



Looting and 'Salvaging'

How the Wall, illegal digging and the antiquities trade are ravaging Palestinian cultural heritage

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Robbers have looted this Roman tomb near the Jenin town of Qabatiya. A Palestinian Authority excavation in Qabatiya uncovered 490 pieces of Ottoman silver.

Photo credit: Adel Yahya/PACE

Palestine's archaeological heritage is, as is the case elsewhere, a non-renewable cultural resource. Although the land is probably the most intensively excavated in the world, much remains to be done in the protection and management of its heritage, which has been harmed by decades of political instability and conflict. Since 1967, the occupied Palestinian territories have remained comparatively ignored by archaeologists, while neighbouring countries like Jordan, Egypt, and Israel continued to be extensively excavated. The threats and challenges to Palestinian cultural heritage are diverse, but they are all quite serious and hard to solve. Some of them, such as illegal digging, absence of Palestinian antiquity laws, and a lack of sustained national interest in this issue are internal. Others, including the antiquity trade, Israeli antiquity laws, and the series of walls, fences and guard towers that Israel is constructing throughout the West Bank, are external threats. These combined threats have devastated the country's heritage, with little yet done to confront them. A prerequisite to confronting those challenges,

and thereby devising a comprehensive plan to protect Palestine’s cultural heritage, lies in a detailed analysis of the situation.

This intervention will focus on four different factors currently threatening cultural heritage in Palestine. The first is illegal digging of antiquities or what we call ‘subsistence looting’. The second is the impact of the Wall as it continues its devastating path throughout the West Bank. Third is the impact of antiquity laws, and finally we consider the impact of the Israeli disengagement plan on Palestinian heritage.

Illicit Digging: Looting in Your Own Backyard

Illicit digging of antiquities is probably as old as history itself, especially in countries where human habitation stretches back into the Stone Age, as it does in Palestine. This problem has been intensified in Palestine by decades of political instability and foreign rule. According to a 1930s British Mandate survey, historic Palestine (Israel, the West Bank & Gaza Strip) has a total of more than 35,000 large and small archaeological sites (caves, ruins, tells, sanctuaries, quarries, towers, churches, mosques, etc.) from all historic and prehistoric periods. The West Bank alone has about a third of those sites (12,217) (see table below), many of which have been destroyed, particularly since the occupation of the West Bank by Israel in 1967. The exact number of sites robbed in the occupied territories since then is unknown, but it is estimated to be in the thousands.¹ Grave robbers have even vandalized Moslem tombs like Maqam Hasan al-Rai’ near Nabi Musa, although such tombs are known not to include burial goods of any kind.

Identified West Bank Archaeological Sites and Features as of the 1930s

No. of District	Name of District	Size of District in km²	No. of villages	No. of main sites	No. of features	Total No.
1	Bethlehem	581	71	136	1,228	1,364
2	Gaza	371	42	44	140	184
3	Hebron	1,068	156	357	1,859	2,216
4	Jenin	586	96	212	537	749
5	Jericho	649	16	76	451	527
6	Jerusalem	332	51	181	1,386	1,567
7	Nablus	569	73	266	1,015	1,281
8	Qalqilya	151	35	53	418	471
9	Ramallah	782	80	347	1,788	2,135
10	Salfit	201	23	86	662	748
11	Tubas	415	23	130	359	489
12	Tulkarm	263	42	100	385	485
Total	12	5,968	708	1,988	10,228	12,216



A damaged shared tomb in Qarawa in the West Bank. *Photo credit: Adel Yahya/PACE*

Illegal Palestinian diggers usually work in crews of four to ten people. They excavate at night in order to evade land owners and the police. They dress in dark clothes and are usually armed with sophisticated equipment like metal detectors and tractors to dig deep into the ground, but also shovels, picks, axes, knives and sifters. One or more members of the group act as observers to keep an eye out for any intruders, while the rest dig. They usually do not search randomly, but take their time to look for suspected

antiquities sites, searching for clues such as fig trees that flourish near underground caves, broken ceramics on the surface and signs of hewn stones. They are in many cases more efficient than archaeologists in terms of reading the terrain and knowing where to look and what to look for. They have clues about stratigraphical digging and often use archaeological terms to describe their finds, identifying them, for example, as Bronze Age, Early Iron Age, Israelite or Roman periods. Some of them can actually date finds with a certain degree of certainty. Most of them can distinguish between Bronze Age, Byzantine and Islamic period materials and their dating is usually accepted by antiquity dealers and buyers.

Subsistence Looting

Palestinian illegal excavators are mostly ‘subsistence looters’ who dig as a way of surviving poverty. They sell finds to middlemen, who resell the goods to licensed dealers in major cities like Jerusalem, Tel Aviv and Haifa at a healthy markup. It is usually those middlemen and dealers who retain the lion’s share of the profits.² Grave robbers do not receive more than one percent of the retail value of their finds, according to most estimates.³ This is further illustrated by the fact that looting grows at the same rate as unemployment. The phenomenon surged dramatically after the outbreak of the al-Aqsa Intifada in October 2000 as a consequence of the closure of the Palestinian areas by Israel which prevented Palestinians from getting to jobs in Israel. The World Bank’s 2005 economic monitoring report showed unemployment in the Palestinian Areas at 23 percent, with 43 percent of Palestinians living under the poverty line. Some of those unemployed have turned to pillaging in their own backyards, especially in areas rich with material culture like Sebastia near Nablus, Gibeon (al-Jib) near Jerusalem, and the Hebron area. In 2001, Palestinian and Israeli antiquities authorities reported a 300 percent rise in incidents of grave robbing.⁴ Most Palestinian illegal diggers seem to have learned the skills of excavating and

tomb robbing from foreign archaeologists working in the country, passing this knowledge to their children and friends later on. A well-known grave digger from the village of al-Jib (ancient Gibeon) named Muhammad told the author: “The people of the village learned the nature of digging, and learned stratigraphy and layers from Pritchard who excavated the village in the 1950s.” This does not mean, however, that looting is a profitable business, or that local looters are getting huge financial pay-offs from their work. On the contrary, it is a tedious job that doesn’t compensate the accompanying effort and risks. Besides the danger of being caught by police, grave diggers face poisonous snakes and scorpions, as well as deadly insects. A digger from the Hebron area in the southern West Bank named Munther told Reuters: “The most frightening of all are the Jin [the ghosts]. I am not afraid of the soldiers or the snakes,” he said. “I am only afraid of the Jin. Sometimes people become sick or go mad from the ghosts.” He added, “We sometimes bring Muslim sheikhs – holy men – to recite incantations to drive away the evil spirits from the tombs.”⁵

Besides the suppliers, consumers are the main contributors to this destructive phenomenon. They encourage looting by creating a market demand for antiquities, and are therefore as guilty, if not more so, as the looters themselves. The main consumers of Holy Land antiquities are usually foreign collectors who come to the country as pilgrims and tourists. They make up more than 90 percent of the market share, while Israeli and international museums that lack specific policies prohibiting the purchase of unprovenanced artefacts consume the rest. Antiquity thieves are looking mostly for gold, coins, glassware and ceramic pieces like oil lamps, clay stamps and items bearing written inscriptions. These objects can sell for hundreds, sometimes thousands, of dollars if they are found intact.⁶ If, for example, they come across a skeleton wearing gold or silver jewellery, they will break the skeleton to get the bracelets or necklaces, and in the process destroy significant historical data.

Clearly, if there is going to be a solution or even an ease to the problem of looting, changing the public’s attitude towards cultural heritage must come first. This means changing the attitude of illegal excavators’ and collectors themselves, but more importantly changing the general public’s tolerance towards those people and their activities. We should stand firm against activities like illicit digging, grave robbing and above all towards trade in antiquities, and reject any excuses presented by the diggers and dealers to justify their actions. Such justifications usually vary from need and lack of job opportunities, to reaching treasures before foreigners reach them. In fact this later excuse is often cited by diggers to justify their illegal actions, and it is sometimes accepted by the general public in the local communities. An excavator from al-Jib accused the famous American archaeologist James Pritchard, the excavator of Gibeon in the 1950s, of encouraging illegal digging⁷:

This man excavated the village at the end of the 50s, he came three or five months, not the whole year, he would come in June or July and stay until October, and then he would disappear together with his group. In the winter, when the weather gets cold, the local people who worked with him would start digging, but not in daylight, just at night. The people of the village would object to that because diggers were destroying the land. But Pritchard would encourage those people and give them money for their finds. Later on those people started working for themselves. Pritchard was buying their finds through a middle man from the area of southern Hebron. This man would store all the finds in his home until Pritchard came back, and Pritchard would take all the objects and pay him any money he asks for, no questions asked. Other people were also selling him objects, and when he was not around they were selling them to souvenir shops in Jerusalem.

Today's archaeology is not about collecting objects but rather about collecting contextual data. Furthermore, this problem is not confined to the West Bank, but certainly spills over to Israel proper. As sites in the West Bank are being emptied, some Palestinian diggers are crossing the Green Line that separates Israel from the West Bank in search of more promising places to dig. In 2001, the Israel Antiquities Authority's anti-theft unit caught a Palestinian Authority policeman digging within Israel.⁸

The Israeli Wall in the West Bank

According to Palestinian Department of Antiquities estimates, the Wall that Israel is constructing in the West Bank will isolate more than 1,500 archaeological sites and features between the Green Line and the *de facto* western border of the Palestinian areas created by the Wall. A further 1,250 archaeological sites and features are threatened by the proposed Wall in the Jordan Valley. Thus, the Wall will potentially isolate a total of 2,800 archaeological sites and features between it and the Green Line – the internationally recognized border between Israel and Palestine (see table below). This is no small number, representing 23.3 percent of all archaeological sites in the Palestinian areas, and more than 12 percent of all known archaeological sites in historic Palestine. The Palestinian Department of Antiquities also says that the wall has destroyed partially or fully approximately 800 archaeological sites. This situation will undoubtedly have a disastrous impact on Palestine's heritage and on tourism, because tourists come to this country mainly to enjoy its rich cultural heritage.

Impact of the western separation wall on Palestinian cultural heritage

Area size (km ²)	562
Percentage of West Bank lands	11%
No. of archaeological sites and features	1551
Including archaeological sites with high potential	255

Impact of the proposed eastern separation wall on Palestinian cultural heritage

Area size (km ²)	1,619
Percentage of West Bank lands	31%
No. of archaeological sites and features	1,249

Total no. of sites affected by separation wall **2,800**

Source: Personal communication with the Palestinian Department of Antiquities

Late in 2002, the Israeli official in charge of planning the Wall's route testified in court that changes may be required in its course for various reasons, among them "archaeological factors". To date, dozens of archaeological sites have been discovered under the wall's proposed route, and the Israeli military authorities have responded to this challenge in three different ways:

- The Wall's route has in some cases been changed to avoid archaeological sites by moving it deeper into the West Bank. Protecting ancient sites was used to justify isolating those sites, possibly annexing them to Israel at a later stage. Perhaps one of the most evident examples of land confiscation based on archaeological and cultural heritage is Rachel's Tomb in Bethlehem where the Wall was purposefully re-routed in order to encompass the site. In the process, a Muslim cemetery was isolated on the Israeli side of the Wall.
- Excavations have been hastily organized and expedited to uncover artefacts and move them to Israel before construction of the wall begins. Not only homes, fields, olive, vine and almond trees that have been uprooted to clear the path for the wall, but also material culture in the form of ancient artefacts in sites at Zabuba, Shuweka, and Saffa.
- In some cases, a thick layer of earth has been laid over sites to protect them during the construction of the wall, as was the case with the Byzantine church near Abu Dis, and in many sites in the Hebron area.

Following are a few case studies of West Bank sites affected by the Wall. They are only one part of an ongoing effort by the Palestinian Association for Cultural Exchange (PACE) to document the harm inflicted by the Wall on Palestinian cultural heritage.

Zabuba

In the village of Zabuba, north of Jenin and just a few kilometres from the Green Line, the Wall was shifted eastwards to place archaeological sites on the Israeli side of the Wall. This village has been inhabited for more than 4,000 years, and its surrounding hills are dotted with remains of past civilizations. Excavations have uncovered ancient population centres at nearby Megiddo and Tel al-Dhahab. Within Zabuba's limits, an archaeological dig was conducted by the Israeli Civil Administration in late 2002 in preparation for the Wall's construction. In 2003, after completion of the Wall in the Zabuba area, "Zabuba was completely cut off from those sites, adding insult to injury after a history of accumulated dispossession," stated Mohamad Jaradat, head of Zabuba's village council and owner of the land where the site is located. Jaradat, in an interview with Jennifer Peterson from *al-Jazeera*, added, "They've taken our land and our artefacts, it's our heritage, and they've stolen it."⁹

Jaradat echoes the sentiment of Palestinian archaeologists who accuse Israeli military authorities of destroying and looting the heritage of the country. For the people of the village of Zabuba, this was "the latest instalment in the expropriation of the village's territory." The village lost thousands of dunams of land in the Israeli-Jordan Armistice Agreement of 1949. A decade later, another 2,000 dunams were shaved off for Israel's benefit, and a few more were confiscated when the Salem Military Camp was built in 1987. In 1999, Israeli authorities dug a ditch and set up a green metal railing along a road marking the Green Line, taking another 31 dunams from the village. It was at this point that Israeli builders stumbled upon the remains of an ancient structure. Using the excuse of the Wall, a team of about 50 Israeli archaeologists returned to the site late in 2002 and dug six squares into the earth, uncovering curvaceous stone foundations and broken pottery shards.

Shweika

In Shweika village, north of Tulkarem, villagers took their case all the way to the Israeli Supreme Court, demanding that the Wall be pushed back to the 1967 border along the Green Line. Several homes were to be cut off to the west of the Wall's proposed path, and the villagers argued against such a path based on humanitarian grounds. The State of Israel responded, however, that a Pharaonic village had been discovered on the land, and thus construction could therefore not be pushed back to the Green Line. Instead, the Israeli government suggested that the Wall be constructed just west of these homes, with only six meters between it and the homes, as a result severing them from their land and the archaeological site.

Quffin

Similarly, north of Shweika, members of Kibbutz Metzger, located just across the Green Line from the village of Quffin, petitioned the Israeli Ministry of Defence to push the wall back to the 1967 border in order to avoid cutting villagers off from their land. The

ministry appeared willing to accept the proposal, but then broke its promise, claiming that due to the presence of antiquities and insufficient time to excavate them, the Wall would have to remain east of Quffin's cultivated fields.

There are over 100 major archaeological sites in the area between Zabuba and Shweika, says the Palestinian Antiquities Department. The sites in this area date from the Bronze Age to the Ottoman period, and include ancient dwellings and population centres, as well as individual items including caves, tombs, rural castles and agricultural equipment such as grape presses and farm roads.

Saffa

Located 17 km west of Ramallah, the village of Saffa has lost some 5,000 dunams of land due to the path of the Wall. This area includes at least six identified archaeological sites that will be either destroyed or separated from the village as a result of the Wall. These sites are located to the west of the village and will surely be annexed to Israel as soon as the wall is completed. These sites are:

Khirbet al-Amma: a Byzantine settlement with a defensive wall, stone cut burial grounds, wine and olive presses, and mosaic pavements. The construction of the Wall has destroyed the eastern and southern parts of the site.

Khirbet Krikur: a Hellenistic Roman site inhabited up until the early Ottoman period. It is located west of the village and measures around 3,000 sq. meters in area. The site includes several major archaeological features such as walls, wells, and olive and wine presses. The site was hastily excavated early in 2005 to prepare for the wall, which will be constructed right over it.

Khirbet Kresna: a site with Roman, Byzantine and early Islamic remains located to the west of the village and measuring 1,500 sq. meters in area. The site has a defensive wall made of massive stones measuring 3.5m in height. The site also includes a number of caves, wine presses and water wells. Due to the course of the wall, the site will be confiscated and likely used to enlarge the neighbouring Israeli settlement of Labid.

Khirbet al-Dalia: a site with Roman, Byzantine and early Islamic remains, located to the west of the village and measuring 7,000 sq. meters in area.

Khirbet Horia: a site with Roman, Byzantine, Islamic and early Ottoman remains, located to the west of the village and measuring 7,000 sq. meters in area. The site includes coloured mosaic pavements of churches and remains of a mosque. The Israeli Department of Antiquities of the Israeli Civil Administration conducted a large excavation at the site earlier in 2005 in preparation for the Wall.

Khirbet Fa'ush: This Early Roman site will most probably be destroyed because it falls within the predicted route of the Wall.

About Under Threat

In late December 2005, PACE conducted a survey in the area of About, a village northwest of Ramallah, in order to document the potential impact the Wall will have on About's archaeological and cultural heritage. Based on the results of the survey there is legitimate concern that the projected path of the Wall in About endangers the rich archaeological and cultural heritage of the area unless immediate action is taken.

The Western Hills of About

The area west and north of About, with its large assemblage of Roman temples, stone-cut tombs, olive presses and caves will be endangered by the construction of the Wall. This is not only problematic from an economic perspective, as the whole area will be isolated from the village, but problematic from a cultural heritage perspective, too. This area constitutes the only 'breathing space' for the people of About and has historically been the site of the village's economic industrial activities (e.g. stone quarrying, lime production) and agricultural activities (e.g. vine cultivation, olive production, cereal grain cultivation, animal husbandry). From ancient times, the people of About have utilized this area to support and maintain their economy. Agricultural areas threatened by the projected path of the Wall include: She'b al-Iraq, which the Israelis confiscated in order to construct a water tower for the settlements; She'b al-Bullat, and Khalat al-Qadat ('the Resting Place'), which has a sizable olive grove belonging to About known locally as Haraqat Nasser. The plain of Khalat al-Kadat, which has historically been used to cultivate wheat and other cereal grains, has been left uncultivated as a result of its isolation from the people of About and proximity to the neighbouring Israeli settlement of Beit Arieih. It will now be completely cut off from the village for good. Agricultural sites such as these are important aspects of traditional Palestinian agrarian culture and should not be underestimated in a discussion of endangered cultural heritage.

Tell el-Bullat

Located to the southwest of the village of the same name, Tell el-Bullat has numerous stone-cut, plaster-coated wells. The major well at the tell is called 'al-Assad' ('Lion's Well'), which, according to local tradition, was frequented by lions during antiquity. In addition, Tell el-Bullat has several *latuns* (kilns used for the production of lime from local limestone), which were once used to produce the main material used in construction. Nearby is the area known as al-Qadat, a narrow inner plain surrounded by hills used as a recreation area in history and today.

Khalat al-Qadat

The most interesting and elaborate archaeological remains in the area that will be cut from Aboud after the construction of the Wall are concentrated in and around Khalat al-Qadat. The most interesting element identified in our survey was a pyramid-like structure with exteriorly dressed stones measuring nearly 8x8 meters with thick walls standing at a height of 2.5 meters. The walls of this structure are very thick (approximately two meters), making the interior area a relatively modest 4x4 meters divided into two rooms. The first room upon entering the structure measures approximately 2.5m x 4m and the anterior room measures 1.5m x 4m. A wall with a door in the middle separates these two rooms.

The initial interpretation of this structure is that it is most likely an early Roman temple. The architecture of the structure is consistent with other Roman temples found in Palestine, particularly the Augustus Temple at Sebastia, although the latter features dressed stone. This difference is probably due to the fact that Sebastia was a royal city, while Aboud was a rural site. The small interior space is further indicative of Roman or even Canaanite temples and excludes the possibility that the structure served as a church or basilica, as the local people of the village refer to it. The interior space would not support a congregation, as is typical in Christian worship, but would be suited for worship conducted by high priests and/or the king, with the public gathering for worship in the courtyard immediately outside the temple. The courtyard area in front of this structure is quite large and littered with the remains of the original structure, including the stone door frame and fragments of columns. An initial surface survey in the vicinity of this structure revealed a few Roman shards; this should not be considered diagnostic, however, as the land has been cultivated for many years.

Wine/Olive Presses

Approximately 200m west of the pyramid-like structure, the PACE survey team identified several wine/olive presses carved into the bedrock. The most well-preserved of these was a press measuring five meters in diameter, which was likely used for both wine making and olive oil production. At the northern end of the press are three collection points for the pressed liquids. The liquid would run from the press through channels carved into the rock and collect in one of three pits cut into the rock. The first pit is circular, measuring 30cm in diameter; the second and third pits are rectangular in shape, measuring 1m x 60cm each. All three pits measure approximately 30cm in depth. The smallest pit was likely used as a primary collection point, with the second and third pits being used to separate impurities from the wine or olive oil. Such a system of purification would be particularly necessary in olive oil production, where the oil would have to be separated from water.

The survey, conducted by a PACE team with the assistance of Ahmed Qasim, a 78-year-old resident of Aboud and his grandson, located an artificial water pool with

interiorly plastered walls that is most likely dated to the Roman period. Surrounding this structure were numerous mosaic floor remains. The preliminary interpretation of this area is that it could be a pool surrounded by several public buildings; further investigation is needed, however, to produce a more definitive interpretation.

This initial survey of the potential danger to archaeological and cultural heritage in the Aboud region revealed several sites, such as Khalat al-Qadat and the water pool surrounded by mosaics, that had not been previously identified in archaeological surveys. The Wall threatens to isolate these sites and preclude their further investigation and analysis.

Al-Jib (Ancient Gibeon)

On 9 August, 2007 a team from PACE visited the excavation conducted by the Israeli Civil Administration in al-Jib to inspect the work, talk to the people of the village, and confront the excavation team. The excavations were taking place at a ruin known locally as Khirbet al-Sheikh, west of the village. The excavation team was made up of some 40 Palestinian labourers and a young Israeli archaeologist who had graduated from the Hebrew University four years earlier.¹⁰ He told us on condition of anonymity that he had been digging at the site for a month and a half, and was to continue to do so for another four to five weeks. At the same time, he was working on his Master's thesis. No other professionals (a registrar, surveyor, photographer, or other professionals) were on the team, and he had to perform all of these tasks himself. The storage place of the finds was Mishor Adumim near Jerusalem, and he was to study them in the winter months.

The archaeologist confirmed to us that he and the large team of Palestinian workers were working for the Israeli Civil Administration Department of Archaeology headed by Yitzhak Magen, who has served as the director of that department since 1981 under the title "Staff Officer of Archaeology in Judea and Samaria".¹¹ This department, part of the military administration of the occupied territories, does not report to the Israel Antiquities Authority (IAA), which is the official Israeli body in charge of archaeological activities in Israel and occupied East Jerusalem. Its licensing policies, storage facilities and publications are all separate and independent.

The director of the al-Jib excavation told us that the site was being surveyed in preparation for the construction of the Wall, which will eventually separate al-Jib from the Jewish settlement of Pisgat Zeev. No architectural remains and a few shards were discovered during the survey; nevertheless, work on the Wall was stopped and an excavation carried out. He called this a "salvage excavation" and admitted that it could possibly affect the Wall's final path. He also admitted that it was being financed by the Israeli Ministry of Defence. He did not view his work as political, however, referring to it as professional and even complaining from "vandalism" by the local population, particularly on the weekends and after working hours when there were no guards at the site.

The excavation had uncovered what appears to be a small bathhouse from the late Roman period, 300-400 A.D. The archaeologist believed that the bathhouse was connected to an army unit due to its small size. He did not exclude, however, the possibility of the existence of a nearby village, making this the bath of a private house. The bathhouse included three rooms: hot, warm and cold. The excavation had uncovered mosaic pieces in the bath area, but not complete mosaic floors.

The excavation had also uncovered an olive press from a later date, probably from the Byzantine or early Islamic period. The excavators believe that, during this time, the crushing of olives was carried out in the bathhouse. There are a series of rooms north of the press, which are probably storage rooms. The excavator said that he believed that the site was worth preserving but was almost certain that it would not be. "I'm not optimistic that the site can be preserved," he told the author.

The Antiquity Laws and Their Impact on Palestinian Cultural Heritage

The problem of antiquity theft in the Holy Land is partially due to the antiquity laws in force in the Palestinian areas and in Israel. The Israeli Antiquities Law, which prohibits illegal excavations, allows the sale and trade in antiquities, as Morag Kersel explains in her article in this volume. The IAA is in charge of the enforcement of the Israeli Law of Antiquities in Israel proper only. This means that inside Israel, where Israeli police are in charge, the law is generally enforced and illegal excavations punishable in court. But in the West Bank and Gaza, where law enforcement is very poor, excavations are carried out with impunity. The IAA grants about 300 excavation licenses each year in Israel, and about 70-80 licenses to antiquity merchants each year.¹² That explains, at least partially, why almost all objects in the market today originate from the West Bank. Hananya Hizmi, deputy director of Israel's Department of Antiquities in "Judea and Samaria" (i.e., the West Bank), told the *Jerusalem Post* in July 2005 that "all the antiquities come from Arab villages or areas controlled by the Palestinian Authority."¹³ The problem has been exacerbated by the region's unrest since the outbreak of the al-Aqsa Intifada, which effectively ended cooperation between Palestinian and Israeli antiquities police.

Except for a few exceptions, such as objects of national and historical value, objects with writing, or stone works such as columns, ossuaries and sarcophagi, antiquities can be sold and even shipped abroad, providing that they are registered and shipped through a licensed dealer. With the collapse of security in the Palestinian areas, robbers are working around the clock, Israeli dealers are making a lot of profit, and antiquity markets in Israel are thriving. In the year 2000, estimates put the antiquities trade of some 80 licensed dealers in Israel at close to \$5 million.¹⁴

The IAA has a small anti-theft unit that monitors the work of registered antiquity dealers and the gangs of looters, and the Palestinian Ministry of Tourism has a special tourist unit. Both departments are understaffed and poorly equipped to carry out the tedious job of protecting antiquities in the country, however. The staff of the specialized Israeli unit numbers less than a dozen full-time workers. The Tourist Police unit of the Palestinian Authority is also small, and functional in only the major cities of Bethlehem, Jericho and Nablus. Neither unit operates a network of informers through which they could learn about major purchases, and only occasionally arrests people trying to dig illegally or sell archaeological finds without a permit.

By and large, criminal penalties in the Palestinian areas and in Israel are not deterrents to pillage. If convicted, illegal diggers receive short or even suspended sentences, usually a small fine, although the law's maximum penalty is up to three years in prison. Courts in both countries are usually lenient on offenders of this kind.¹⁵ There is no limit to the number of archaeological items one can take out of the country, and permits are issued free of charge if items are taken to the Antiquity Authority's headquarters at the Rockefeller Museum in East Jerusalem where they can be authenticated and registered. The Authority has even opened an office at the Tel Aviv airport to register artefacts taken away by tourists and collectors. The IAA has the right to confiscate items barred from export, even if an object is not technically an antiquity as defined by law (anything older than 200 years), but in practice, the authority does not enforce its permit policy for individual artefacts and turns a blind eye to tourists taking small numbers of antiquities.

Outlawing the Trade in Antiquities: The Power of the Lobby

In a 1989 article on looting in Israel, archaeologists David Ilan, Uzi Dahari and Gideon Avni declared that current antiquities laws in Israel are not helping to protect antiquities in Israel, let alone in the Palestinian areas. The authors suggested outlawing the trade in antiquities to remove the main incentive for plundering antiquities.¹⁶ Like most Palestinian and Israeli archaeologists, they argued that if antiquities trade is outlawed, dealers will no longer be able to operate, and theft from archaeological sites will stop because looters will lose the incentive to dig. The Israeli dealers' lobby, which has included very influential public figures such as Teddy Kollek, ex-mayor of Jerusalem and former defence minister, the late Moshe Dayan (who accumulated an extensive private collection through unauthorized and unscientific digs using the Israeli army), as well as curators at the Israel Museum in Jerusalem and the Eretz Museum in Tel Aviv, maintains that if such law is passed, the antiquities trade will simply continue underground, as in other countries where it is outlawed such as Egypt, Turkey, Greece, Italy, Cyprus and Jordan.

That may be true, but conditions in those countries are not nearly as bad as they are in Israel, or disastrous as in the occupied Palestinian territories. According to the IAA, over 100,000 artefacts are sold in Israel yearly.¹⁷ In the year 2000, agents for the IAA uncovered a container filled with hundreds of ancient artefacts ready to be shipped to the United States. It was believed to be one of the largest illegal shipments of antiquities ever detected. All the artefacts are believed to have been pillaged from archaeological sites in the West Bank. The finds included hundreds of pieces of ancient pottery, glass and bronze items, coins, carved stonework, and more.¹⁸ In another incident, agents of the IAA confiscated more than 700 artefacts, most of which were plundered from tombs around Jerusalem, Beit Guvrin (Sandahanna, Asqalan) and the Judean Hills. The artefacts contained hundreds of very well-preserved Teta drachma coins from the Hellenistic period, as well as hundreds of bronze coins, dozens of beads, gold earrings, scarabs, figurines and stoneware, most of it from the Biblical period. In 2002, authorities found 15 tons of stolen antiquities in the home of an Israeli from Caesarea; the cache included marble pillars from the Roman period and a Jewish coffin made of stone.¹⁹ The collectors' lobby has been able thus far to pressure the Israeli parliament not to change the laws that allow them to continue buying antiquities on the open market. They are certainly aware that almost all of these objects originate in the occupied territories.

Managed antiquities markets that officially sanction the trade in artefacts are legal in only a few countries in the world, including the US and Britain. Except for Israel, all countries of the Middle East and the Mediterranean region decided long ago to ban the trade in antiquities. In the Palestinian areas, an antiquities law under discussion appears to favour legalizing the trade in archaeological artefacts. If that law were to be passed by the Legislative Council, it would be a disaster for Palestinian cultural heritage, particularly because the West Bank has no regulated market for antiquities and any future market will be subsidiary to the flourishing Israeli antiquities market.

If Israel Disengages: The Gaza Example

In 2005, Israel's withdrawal from Gaza and small areas of the West Bank caused Palestinian archaeologists to worry that numerous priceless archaeological sites and artefacts would also be removed. According to international law, it is illegal for an occupying power to remove ancient artefacts, movable and immovable, from an occupied land. The pretext that Israel has used to justify its activities, however, is that Palestinians are unable to safeguard ancient sites in the West Bank and Gaza, where looting is common.

In the course of the Gaza disengagement, for example, Israel threatened to remove the John the Baptist mosaic from Gaza and take it to a museum in Israel. The John

the Baptist mosaic is part of a sixth century Byzantine church located in a then-Israeli military installation in the northwestern tip of the Gaza Strip. It was discovered by an Israeli archaeologist in 1999. The well-preserved 1461-year-old church measures 13x25 meters, and has three large and colourful mosaics with floral-motifs and geometric shapes. Nearby is a Byzantine hot bath and artificial fishpond. The most impressive mosaic is a multi-coloured medallion at the entrance of the church. Its inscriptions say that the church was called 'St. John', after John the Baptist, and its foundations were laid in 544. It also praises Victor and Yohanan, the mosaic's donors.

Shortly before the Israeli withdrawal from the Gaza Strip, an Israeli official told the *Jerusalem Post*, "No decision has been taken yet to remove the mosaic, that depends on how the dismantling of the military base goes." He went on, "We will do everything possible to prevent damage to the antiquities. The mosaics would be removed to prevent damage; it is something that definitely can be done on the spot. We will stop the work and remove it if necessary."²⁰

Muin Sadeq, director general of the Department of Antiquities in Gaza, told the *Jerusalem Post* that Palestinians' concerns also stemmed from the 1974 removal by the Israel Antiquity Authority of a sixth century Byzantine mosaic, called "King David Playing the Lyre," from Gaza City. The artefact now decorates the synagogue section of the Israel Museum. Hizmi, deputy director of the Israeli Department of Antiquities in the West Bank, maintained that the removal of the first mosaic was done to preserve it, adding, "Maybe there was an intention then to return it, but it didn't work out! I don't know why."²¹

In the end, Israeli authorities did not remove the mosaic, but the continued unrest and instability in the Gaza Strip has Palestinian archaeologists worried about the well-being of the mosaic. Palestinians recognize that looting is a major problem in the Palestinian areas, and relate it to the total collapse of the Palestinian security system, which Israel helped generate through its military attacks. Palestinians are demanding the return of all archaeological finds that Israel excavated and transferred beyond the 1967 lines, as well as Jerusalem's Rockefeller Museum, which was established during the British Mandate and called the Palestine Museum, and the objects that were removed from that museum and taken to the Israel Museum in West Jerusalem and other museums and collections in Israel.

Conclusion: Preventing More Pillage

Negotiations over archaeological issues took place as part of the Oslo Accords and are supposed to be part of the final status agreement between the two parties. Like all outstanding issues, the positions of Palestinians and Israelis on the subject of

repatriating antiquities are still extremely divided. The Palestinians say that the Israelis promised them a list of all artefacts taken from the territories in preparation for repatriation, while the Israelis say the list is only for archaeological sites that have been excavated, which has been already provided to the relevant Palestinian authorities.

Palestinians use the Egyptian example as precedence for their claims. In 1994, Israel returned to Egypt all antiquities from excavations conducted in Sinai since 1967, up to the last pottery sherd, accompanied by scientific reports, drawings and photos. The Israeli government recognized that the proper place for those antiquities is in Sinai, but it remains to be seen if the antiquities of the West Bank and the Gaza Strip will be repatriated in the same manner.

In the meantime, measures must be taken to prevent looting and the loss of irreplaceable archaeological sites to the advancement of the Wall. Isolating sites from their natural surroundings and excavating them in a hasty manner are not acceptable archaeological preservation and protection methods. The Wall is damaging archaeological sites and alienating the Palestinian people from their cultural heritage. The World Archaeological Congress warned of this in 7 January, 2004, to no avail. If left unchecked, these problems will evolve into a diminished future for a people that have long flourished from their rich cultural heritage.

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Endnotes

¹ See David Ilan, U. Dahari and G. Avni, "Plundered! The Rampant Rape of Israel's Archaeological Sites," *Biblical Archaeological Review* (March/April) 38-41.

² Morag Kersel, "Archaeology's Well Kept Secret: The Managed Antiquities Market," in *SOMA 2003, Symposium on Mediterranean Archaeology*, eds. C. Briault, J. Green, A. Kaldelis, Anna Stellatou (Oxford: BAR International Series 1391, 2005) 81.

³ L. Borodkin, "The Economics of Antiquities Looting and a Proposed Legal Alternative," *Columbia Law Review* 95, 377.

⁴ Dan Ephron, "The Tomb Raiders," 2001, <http://www.msnbc.com/news/585402.asp?cp1=1>.

⁵ See Megan Goldin, "Grave Robbers Ransack Holy Land History. Hundreds of Archaeological

Sites Raided Every Year. <http://www.msnbc.msn.com/id/6718151>, accessed 3 Sept., 2005.

⁶ Mark Schulman, "Rise in Antiquities Theft Vexes Israel's Indiana Joneses," *Christian Science Monitor*, 14 November, 2001, <http://www.csmonitor.com/2002/1114/p18s01-stgn.html>.

⁷ James Pritchard (1909-1997) led excavations in al-Jib (Gibeon) from 1957-1962. A highly-respected archaeologist and professor at the University of Pennsylvania, Pritchard would almost certainly not have engaged in activities he considered illegal. However, the villager's comment highlights the way that a zeal for acquisition of artefacts –perhaps particularly in the school of Biblical archaeology –creates a demand that encourages illegal digging, whether in the 1950s or today.

⁸ Scholman.

⁹ Jennifer Peterson, "Digging up Excuses for Wall Construction," 2004, al-Jazeera.net.

¹⁰ The name of the archaeologist has not been disclosed here upon his request. He was concerned that his employer had not authorized him to speak to us.

¹¹ Raphael Greenberg and Adi Keinan, *The Present Past of the Israeli-Palestinian Conflict: Israeli Archaeology in the West Bank and East Jerusalem Since 1967* (Tel Aviv: SDAG, 2007) 16.

¹² Schulman.

¹³ Orly Halpem, "Palestinians: Israel to Steal Artefacts," *The Jerusalem Post*, 21 July 2005.

¹⁴ Deborah Sontag, *Stealing Millennial Loot in Israel, From 2 Millenniums Ago*, 2000, <http://www.library.cornell.edu/colldev/mideast/judmill.htm>

¹⁵ See Orly Blunt, "The illicit antiquities trade: an analysis of current antiquities looting in Israel." *Culture without Context, Newsletter of the Illicit Antiquities Research Centre* (Issue 11, Autumn) and J. Keyser, "Holy Land's Ancient Sites Hit By Looting. Archaeologists Say Region's Troubles Lead to Desperate Theft," accessed at <http://w.msnbc.com/news/782447.asp?Osi&cp1=1>.

¹⁶ Ilan et al, 41.

¹⁷ Blunt.

¹⁸ See Arie O'Sullivan, "Increased Archaeological Theft in Israel," *The Jerusalem Post*, 29 November, 2000.

¹⁹ Schulman.

²⁰ Halpem.

²¹ Ibid.