially damaging position"

During the 5th to 8th centuries C.E., many people living in Mesopotamia (present-day Iraq) buried pottery bowls under the thresholds of their houses to ward off evil demons. The bowls were inscribed with biblical passages and other incantations in Aramaic, an ancient Semitic language. Today, about 2000 of these Aramaic incantation bowls are known to exist in public and private collections around the world. Schøyen owns one of the two largest collections, numbering 656, and beginning in 1995, loaned 654 of them to UCL's Department of Hebrew and Jewish Studies to be cataloged and studied. The research was led by linguist Shaul Shaked of the Hebrew University of Jerusalem, in collaboration with

UCL's Mark Geller, an expert in ancient languages.

In September 2003, a documentary aired on Norwegian public television that questioned the provenance of a number of antiquities in Schøyen's collection—which is based in Oslo and London—including the incantation bowls. According to the committee's report, questions from the program's producers led UCL Vice-Provost Michael Worton to write Geller on 2 December 2003, directing him to make arrangements to

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◀ **Away all demons!** Ancient Mesopotamians used bowls inscribed in Aramaic to repel evil spirits.

return the artifacts to Schøyen—an order that the report says was never carried out. (Both Worton and Geller declined to comment on this and other matters related to the bowls.) UCL also consulted its attorney, who, according to the committee report, told UCL on 10 September 2004 that it was in “an anomalous and potentially damaging position” because it might be violating international and British antiquities laws by keeping the bowls—or returning them to Schøyen—if the bowls had been removed illegally from Iraq.

In early 2005, UCL set up the committee of inquiry that, Worton explained in a 16 May 2005 press release, would allow UCL “to be absolutely clear about the provenance of these bowls, and to satisfy ourselves that they were not removed illegally from their country of origin.” He said the committee’s report would also “provide a model for best practice in dealing with the complex cultural issues that can arise from such situations.”

The committee—comprised of David Freeman of the London law firm Kendall Freeman; Sally MacDonald, now director of UCL Museums and Collections; and Renfrew—took testimony from three dozen witnesses, including Schøyen and two London-based antiquities dealers who, the committee determined, sold him many of the incantation bowls. Schøyen and the dealers told the committee that nearly all of the bowls had come from the family collection of Ghassan Rihani, a Jordanian antiquities dealer who reportedly died in 2001. But the committee found “unconvincing” two Jordanian documents that Schøyen offered in support of his claim that the incantation bowls had been legally transferred from Jordan to London.

In an interview with *Science*, one of the two London dealers, Chris Martin, says that Rihani had some incantation bowls in his collection at least “3 or 4 years” before the 1991 Gulf War. The committee calculated that Martin sold Schøyen 444 of the incantation bowls, of which at least 300 came from Rihani. After a time, Martin says, Schøyen began to buy directly from Rihani and, according to the report, acquired another 174 bowls this way.

The committee’s report cites the testimony of four experts in ancient Mesopotamia that nearly all known incantation bowls come from Iraq, which since 1936 has forbidden the export of antiquities except for exhibi-

tions and research. “The bowls were present in Iraq when the 1936 Law came into force ... [and therefore] were the property of the State of Iraq” at the time that Schøyen purchased them, the report concludes, even if Schøyen may not have realized this. Nevertheless, the committee found that, under U.K. law, Schøyen could still claim title to the bowls if he had already possessed them for 6 years and could demonstrate that he had bought them in good faith.

### Claiming the bowls

The committee’s report, dated 27 July 2006, contains a number of recommendations, including that it “be published in full.” Indeed, Renfrew told *Science*, the panel pre-



**The collector.** Martin Schøyen (top) sued University College London (below) to get back his artifacts.

pared the report “in the expectation that it would be published.” Nevertheless, the panel proposed delaying publication for 6 months while copies were sent to Schøyen, the antiquities departments of Iraq and Jordan, London’s Metropolitan Police, and two other British government agencies. Although UCL officials have declined to comment on any aspect of the affair, Renfrew says UCL attorneys told the com-

mittee early in 2007 that the university would “omit the legal arguments and conclusions and recommendations” in summaries being sent to Iraq, Jordan, and the police.

The report has not been published, however. On 9 March 2007, the Schøyen Collection announced that it was suing UCL to recover the incantation bowls. A press release explained that it “has become frustrated with the waste of time and money caused by a lengthy and inconclusive inquiry into its provenance” and added that it had “los[t] confidence in UCL’s conduct of its inquiries.”

Meanwhile, on 26 June, Schøyen and UCL issued a joint press statement signaling an end to the litigation. “Following a searching investigation by an eminent panel of experts, and further inquiries of its own,” the statement declared, “UCL is pleased to announce that no claims adverse to the Schøyen Collection’s right and title have been made or intimated” and that “UCL has no basis for concluding that title is vested other than in the Schøyen Collection.” The bowls have been returned, the statement said, “and UCL has agreed to pay a sum in respect of its possession of them.”

Jenina Bas, media spokesperson for the Schøyen Collection, declined to say where the bowls are now located, citing “security reasons.” However, Shaked told *Science* that they are still in the United Kingdom. Al-Shaikhly says that Iraq did not immediately make a claim on the bowls because “lawyers in England are very expensive.” He adds that culture ministry officials in Baghdad discussed the matter for several months before agreeing to proceed.

In the meantime, Shaked says that he plans to continue his research. “It is my responsibility as a scholar to work on any ancient artifact that has information to tell us,” he told *Science*, staking out one side of a bitter debate among archaeologists about whether researchers should work with unprovenanced antiquities (*Science*, 28 April 2006, p. 513). The other side believes that researchers and collectors are morally obligated to carry out what archaeologists call “due diligence” into the provenance of the antiquities they work with. “Due diligence is at the heart of the discussion about the antiquities market,” says archaeologist David Gill of Swansea University in Wales. “If respected international institutions are unable or unwilling to release the findings of this process, archaeologists begin to smell a rat.”

Renfrew agrees with Gill’s assessment of the situation. He calls suppression of the report a “huge mistake” and believes it was motivated by the university’s desire to avoid a costly legal battle. “If so,” Renfrew says, “they have sold their souls for a mess of pottage.”

—MICHAEL BALTER