

Papyrology and Ethics

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Papyrology and ethics is a complex topic; the questions the organizers sent me with the invitation to join the session were many and complex, and deserve careful analysis and thinking;¹ in order to facilitate the discussion, I have decided to pre-circulate a draft paper addressing those I recognize as the most urgent.

The necessity for papyrologists to tackle issues of ethics, in particular those related to provenance and the antiquities market, in a way we haven't done so far has been rightly recalled by Roger Bagnall in the concluding pages of his 2011 book *Everyday Writing in the Graeco-Roman East* to which I will return again later.² Recent cases such as the Jesus's Wife fragment and the publication of papyri from private collections with poorly documented or undocumented provenance prove the urgency for us to discuss and try to find some answers to ethical questions, especially regarding three points I have chosen to focus on. First **current ethics codes**: I will present an overview of the two relevant documents produced respectively by the ASP and the AIP in 2007 and 2010, and will spend some words on their contents, aims and application. Secondly, I will discuss **the *realia* of the market (licit and illicit) and the threats papyrologists face when publishing recently emerged manuscripts,**

¹ Is there (or has it ever been) an ethical code in papyrology? Do we need it? Facts and practices that were never questioned at their time, such as e.g. bringing papyri to Europe and the United States from Egypt, are now almost universally rejected. But there is still a papyrus market and private - and sometimes public - institutions are allowed to sell their papyrus funds regardless of the accessibility and the future use of the papyri. To what extent are papyri old collectibles and to what extent are they cultural humankind heritage? Should papyrus holdings be made available to everybody? Should the curators or owners of papyrus collections have the right to grant or deny access to the material they keep?

² Pp. 143-144: "As the documentary disciplines move closer to archaeology, they will have to come to grips with the troubling questions posed by the existence of the antiquities market, a subject that has been buried by generations of papyrologists. I would not necessarily say that papyrologists and epigraphists should adopt the formulations promulgated by the professional archaeological associations, which in some respects strike me as excessively rigid. Documentary historians are not in general likely to think that refusing to study texts because they lack provenance and archaeological context is a responsible professional approach. But they cannot responsibly avoid thinking about how much information is lost when everyday writing comes into collections stripped of its archaeological context."

which will lead me to address a third, connected point, that of **provenance³, and current publication and access policies.**

On the basis of these three main areas of analysis, I will conclude with some personal thoughts and proposals about how to implement our ethics codes and publication policies in the wider context of a discipline that has experienced radical changes, especially in this last decade, in terms of epistemology, methods and theories, but has not sufficiently reflected upon them. This lack of reflection has produced some lack of action and changes in practices, which I believe should be corrected. Needless to say, what follows is my personal point of view and is presented to the audience as a means to stimulate a wider and therefore more useful discussion.

1. Current ethics codes

So far, papyrologists as a professional body have produced two documents which address issues of ethics and policies: the American Society of Papyrologists' *Resolution Concerning the Illicit Trade of Papyri*,⁴ and the Association Internationale de Papyrologues' working party's recommendations on the commerce in papyri.⁵ Despite both titles' focus on the circulation of papyri on the market – with significant distinctions in the terminology used, 'illicit trade' in one case, neutral 'commerce' in the other –, the two documents address wider issues, as you probably already know and as I will try to show.

Let us start with the AIP's recommendations, ratified in 2010. They are preceded by a very short preamble that recalls the 2007 assembly's mandate and stresses the necessity to study the question, with the aim of finding measures "that may appropriately serve the purposes of scholarship, support the development of papyrological studies in Egypt and further the preservation of the documentary heritage of Egypt and other countries".

³ Archaeologists sometimes distinguish provenience (= archaeological finding context of an object) from provenance (= its collection history); in this paper I am using 'provenance' to mean both. On the meaning of looted, undocumented and illegal antiquities I am following the definitions given by P. Gerstenblith, "Do Restrictions on Publication of Undocumented Texts Promote Legitimacy?", in: M.T. Rutz, M. Kersel, *Archaeologies of Texts: Archaeology, Technology, and Ethics*, Oxbow: Hevertown 2014, 215-16.

⁴ <http://tebtunis.berkeley.edu/ASPresolution.pdf>

⁵ <http://www.ulb.ac.be/assoc/aip/workingparty.pdf>

The following 16 points can be divided into four main action areas, all linked to the goal of ‘controlling’ the commerce in papyri and papyrologists’ role within it:

1. The acknowledgement of national and international legislation and conventions regarding the protection of cultural heritage and the commitment to respect them (1, 2, 3).
2. The commitment to the publication, broadly conceived, of papyri through different media (4, 5, 6, 14).
3. The sustaining of initiatives to support and help Egyptian colleagues and institutions to improve cataloguing, conservation, excavations and study of manuscripts (8, 9, 10, 11, 15, 16).
4. The undertaking of measures more strictly connected with the circulation of papyri on the market (7, 12, 13).

The ASP document is quite different from the AIP’s one. First of all, it is a Resolution and not just a list of recommendations, so in theory it has a more binding nature. The preamble is longer in this case and frames the document within a wider cultural discourse, very close to that implied in R. Bagnall’s remarks which I recalled at the beginning of my paper: the document stems from the acknowledgement of the material nature of the objects at the center of our discipline, and of the importance of the preservation of their archaeological find spots, jeopardized by the illicit market, and the illicit excavations and looting which are often behind it.⁶

The first point of the Resolution prohibits the direct participation “in the buying or selling of papyri or other archaeological objects that have been excavated illegally or exported from their country of origin after 24 April 1972⁷ ... members should consider any activity that is in violation of local or international antiquities law to be an instance of direct participation.”

⁶ Some experts in ancient texts disagree on this approach, see e.g. D.I. Owen, ‘Censoring Knowledge: The Case for the Publication of Unprovenanced Cuneiform Tablets,’ in: J. Cuno (ed.), *Whose Culture? The Promise of Museums and the Debate over Antiquities*, Princeton: Princeton University Press 2009, 125-142. As I will show in my conclusion, I believe that an active role of academic associations and editorial boards can positively mediate between the two extremes of the positions taken.

⁷ This is the date when the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property was enforced (see art. 21; the Convention’s text is available through the UNESCO portal http://portal.unesco.org/en/ev.php-URL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html).

The second point addresses the more elusive case of indirect participation, the determination of which is left to the “prudential judgment of its individual members.” A footnote offers, however, a couple of examples: “buying “legal” objects from a dealer whom one knows to be engaged in illegal activity; accepting a contribution from a dealer known to be engaged in illegal activity.”

Actions that increase the commercial value of papyri and objects that have been excavated illegally or exported from their country of origin after 24 April 1972 are unacceptable, in other words they are interpreted as direct participation; therefore “ASP members should not authenticate illicit material for the benefit of antiquities dealers or other sellers” and “the ASP declares that the publication, presentation, and/or exhibition of such material shall not occur under Society’s auspices ... unless the author, speaker, curator includes a frank and thorough discussion of the provenance of every item.” A footnote clarifies the active, important role of editorial, exhibit and conference boards in the enforcement of such policy.

The document ends with a statement of full support to activities, from conferences to publications and lobbying to improve legislation, in the field of cultural heritage preservation.

2. The market

Before discussing the impact of these two documents on our practices further, I wish to pass to my second point, the *realia* of the market, because it will help to understand why, in my opinion, the two statements, which contain many points on which we all agree, nevertheless have some limits.

The market started as soon as papyrology was born. Legislation on the preservation of cultural heritage has been in place in Egypt since 1835; it allowed the commerce of antiquities to some extent and under the strict control of the State. Different measures were undertaken in 1912 and in 1952 to control the market through licenses, until when a new law issued in 1983 (amended in 2010) basically forbade the commerce in antiquities and established once for all the important principle that the State owns archaeological sites and cultural heritage objects of any kind found in the country. A point I’d like to underline is that the 1970 UNESCO convention and its following application date of April 1972 recalled in our current ethics codes are ethical rather

than legal watersheds: I do think they work well as a guideline, but they can be challenged in a court case and academics should be aware of this.

Despite legislation, illegal excavations and looting are endemic in Egypt, as well as in other countries, even in those where massive resources are invested in policing and cultural heritage protection like Italy. In Egypt, political instability and the economic crisis, especially following the Arab Spring, have caused a dramatic increase in both, as attested by different sources, from the media to ICOM red-lists, denunciations by archaeologists and papyrologists, papers, and scientific analyses. Contextually, the quantity of Egyptian antiquities, including papyri, of undocumented or poorly documented provenance, on the market has also increased⁸ and we have witnessed a number of repatriation cases from the UK, the US, Spain, and Israel among other countries.

When we start digging into eBay and the online auction market, we actually realize that the scale of the phenomenon is even bigger and its nature far more complex. I am going to demonstrate this through an example. For a while now, a dealer based in Montrose, California, Gabriel Vandervorte of Ancient Resource, has been auctioning Greek and Coptic papyri on-line, besides other Egyptian antiquities.⁹ The following provenance struck me among others: “Ex Hamdy Sakr collection; previously in the private collection of Alex Anckonie III, acquired during his time in the Navy in the 1960's - 1970's.” I was intrigued by the quantity and also the quality in some cases of the material from the abovementioned collection and the connection with an American Navy officer, so I started posing questions to the dealer via email. The story I was told by Ancient Resource runs as follows:¹⁰ a London based dealer of Egyptian origin, Mahmoud El-din, active in the 1960s-1970s, left his collection to his nephew Hamdy Sakr who later moved to the US and legally imported his collection there. He himself started acquiring antiquities and purchased a quantity of objects from Alex Anckonie III. I asked about documents proving the collection history of a Coptic parchment in particular and Ancient Resource sent me a PDF copy of a document

⁸ D.W. Gill, “Egyptian Antiquities on the Market”, in: F.A. Hassan and al. (eds.), *The Management of Egypt's Cultural Heritage*, London 2015, vol. 2, 67-77.

⁹ I have collected items from this dealer's catalogues using Pinterest: <https://uk.pinterest.com/facesandvoices/papyri/>.

¹⁰ There were slightly different versions offered at various stages.

dated 6 January 2001 signed by Hamdy Sakr and Alex Anckonie III. It lists the sale of:

- 120 Scarabs – all different sizes
- 60 Glass pieces – all different sizes
- 17 Large green – blue glazed amulet [sic]
- 4 Roman stone figures
- A collection of papyrus [sic]

It is worth mentioning that prices are lacking; pictures and other details of the objects are unavailable, according to the dealer, and the writing takes the form of a simple statement by the seller: “I sold a variety of artifacts to Mr. Hamdy Sakr. All of which I acquired during my service in the Navy (late 60s-70s)”. Now is this document sufficient to prove that the papyri sold by Ancient Resource are all or in part coming from this source? No it is not, although the same document cannot exclude that this is in fact the case.

I started thinking about how to obtain more information on the ‘collections’ in question, so I made some searches on Mr. Hamdy Sakr and his uncle, and Alex Anckonie III. I was unable to find anything on Mr Sakr except what Ancient Resource told me, but even a simple search through Google gave me interesting details on the American collector. Alex Anckonie III was born in Detroit, Michigan, in 1937 to Alex Anckonie II and Mary Hassen. He studied at the University of Michigan, where he earned two Doctorates, one in Nuclear Physics and the other in Engineering. He was enrolled in the Navy University program and then had a successful career participating to the development of nuclear submarines’ programs and serving on them; he was commanding officer of the Nautilus, the first USS nuclear powered submarine, between 1972 and 1976. After his retirement from the Navy he taught economics at George Washington University and Georgetown University. Alex Anckonie III died in January 2003.

The Anckonie family seems to have Lebanese origins; Alex Anckonie III was an observant Muslim,¹¹ so possibly his collecting of Middle Eastern antiquities is rooted

¹¹ See T. Tucker, *Atomic America: How a deadly Explosion and a Feared Admiral Changed the Course of Nuclear History*, New York: Free Press 2009, 68.

in his family's history. Since I was intrigued by the profile of this collector, and wanted also to check the signature on the document, I must admit, I tried to track down members of his family, and in fact I got in touch with one of his nephews. He confirmed that the signature was that of his uncle, and said that the objects on sale were the kind of antiquities Anckonie used to collect, although neither he nor his mother (the sister of Alex Anckonie) were in the position of being able to identify specific objects.

To sum up, this story demonstrates that there is some effort from dealers to document the collection history of antiquities they sell, but the private character of most such transactions, and the scanty information given in such private documents, makes it difficult if not impossible for academics to trust the papers (are they genuine? in view of the undetailed nature of the statements, could a dealer eventually conceal illicit artefacts among licit ones? etc.). This case opens also interesting questions on the quantity and quality of lost objects hidden in private hands and dispersed in various ways.

Finally, were all the acquisitions made by Alex Anckonie III licit in view of the character of the Egyptian antiquities market in those years, and the general scarce knowledge of and respect for Egyptian and international laws by collectors and buyers until recently?¹² This can hardly be ascertained in view of the state of the documents, and also considering that as a matter of fact legality in this and other cases

¹² Past common disrespect of dealers and buyers, including institutional ones like museums and libraries, for the law is attested by a number of famous cases, see e.g. allusions to the routine of buying smuggled antiquities with undocumented provenance sparse throughout the memorial of T. Hoving as director of the Metropolitan Museum of New York: the episodes are quoted in a way that shows how unproblematic and commonly accepted the practice was (*Making the Mummies Dance: Inside the Metropolitan Museum of Art*, 1993). See also the scandal that invested Sotheby's in the late 1990s as reported by P. Watson, *Sotheby's: Inside History*, 1997, rev. ed. 1998, and the wider network of looting, smuggling and commerce of antiquities surrounding the dealer Giacomo Medici reported in P. Watson, C. Todeschini, *The Medici Conspiracy: The Illicit Journey of Illicit Antiquities*, 2006. The photographic archive of Medici has facilitated the repatriation of many pieces to their country of provenance, and has also improved at some extent current knowledge of their original finding spots.

Still in May 2015, the University of Virginia bought a papyrus on auction without enquiring about its provenance as admitted by the Library's curator after questions were posed, see C. Schroeder, "Gender and the Academy Online: The authentic Revelations of the Gospel of Jesus' Wife," p. 8 pre-publication draft of an article to appear in T. Burke (ed.), *Fakes, Forgeries, and Fictions: Writing Ancient and Modern Christian Apocrypha. Proceedings from 2015 York University Christian Apocrypha Symposium*, Eugene, OR: Cascade 2016 forthcoming), <http://www.nasscal.com/wp-content/uploads/2016/06/Schroeder-Gender-and-the-Academy-Preview.pdf>

is complicated, depending on the legislation we consider, whether that of the source or that of the destination country. If we accept the conventional watershed of April 1972 – the enforcement date of the 1970 UNESCO convention (as stated for instance in the ASP policy) – , then we should be careful in publishing any of the papyri in question since they were acquired in the sixties and seventies, and the state of the documentation does not allow us to establish which ones were acquired and exported before or after 1972. From the point of view of the Egyptian law, these papyri were legally acquired only if Anckonie III made his purchases from licensed dealers, but once again extant documents are lacking. This is not an isolated case, but just an example among many.

3. Provenance and publication and access policies

The questions opened by the Sakr-Anckonie case lead me to point three, provenance and publication and access policies. The Jesus's Wife fragment episode has recently shown in a quite clear way some of the risks academics undertake when publishing an object without making in depth investigation of its provenance beforehand. I think the profile of the owner and probably forger of the piece and possibly the rest of the collection is enough to prove that huge mistakes have been made.¹³ The Jesus's Wife fragment case highlights also the connection between undocumented or badly documented antiquities and the circulation of forgeries and fakes on the market (a quite serious issue in some fields, e.g. Dead Sea scrolls and biblical artefacts).¹⁴

Now, the risks for scholars' reputations and careers are evident, but legal consequences can be much more serious. If scholars publish or provide expertise on illegally acquired antiquities, for instance, they may be called into court for breaching different laws depending on the country of residence. In the UK, an academic can be charged with an offence under section 328 of the Proceeds of Crime Act 2002

¹³ A. Sabar, "The Unbelievable Tale of Jesus's Wife", *The Atlantic* July/August 2016 issue (available online <http://www.theatlantic.com/magazine/archive/2016/07/the-unbelievable-tale-of-jesus-wife/485573/>) with "Karen King Responds to 'The Unbelievable Tale of Jesus's Wife'" *The Atlantic* 16 June 2016 (<http://www.theatlantic.com/politics/archive/2016/06/karen-king-responds-to-the-unbelievable-tale-of-jesus-wife/487484/>).

¹⁴ I wonder about smuggling: information on the rest of the papyri in Mr Fritz's possession has not been released, but the Jesus's Wife papyrus seemed ancient from carbon dating results, which implies that ancient blank papyrus must have been retrieved somewhere.

connected with money laundering, because publication or expertise facilitated exchanges of criminal property.¹⁵

The AIP recommendations and the ASP resolution are both adamant on the necessity to be aware of legislations in place and on our duty to respect them as any other citizen. But what about ethics? Professional bodies' ethics are established through two main channels: 1) official documents – like those issued by the AIP and the ASP – and their enforcement, and 2) our everyday professional practices, which are not only informed by shared principles, like those contained in the two above mentioned documents,¹⁶ but are the outcome of self-reflective actions by scholars who are concerned about what they are doing and eventually ready to change their methods and behaviours. I do believe that papyrology is at a turning point in terms of ethics codes for many different reasons. The first are linked with Roger Bagnall's and the ASP resolution's point about the material nature of our sources and the archaeological soul of papyrology.¹⁷ If we share this view, as it seems we do, it is clear that we have to join a wider conversation on texts (in our case) as cultural heritage objects that archaeologists and other specialists have been engaged in for some time now.¹⁸

I do think, however, that there are other reasons for the shift besides the archaeological ones. To address the issue of provenance of the manuscripts we study

¹⁵ See J. Ulph and al., *The Illicit Trade in Art and Antiquities. International Recovery and Criminal and Civil Liability*, Oxford 2012, 110-111.

¹⁶ It must be admitted that the ASP document's contents were debated and controversial at the time of their discussion. In other words, the term 'shared' in this case should be taken with some caution.

¹⁷ See also Paola Davoli's recent articles on this, exp. "Papyri, Archaeology, and Modern History: A Contextual Study of the Beginnings of Papyrology and Egyptology" *BASP* 52 (2015) 87-112.

¹⁸ Papyrologists' scholarship on ethical issues is scanty, if not nonexistent; see W.A. Johnson, "The Oxyrhynchus Distributions in America: Papyri and Ethics", *BASP* 49 (2012) 209-222; R. Mazza "Papyri, Ethics and Economics: A Biography of P.Oxy. 15.1780," *BASP* 52 (2015) 113-142. Blog posts and online articles have recently appeared especially as a result of the Jesus's Wife fragment debate, see e.g. Schroeder, 'Gender and the Academy Online: The authentic Revelations of the Gospel of Jesus' Wife,' pre-publication draft cit. footnote 12, with wider discussion of online contributions on the topic. Papyrologists' delay in joining this conversation is clear when one compares the table of contents of the *Oxford Handbook of Papyrology* to that of the *Oxford Handbook of Archaeology* (both published in 2009). The first has nothing on current debates and ethics (there are only articles on the history of the discipline and the archaeological finding of texts; Cuvigny's article, in particular, contains some implicit ethical questions), while the other has a section on issues and debates including repatriation; similarly the *Oxford Handbook of Greek and Roman Art and Architecture* (2014) has a section of the same kind including M.M. Miles "Greek and Roman Art and the Debate about Cultural Property".

is now urgent also in the light of a wider reflection on the history of papyrology, so deeply involved in the establishment of the antiquities market itself, both licit and illicit, and so deeply involved also in questions of colonialism and post-colonialism.¹⁹ We need to recognize where we are from, and at the same time spell out clearly what our current position is, not only regarding the illicit market, but also the licit one (I explained elsewhere how any change of ownership for a papyrus is a potential threat to its conservation and availability for study).²⁰ Moreover should papyrology go global, so to say, and recognize that the legacy of Hellenistic, Roman and Byzantine Egypt does not belong exclusively to Europe and ‘the West’, but also to the rest of the world, Egypt first and foremost? If the answer is yes, as some of AIP and ASP statements seem to imply, what kind of policies and actions should we undertake in order to encourage this change, and implement policies aiming to protect Egyptian cultural property?

This brings me to the point of provenance and publication and access policies. I believe that we as a professional body must be very clear on the necessity to include full discussion of provenance (archaeological finding when available and collection history) of the papyri we publish. This discussion must be always included when we publish a piece (broadly intended, e.g. including first presentation to a conference) for the first time and not months after publication.²¹ Moreover, I do believe that

¹⁹ The network of archaeologists, papyrologists, Egyptologists and dealers involved in the finding and circulation of manuscripts on the market from the mid-19th to the mid-20th century has been discussed in a large number of studies usually focused on specific figures and episodes; a forthcoming monograph is going to bring new material to light, and will also contribute to frame the above mentioned episodes into a wider picture: F. Hagen, K. Ryholt, *The Antiquities Trade in Egypt 1880-1930: The H. O. Lange Papers* (Scientia Danica, Series H, Humanistica, 4 - vol. 8). Ryholt has presented some of the outcomes of this research at the Harvard Semitic Museum on 21st April 2015 in the course of a lecture which was filmed and is available online (*Collectors and Dealers: The Trade of Egyptian Antiquities*, <http://semiticmuseum.fas.harvard.edu/event/collectors-and-dealers-trade-egyptian-antiquities> last accessed 5/7/2016).

²⁰ See Mazza 2015 cit. footnote 18 on P.Oxy. 15 1780. Another recent case is that of the private sale of the Oxyrhynchus papyri distributed by the Egypt Exploration Society to the Pacific School of Religion, Berkeley (P.Oxy. 1432; 1550; 1595; 1596; 1677; 1686; 1737; 1774). The School sold the lot in 2015, without paying any attention to the terms of the Egypt Exploration Society’s donation, and without following the recommendations contained in art. 7 of the AIP’s document or taking care of future accessibility.

²¹ This is what has recently happened in the case of the new Sappho fragments owned by the Green collection and a London anonymous collector: information on their acquisition history was released only in January 2015, one year after the first presentation of P. Sapph. Obbink to the press and public, and nine months after the publication of that and the Green fragments in *ZPE*, where nothing was said about provenance, see R. Mazza, “The New Sappho Fragments

collections (both institutional and private) must give full access to acquisition documents, through online digital copies and direct access to the originals upon request.²²

A crucial point connected with papyrology and ethics is also that of documenting any manipulation of papyri for conservation or reading purposes. In particular, I am thinking about the dismantling of cartonnage of all kinds: collections should properly document any intervention of this type, and papyrologists publishing the texts must discuss the process in their publications, including relevant images. Again, access to collections' conservation documents should be allowed upon request.

4. Conclusion: some suggestions

1. It is clear from what I've written that in my opinion the obligation for papyrologists to discuss provenance and conservation history in detail in publications and for collections to give open access to acquisition and manipulation/restoration/conservation documents should be formal positions of the AIP and the ASP.²³ Research on provenance must be taken much more seriously than it has been so far: especially in case of recently emerged manuscripts, academics cannot merely rely on copies of documents or the word of collectors and dealers. The results of research on provenance should be reported in detail in publications in order to offer the clearest picture to the readers, honoring the trust-based relationship which informs academic research.

Acquisition History: What We Have Learnt So Far", *Faces&Voices* 15 January 2015 (<https://facesandvoices.wordpress.com/2015/01/15/the-new-sappho-fragments-acquisition-history-what-we-have-learnt-so-far/>).

²² I have argued elsewhere that the avoidance to discuss provenance in publications hinders a fundamental aspect of scholarship, that of providing the audience with all the necessary information to evaluate research and eventually challenge it. In my opinion this is a highly unethical behavior. See 'Papyri, Private Collectors and Academics: Why the Wife of Jesus and Sappho matter', *Faces&Voices*, 17 April 2014 (<https://facesandvoices.wordpress.com/2014/04/17/papyri-private-collectors-and-academics-why-the-wife-of-jesus-and-sappho-matter/>) and 'Provenance Issues: Some Thoughts – Part 1' *Faces&Voices*, 6 December 2014 (<https://facesandvoices.wordpress.com/2014/12/06/provenance-issues-some-thoughts-part-1/>).

²³ I have already advocated this in the second of the blog posts cited in the previous footnote. Malcolm Choat has recently taken a similar view: "Lessons from the 'Gospel of Jesus' Wife' Affair", *Markers of Authenticity* 19 June 2016 (<https://markersofauthenticity.wordpress.com/2016/06/19/lessons-from-the-gospel-of-jesus-wife-affair/>).

2. Should we publish looted, undocumented, or even illegal Egyptian antiquities? I believe that the answer could be yes under specific circumstances but with a clear, open statement from the editor that a papyrus is in fact looted, undocumented or even illegal, and a thorough discussion of the reasons why publication has been nonetheless accorded (e.g. the artefact is going to be repatriated, or the country from where it originally came has allowed publication).²⁴

3. So yes to publication under specific circumstances: it is clearly crucial to establish what ‘specific circumstances’ mean case by case, and this can only be done by association, editorial and conference or exhibit board members. They play a major role in ensuring that legal and ethical principles are respected. However, from what I gathered so far, interventions from these bodies in our field have been non-existent or minimal (I’d be grateful for any examples which contradict this statement, in view of the final publication of this paper). I think a more proactive role in this ambit is indeed desirable.

4. Finally, terminology and the formulation of some principles need also attention or revision. Let us consider AIP recommendation number 12:

“The Working party has recommended [...]: 12. That papyrologists who identify material for sale or held in private collections as having been stolen from Egyptian museums or magazines should so advise its owner and urge the owner to return it to the Egyptian authorities; they should not assist in the marketing of such material in any way”

Now it is very difficult to identify stolen material and prove it as such without complete digital catalogues of museum and library collections on the one hand, and images of dealers’ archives on the other. So there is urgency for collections, Egyptian

²⁴ As we all know, without taking the watershed date of 1970 (or 1972) strictly speaking many of the papyri which had been published in the long history of our discipline are undocumented or poorly documented, and some were even looted and illegal. It must also be noted that a publication policy along these lines has already been officially taken by ASOR, but according to recent analyses has rarely if ever been applied. It is obviously highly unattractive for collectors since the recognition of such problematic statuses has a negative impact on the price of the antiquities in question and might lead to repatriation requests (see ASOR Policy on Preservation and Protection of Archaeological Resources available at <http://www.asor.org/excavations/policy.html>, with the analysis of Gerstenblith 2014, 224 cit. footnote 3).

collections in particular, to act quickly on this matter; while other countries can help by providing expertise and economic resources, it is the duty of Egyptian institutions and their personnel, including academics, to improve access policies to collections and to reform the complicated and not always transparent bureaucratic processes behind them so that joint projects can be possible.

I also believe that the creation of an open source database of papyri appearing on sale, which was recommended by the AIP working party as point 13, should be implemented: many of us are collecting images and information already, but at present there is no way to store and share this material, which is important for various reasons, e.g. for keeping track of papyri that are at risk of disappearing into inaccessible private collections, or for providing evidence of illicit trafficking.

Secondly, as it stands, recommendation 12 seems to imply that stolen material could be identified only as on sale or in private collections; I do believe, instead, that we should be open to the possibility that stolen material could also be in publicly funded museum, library and university holdings. Moreover, the paragraph seems to be preoccupied only with material stolen from Egyptian museums and magazines as if that could be the only source of illegal circulation of manuscripts, but as I recalled above illegal excavations and looting in Egypt are also a way through which antiquities, papyri included, reach the market.²⁵

²⁵ For data on the increasing of illegal excavations and looting obtained through satellite technology see S. Parcak, D. Gathings, C. Childs, G. Mumford and E. Cline, 'Satellite evidence of archaeological site looting in Egypt: 2002-2013', *Antiquity* 90 (2016), 188-205. For a report concerning the site of Antinoopolis see R. Pintaudi et al., "Latrones: furti e recuperi da Antinoupolis," *AnalPap* 26 (2014), 359-402.