

July 3, 2000

Amazon.com, Inc.
P.O. Box 81226
Seattle, WA. 98108-1126

Re: Internet Sale of Antiquities

Dear Amazon.com:

In the interests of preserving the world's archaeological heritage, we write to ask that you put an end to sale of archaeological materials on Amazon.com (a sample listing from your web site is attached). We represent three major professional organizations of archaeologists: the Society for American Archaeology, the Society for Historical Archaeology, and the American Anthropological Association, with a combined international membership of 21,500 that includes most US-based professional archaeologists working in the US and throughout the world.

It has long been clear that the commercial market for antiquities is the primary stimulus for the looting of archaeological sites world-wide. The goal of archaeology is to enhance our scientific and humanistic understandings of the human past, using as evidence the artifacts, architecture, and environmental materials that remain in archaeological sites. Whatever their aesthetic qualities, artifacts cannot contribute to archaeological understandings of the past unless they have been systematically recovered in a way that documents their "context"—the site at which they were found, the location and depth within the site, and all of the other archaeological materials with which they were associated. Further, these objects cannot contribute to our understanding of the past unless they are available for scientific study.

Like anything else, if there is a market for archaeological materials, a supply will emerge. That supply, of course, does not flow from the systematic collections of public museums. Some of it comes from private collections that were unsystematically collected in the past; much derives from the widespread looting that is, at an alarming rate, destroying archaeological sites throughout the world. In their efforts to acquire a few marketable pieces, looters destroy associated architecture, human burials, and other artifacts as well as environmental remains. Intact objects valued by prehistoric people (and modern collectors) were rarely lost or abandoned. The inescapable conclusion is that the complete pieces sale in stores, on your auction site, or elsewhere were probably robbed from human graves.

All of our organizations have worked toward the enforcement of laws that prohibit the looting of archaeological sites and the transport and sale of archaeological materials that have been illegally obtained. However, because archaeological sites are so widely dispersed, the effectiveness of this law enforcement is limited. Consequently, we also work to stop the sale of illicit antiquities in any forum. To the extent that marketability of looted materials can be reduced, the destruction of the world's archaeological heritage will diminish. We are writing Amazon.com (and other organizations that sell or sponsor the sale of antiquities) to ask that you take a key ethical stand to help reduce the market for antiquities.

The Internet sale of antiquities has noticeably exacerbated the already-severe problems created by the market for antiquities. The Internet has created an explosion in the number of people who can engage in this trade, and with less concern about the enforcement of existing law. We think it extremely likely that most, if not all of the authentic objects being sold on your auction site were illicitly removed from the ground by bulldozing, dynamiting, hasty shovel work, or other destructive methods. Without scientific recording, we can never understand the story of the past that could have been told. The archaeological sites associated with entire cultures have been lost in this way, forever foreclosing our ability to learn about them and to learn from them. Archaeological sites are a rapidly diminishing, non-renewable resource and constitute a storehouse of scientific, historical, educational, and spiritual value. Like other limited and endangered resources, the archaeological record should be preserved and studied for the benefit of all, not exploited for the short-term satisfaction of a few. We hope that these ethical considerations will persuade you to establish a policy forbidding the sale of antiquities on your site.

In addition, we would like to point out three business concerns that bear on this question. First, it is not only archaeologists who are concerned about the problems of looting. There is an enormous public interest in protecting the archaeological record. A recent poll by Harris Interactive found that 96% of the public felt that there should be laws protecting archaeological sites and 90 % believe that laws should prevent the general public from importing artifacts from a country that does not want those artifacts exported <http://www.saa.org/pubRel/publiced-poll.html>. In Phoenix, the negative impact of the Internet auctions of artifacts was highlighted in a news feature story on commercial TV (November 28, KZAZ Fox 10).

This is an issue of great concern to our members, and we have heard independently from an number of archaeologists who will not patronize any site that sells antiquities (just as they will not buy Native American crafts from stores that also sell antiquities.). We are actively engaged in bringing this problem to the attention of our members, the media, and the general public. Similarly, we will be happy to recognize companies that adopt policies consistent with the preservation of the archaeological record.

Second, you should recognize the dubious legality of many of the items (either domestic or imported) offered on the Amazon.com auction. While you may forbid the sale of illegal items, the legal status of antiquities is difficult to determine because of the complexity of federal and state laws and strong international conventions that govern the transport and sale of cultural property. Determinations of legality would depend upon the jurisdiction in which the objects were originally found, when they were found, and upon whether and when they were transported across international or state boundaries. The legality would also depend on circumstances of the original acquisition, and on the jurisdiction in which the buyer is located. As indicated above, many of the more valuable pieces undoubtedly derive from human graves, which are protected, even on private land in many states and countries.

Further, because significant law enforcement efforts have been devoted to stopping the illegal traffic in antiquities, regular retail dealers have become more cautious. It seems reasonable to expect that the illegal trade might preferentially migrate to Internet auctions. We have written to the Department of Justice and the US Customs Service asking them to pursue the enforcement of cultural property law in Internet sales. While we offer no opinion on the legality of your hosting of these sales, you may wish to investigate this issue as sales of illegally acquired artifacts are almost certainly occurring through your site. In contrast,

we encourage the sale of contemporary Native American or other ethnic art, and we have no objections whatever to the sale of reproductions of artifacts.

Finally, it is obvious to archaeologists that a large number of the items that are represented as authentic are fakes. Certificates or other guarantees of authenticity are meaningless documents. Longstanding ethical principles of all of our organizations preclude archaeologists from authenticating material for sale.

While we assume that it is not your intent, we would like to bring home the point that the buying and selling of archaeological objects on Amazon.com contributes to the ongoing destruction of the archaeological record in the US and throughout the world. Because Amazon.com's sponsorship of the sale of antiquities indirectly encourages looting and, consequently, the unmitigated loss of the irreplaceable archaeological record of humanity's past, we strongly urge you to immediately develop a policy to insure that Amazon.com no longer participates in the trafficking of antiquities. We would be happy to work with you to develop such a policy. If you adopt such a policy, please be sure to let us know.

Thank you in advance for your consideration. If you have any questions or if we can help, please contact me at the Society for American Archaeology.

Sincerely,

Keith Kintigh
President