



Papyrology and Ethics

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TABLE OF CONTENTS

Foreword	i
Program of the congress	vi
Photograph of participants	xxi
PART I: Papyrology: methods and instruments	1
Archives for the History of Papyrology	
ANDREA JÖRDENS, Die Papyrologie in einer Welt der Umbrüche	3-14
ROBERTA MAZZA, Papyrology and Ethics	15-27
PETER ARZT-GRABNER, How to Abbreviate a Papyrological Volume? Principles, Inconsistencies, and Solutions	28-55
PAOLA BOFFULA, Memorie dal sottosuolo di Tebtynis a ... Roma e a Venezia!	56-67
ELISABETH R. O'CONNELL, Greek and Coptic manuscripts from First Millennium CE Egypt (still) in the British Museum	68-80
NATASCIA PELLÉ, Lettere di B. P. Grenfell e A. S. Hunt a J. G. Smyly	81-89
PART II: Literary Papyri	91
IOANNA KARAMANOU, The earliest known Greek papyrus (Archaeological Museum of Piraeus, MII 7449, 8517-8523): Text and Contexts	93-104
FRANZISKA NAETHER, Wise Men and Women in Literary Papyri	105-113
MAROULA SALEMENOU, State Letters and Decrees in P.Haun. I 5 and P.Oxy. XLII 3009: an Evaluation of Authenticity	114-123
MARIA PAZ LOPEZ, Greek Personal Names, Unnamed Characters and Pseudonyms in the Ninos Novel	124-134
MASSIMO MAGNANI, The ancient manuscript tradition of the Euripidean hypotheses	135-143
MARIA KONSTANTINIDOU, Festal Letters: Fragments of a Genre	144-152
MARCO STROPPA, Papiri cristiani della collezione PSI: storia recente e prospettive future	153-161
ANASTASIA MARAVELA, Scriptural Literacy Only? Rhetoric in Early Christian Papyrus Letters	162-177
PART III: Herculaneum	179
GIOVANNI INDELLI - FRANCESCA LONGO AURICCHIO, Le opere greche della Biblioteca ercolanese: un aggiornamento	181-190
GIANLUCA DEL MASTRO, Su alcuni pezzi editi e inediti della collezione ercolanese	191-194
STEFANO NAPOLITANO, Falsificazioni nei disegni di alcuni Papiri Ercolanesi	195-206
ANGELICA DE GIANNI, Osservazioni su alcuni disegni dei Papiri Ercolanesi	207-218
GAIA BARBIERI, Studi preliminari sul PHercul. 1289	219-230

VALERIA PIANO, P.Hercul. 1067 Reconsidered: Latest Results and Prospective Researches	231-240
DANIEL DELATTRE - ANNICK MONET La Calomnie de Philodème (PHerc.Paris.2), colonnes E-F-G. Une nouvelle référence à Hésiode	241-249
MARIACRISTINA FIMIANI, On Several Unpublished Fragments of Book 4 of the Rhetoric of Philodemus of Gadara	250-254
FEDERICA NICOLARDI, I papiri del libro 1 del De rhetorica di Filodemo. Dati generali e novità	255-262
CHRISTIAN VASSALLO, <i>Analecta Xenophanea</i> .	263-273
GIULIANA LEONE - SERGIO CARRELLI, Per l'edizione di Epicuro, Sulla natura, libro incerto (P.Hercul. 1811/335)	274-288
PART IV: Paraliterary texts- School, Magic and astrology	289
RAFFAELLA CRIBIORE, Schools and School Exercises Again	291-297
JULIA LOUGOVAYA, Literary Ostraca: Choice of Material and Interpretation of Text	298-309
PANAGIOTA SARISCHOULI, Key episodes of the Osirian myth in Plutarch's De Iside et Osiride and in Greek and Demotic Magical Papyri: How do the sources complement each other?	310-324
ELENI CHRONOPOULOU, The authorship of PGM VI (P.Lond. I 47) + II (P.Berol. Inv. 5026)	325-332
EMILIO SUÁREZ, The flight of passion. Remarks on a formulaic motif of erotic spells	333-341
JOHANNES THOMANN, From <i>katarchai</i> to <i>ikhtiyārāt</i> : The Emergence of a New Arabic Document Type Combining Ephemerides and Almanacs	342-354
PART V: Scribal practice and book production	355
MARIE-HÉLÈNE MARGANNE, Les rouleaux composites répertoriés dans le Catalogue des papyrus littéraires grecs et latins du CEDOPAL	357-365
NATHAN CARLIG, Les rouleaux littéraires grecs composites profanes et chrétiens (début du IIIe – troisième quart du VIe siècle)	366-373
GIOVANNA MENCI, Organizzazione dello spazio negli scholia minora a Omero e nuove letture in P.Dura 3	374-381
PIERRE LUC ANGLES, Le grec tracé avec un pinceau comme méthode d'identification des scripteurs digraphes: généalogie, limites, redéfinition du critère	382-398
ANTONIO PARISI, Citazioni e meccanismi di citazione nei papiri di Demetrio Lacone	399-404
ANTONIO RICCIARDETTO, Comparaison entre le système d'abréviations de l'Anonyme de Londres et ceux de la Constitution d'Athènes et des autres textes littéraires du Brit.Lib. inv. 131	405-416
YASMINE AMORY, Considérations autour du π épistolaire: une contamination entre les ordres et la lettre antique tardive ?	417-421
BENJAMIN R. OVERCASH, Sacred Signs in Human Script(ure)s: Nomina Sacra as Social Semiosis in Early Christian Material Culture	422-428

PART VI: Documentary papyri **429**

Ptolemaic documents

- CARLA BALCONI, Due ordini di comparizione di età tolemaica nella collezione dell'Università Cattolica di Milano 431-436
- STÉPHANIE WACKENIER, Quatre documents inédits des archives de Haryôtês, basilicogrammate de l'Hérakléopolite 437-447
- BIANCA BORRELLI, Primi risultati di un rinnovato studio del secondo rotolo del P.Rev.Laws 448-455
- CLAUDIA TIREL CENA, Alcune considerazioni su due papiri con cessione e affitto di ἡμέραι ἀγνευτικάί 456-464

Roman and Byzantine documents

- EL-SAYED GAD, ἀντίδοσις in Roman Egypt: A Sign of Continuity or a Revival of an Ancient Institution? 465-474
- MARIANNA THOMA, The law of succession in Roman Egypt: Siblings and non-siblings disputes over inheritance 475-483
- JOSÉ DOMINGO RODRÍGUEZ MARTÍN, Avoiding the Judge: the Exclusion of the δίκη in Contractual Clauses 484-493
- FABIAN REITER, Daddy finger, where are you? Zu den Fingerbezeichnungen in den Signalements der römischen Kaiserzeit 494-509
- DOROTA DZIERZBICKA, Wine dealers and their networks in Roman and Byzantine Egypt. Some remarks. 510-524
- ADAM BULOW-JACOBSEN, The Ostraca from Umm Balad. 525-533
- CLEMENTINA CAPUTO, Dati preliminari derivanti dallo studio degli ostraca di Berlino (O. Dime) da Soknopaiou Nesos 534-539
- SERENA PERRONE, Banking Transactions On The Recto Of A Letter From Nero To The Alexandrians (P.Genova I 10)? 540-550
- NAHUM COHEN, P.Berol. inv. no. 25141 – Sale of a Donkey, a Case of Tax Evasion in Roman Egypt? 551-556
- ANDREA BERNINI, New evidence for Colonia Aelia Capitolina (P.Mich. VII 445 + inv. 3888c + inv. 3944k) 557-562
- JENS MANGERUD, Who was the wife of Pompeius Niger? 563-570

Late Roman and Islamic documents

- JEAN-LUC FOURNET, Anatomie d'un genre en mutation: la pétition de l'Antiquité tardive 571-590
- ELIZABETH BUCHANAN, Rural Collective Action in Byzantine Egypt (400-700 CE) 591-599
- JANNEKE DE JONG, A summary tax assessment from eighth century Aphrodito 600-608
- STEFANIE SCHMIDT, Adopting and Adapting – Zur Kopfsteuer im frühislamischen Ägypten 609-616

PART VII: Latin papyri **617**

- MARIACHIARA SCAPPATICCIO, Papyri and Latin Texts: INsights and Updated Methodologies. Towards a philological, literary, and historical approach to Latin papyri 619-627
- SERENA AMMIRATI, New developments on Latin legal papyri: the ERC project REDHIS and the *membra disiecta* of a lost legal manuscript 628-637
- GIULIO IOVINE, Preliminary inquiries on some unpublished Latin documentary 638-643

papyri (P.Vindob. inv. L 74 recto; 98 verso; 169 recto)	
ORNELLA SALATI, Accounting in the Roman Army. Some Remarks on PSI II 119r + Ch.L.A. IV 264	644-653
DARIO INTERNULLO, Latin Documents Written on Papyrus in the Late Antique and Early Medieval West (5th-11th century): an Overview	654-663
PART VIII: Linguistics and Lexicography	665
CHRISTOPH WEILBACH, The new Fachwörterbuch (nFWB). Introduction and a lexicographic case: The meaning of βασιλικά in the papyri	667-673
NADINE QUENOUILLE, Hypomnema und seine verschiedenen Bedeutungen	674-682
ISABELLA BONATI, Medicalia Online: a lexical database of technical terms in medical papyri	683-689
JOANNE V. STOLK, Itacism from Zenon to Dioscorus: scribal corrections of <ι> and <ει> in Greek documentary papyri	690-697
AGNES MIHÁLYKÓ, The persistence of Greek and the rise of Coptic in the early Christian liturgy in Egypt	698-705
ISABELLE MARTHOT-SANTANIELLO, Noms de personne ou noms de lieu ? La délicate question des ‘toponymes discriminants’ à la lumière des papyrus d’Aphroditê (VIe -VIIIe siècle)	706-713
PART IX: Archaeology	715
ROGER S. BAGNALL - PAOLA DAVOLI, Papyrology, Stratigraphy, and Excavation Methods	717-724
ANNEMARIE LUIJENDIJK, On Discarding Papyri in Roman and Late Antique Egypt. Archaeology and Ancient Perspectives	725-736
MARIO CAPASSO, L’enigma Della Provenienza Dei Manoscritti Freer E Dei Codici Cristiani Viennesi Alla Luce Dei Nuovi Scavi A Soknopaiou Nesos	737-745
PART X: Papyri and realia	747
INES BOGENSPERGER - AIKATERINI KOROLI, Signs of Use, Techniques, Patterns and Materials of Textiles: A Joint Investigation on Textile Production of Late Antique Egypt	749-760
VALERIE SCHRAM, Ἐπίκινον ξύλον, de la bruyère en Égypte?	761-770
PART XI: Conservation and Restoration	771
IRA RABIN - MYRIAM KRUTZSCH, The Writing Surface Papyrus and its Materials 1. Can the writing material papyrus tell us where it was produced? 2. Material study of the inks	773-781
MARIEKA KAYE, Exploring New Glass Technology for the Glazing of Papyri	782-793
CRISTINA IBÁÑEZ, A Proposal for the Unified Definition of Damages to Papyri	794-804
EMILY RAMOS The Preservation of the Tebtunis Papyri at the University of California Berkeley	805-827
EVE MENEI - LAURENCE CAYLUX, Conservation of the Louvre medical papyrus: cautions, research, process	828-840

PART XII: Digitizing papyrus texts	841
NICOLA REGGIANI, The Corpus of Greek Medical Papyri Online and the digital edition of ancient documents	843-856
FRANCESCA BERTONAZZI, Digital edition of P.Strasb. inv. 1187: between the papyrus and the indirect tradition	857-871

Papyrology and Ethics

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Papyrology and ethics is a complex topic, which involves different aspects of our profession. There are various questions we deal with in research, especially when publishing papyri for the first time: how do we ensure that the process of editing and presenting a text is as transparent as possible for the audience? What should be published in terms of technical details, such as the proprieties of the digital images used for deciphering or information on those instruments that assisted in the reading process? The situation is even more complex for those who are in charge of collections, as either curators or academics with an interest in the papyri eventually owned by universities. What are our duties in matters such as preservation, publication and access to manuscripts? What should we prioritize? Should collections be available to anyone to study, or are rules necessary, especially regarding the unpublished material? And who should eventually set out these rules? Answers to these questions are often complicated further by others' agendas, sometimes conflicting with papyrologists' aspirations. For instance, there must often be some negotiation between papyrologists and libraries, universities or other institutions with regard to policies and practices on digital images' standards and repositories. Last but not least, the shrinking funding that is currently challenging many institutions worldwide obviously poses serious limits to what can be achieved in the conservation, study and publication of papyri.

Certainly among the thorniest ethical issues we are called to address is the link between papyrology and the antiquities market, which papyrologists' professional associations have only recently and partially grappled with. These ethical issues concern first of all the necessity to fully document the find circumstances (when available) and collection history of a manuscript, which becomes difficult, as it will be shown, in those cases when information is scanty; moreover, we are now called to follow a set of national and international laws that, despite being in place for decades, have often been neglected by collectors, dealers and also academics. Discourse on cultural heritage preservation has dramatically changed over the last decades, as a result of a debate in which the legislation promoted by UNESCO and implemented by member States has played a major role.¹

The urgent necessity for papyrologists to tackle issues of provenance and the antiquities market has been most recently addressed by Roger Bagnall in these terms:

«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

¹ For a recent general overview on the state of the question see Anderson (2017) and O'Keefe (2017).

they cannot responsibly avoid thinking about how much information is lost when everyday writing comes into collections stripped of its archaeological context».²

This article is mainly an attempt to start discussing the ways in which, to use Bagnall's words, papyrology could come to grips with the troubling questions posed by the existence of the antiquities market. The recent case of the so-called Jesus' Wife fragment and the publication of papyri from private collections with poorly documented or undocumented provenances, part of a longer history of shadowy acquisitions and publications of manuscripts, prove that despite some efforts we still need to improve our practices.³

In the following pages, I shall first address professional ethics codes: I am going to present an overview of the two relevant documents produced respectively by the American Society of Papyrologists (ASP from now onwards) and the Association Internationale des Papyrologues (AIP from now onwards) in 2007 and 2010, and will comment on their contents, aims and applications. Secondly, I shall discuss the realia of the market (licit and illicit) and the threats papyrologists face when publishing recently emerged manuscripts, which will lead me to address a third connected point, that of provenance⁴ 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 resulted in a 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 readers 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 ASP's Resolution Concerning the Illicit Trade in Papyri,⁵ and the AIP's working party's Recommendations on the Commerce in Papyri.⁶ Despite the fact that both titles seem to 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 also address wider issues. The key year for both of them was 2007.

² Bagnall (2011) 143–144.

³ On the Jesus' Wife case see below. Recent examples of papyri of insufficiently documented provenance are, for instance, the new Sappho fragments owned by an anonymous collector and the Green collection. These papyri first appeared in two articles where nothing was said about their provenance, Obbink (2014) and Burris, Fish, Obbink (2014); almost one year later, some information was added in Obbink (2015) and (2016). I have explained why provenance is still insufficiently documented in Mazza (2015b). Other recently debated cases are the Artemidorus papyrus (at the center of a new formal enquiry by Turin's investigators, as reported by Giustetti 2015); the so-called Tchacos codex, on which see Mazza (2015a) 121 with n. 35; and finally the papyri in the hands of an anonymous Finnish collector (P.IIves), some of which have been recently published with alarming information on their provenance in Miroshnikov (2015) and (2017), to be read with Takla (2014). The eBay accounts through which some of the papyri have been acquired are operating illegally from Turkey, as I have shown in Mazza (2018).

⁴ 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 Gerstenblith (2014) 215–216.

⁵ <http://www.lib.berkeley.edu/sites/default/files/asp-resolution.pdf> (last accessed on 4 September 2018).

⁶ <http://www.ulb.ac.be/assoc/aip/workingparty.pdf> (last accessed on 4 September 2018).

In fact, despite its ratification in 2010, the AIP's recommendations came as a reaction to the ASP's resolution and the debate it solicited.⁷

Therefore, let us start with the ASP's resolution. It opens with a long preamble, which frames the following policy in a wider cultural discourse very close to that implied in the abovementioned lines from Bagnall's book: the document stems from the acknowledgement of both the material nature of the objects at the center of our discipline, and of the importance of the preservation of their archaeological find contexts, jeopardized by the illicit market, and the illicit excavations and looting which are often behind it.⁸

The resolution consists of two main articles. The first 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 1972⁹ ... members should consider any activity that is in violation of local or international antiquities law to be an instance of direct participation».

The second article addresses the more elusive case of indirect participation, the determination of which is left to the «prudential judgment of its [i.e. ASP's] 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 fully supporting activities, from conferences to publications, and lobbying to improve legislation in the field of cultural heritage preservation.

The AIP document is rather different; first of all it contains 'recommendations', i.e. suggestions rather than binding rules. In this case, the preamble is very short; it recalls the 2007 assembly's mandate and stresses the necessity of studying 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».

⁷ The debate on both documents was lively and sometimes tense; American members of the AIP were the driving forces asking for new policies on the antiquities market. It is a pity these debates seem not to have been documented anywhere; I hope participants will record those memories somewhere.

⁸ Some experts in ancient texts disagree on this approach, arguing that texts are per se valuable sources even when decontextualized, see e.g. Owen (2009). This attitude towards ancient textual evidence stems from the idea that the modern history of ancient objects has no impact on scholarship and interpretation. As will become clear from the following pages, I strongly disagree with this approach to the study of antiquities, including manuscripts. Nonetheless, as I will show in my conclusion I believe that academic associations and editorial boards can have a positive active role in mediating between the two extreme positions, and that it is possible in some specific circumstances to publish unprovenanced antiquities, including papyri.

⁹ 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 following 16 points can be divided into four main action areas, all linked in various degrees to the goal of controlling the commerce in papyri and papyrologists' role within it:

- a. The acknowledgement of national and international legislation and conventions regarding the protection of cultural heritage and the commitment to respect them (1, 2, 3).
- b. The commitment to the publication, broadly conceived, of papyri through different media (4, 5, 6, 14).
- c. 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).
- d. The undertaking of measures more strictly connected with the circulation of papyri on the market (7, 12, 13).

To conclude on the two documents, they both stress the necessity of following national and international legislation concerning the trade of ancient objects, but while the ASP document targets the market as the main threat, the AIP's recommendations are preoccupied with wider problems involving the preservation of ancient documents and the promotion of scholarship. The stress on measures «that may appropriately serve the purposes of scholarship» is an aspect to which I will return in the following pages.

2. The market

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

The trade in manuscripts started as soon as papyrology was born; it is widely known that archaeologists and papyrologists who excavated in Egypt were also buying on the legal and illegal markets.¹⁰ Legislation on the preservation of cultural heritage was in place in Egypt since 1835; it allowed the commerce of antiquities to some extent under the strict control of the State. It should be recalled that since Napoleon's expedition, the Egyptian State was under the heavy control of colonial nations, first France and then Great Britain from 1892, although France still had a strong influence on the Antiquities Service.¹¹ Different measures were undertaken in 1912 (Law no. 14 of 12 June 1912) and in 1951 (Law no. 215 of 31 October 1951) to control the market through licenses, until a new law issued in 1983 (Law no. 117 of 6 August 1983, amended by Law no. 3 of 14 February 2010) basically forbade the commerce in antiquities and established once and for all the important principle that the State owns archaeological sites and cultural heritage objects of any kind found in the country.¹² A point I would like to stress 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

¹⁰ See e.g. Hagen and Ryholt (2016) 43: «...the line between archaeologist and 'dealer' (or at least customer) was blurred, and it is difficult to envisage any archaeologist working in Egypt in this period [i.e., 1880–1930] not taking an active part in the antiquities trade».

¹¹ See Reid (2002) and (2015), and Colla (2007) for a narrative and analysis of how colonialism has impacted Egyptology and other academic disciplines, besides the establishment and development of museums and other cultural and political institutions, including the Antiquities Service, in Egypt.

¹² Khater (1960); Kersel (2010); Davoli (2015); Hagen and Ryholt (2016) 133-146. The complete list of Egyptian legislation is available through the UNESCO website: <http://whc.unesco.org/en/statesparties/eg/laws/> (last accessed on 4 September 2018).

watersheds: they work well as guidelines, but can be eventually challenged in a court case and academics should be aware of this.¹³

Despite legislation, illegal excavations and looting have been and still are endemic in Egypt, as well as in other countries, even in those such as Italy, where considerable resources are invested in police enforcement, control and cultural heritage protection. In Egypt, political instability and the economic crisis, especially following the Arab Spring, have caused a dramatic increase in both illegal excavation and looting, as attested by different sources, from the media to ICOM red-lists, denunciations by archaeologists and papyrologists, articles, and scientific analyses.¹⁴ Contextually, the quantity of Egyptian antiquities, including papyri, of undocumented or poorly documented provenance, on the market has also increased¹⁵ and we have witnessed a number of repatriation cases from the UK, the US, Spain, and Israel among other countries.¹⁶ The high volume of antiquities imports from Egypt to the USA, in particular, has increased so much in recent years that it led Obama's administration and the Egyptian government to sign a bilateral cultural property agreement (Memorandum of Understanding) on 30 November 2016, in the hope of curbing the phenomenon.

The difficulties in controlling the flux of Egyptian antiquities on the market are evident especially in the case of e-commerce. I am going to demonstrate this through the following example. For a while now, a dealer based in Montrose, California, Gabriel Vandervort of Ancient Resource, has been auctioning Greek and Coptic papyri, besides other Egyptian antiquities, online.¹⁷ 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 1960s-1970s». As I was intrigued by the quantity and also the quality in some cases of the material from the abovementioned collection and the connection to an American Navy officer, I started posing questions to the dealer via email. The story I was told by Ancient Resource runs as follows:¹⁸ 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 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]

¹³ The situation is complicated further by the different dates on which countries subscribed to the convention; in some cases (e.g. the United States) subscription has also been accompanied by documents clarifying the modalities and extent of acceptance of some of the convention's articles. For instance, Great Britain, which has one of the most important antiquities markets in the world, ratified the convention only in 1984. For a recent assessment on the convention's effects and limits, see O'Keefe (2017).

¹⁴ For quantitative data on the increase in illegal excavations and looting obtained through satellite technology see Parcak et al. (2016). See also Pintaudi et al. (2014) on looting in Antinoopolis, and Eamena's case study on looting and damages to Roman military sites in the eastern desert, EAMENA (2016). ICOM-red list for Egypt is available online: <http://icom.museum/resources/red-lists-database/red-list/egypt/> (last accessed on 4 September 2018). Among the most recent media denunciations, see Mueller (2016).

¹⁵ Gill (2015).

¹⁶ Repatriation reports are regularly included in the Newsletters of the Egyptian Ministry of Antiquities, available at <http://www.egyptologyforum.org/MOA/MOA.html> (last accessed on 4 September 2018), besides featuring very often in the media.

¹⁷ See the dealer's website, <http://www.ancientresource.com/> (last accessed on 4 September 2018). I have collected some of the items from his catalogues using Pinterest: <https://uk.pinterest.com/facesandvoices/papyri/>.

¹⁸ There were slightly different versions offered at various stages.

4 Roman stone figures
A collection of papyrus [sic]

It is worth mentioning that prices are missing; pictures and other details of the objects are unavailable, according to the dealer, and we are only provided with 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? Clearly 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 collectors in question, so I did some searches on Mr. Hamdy Sakr, his uncle, and Alex Anckonie III. I was unable to find anything on Mr. Sakr except what Ancient Resource told me, but a simple Google search provided 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 in 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, so possibly his collection of Middle Eastern antiquities is rooted in his family's history.¹⁹ 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 (a sister of Alex Anckonie) were in the position of being able to identify specific objects.

To sum up, this story demonstrates that some dealers make efforts to document the collection history of the antiquities they sell, but the private nature of most transactions of the kind, 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 or collector eventually conceal illicit artefacts among licit ones? etc.). This case also raises interesting questions on the quantity and quality of lost objects hidden in private collections (including those of academics) 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 limited knowledge of and respect for Egyptian and international laws by dealers (including Egyptian dealers), collectors and buyers until recently?²⁰ This can hardly be ascertained in view of the state of the

¹⁹ See Tucker (2009) 68.

²⁰ The widespread disrespect for the law among dealers and buyers, including those representing institutions such as museums and libraries, in the very recent past is attested by a number of famous cases, see e.g. allusions to the routine of buying smuggled antiquities with undocumented provenances throughout the famous memorial of T. Hoving (Hoving 1993) as director of the Metropolitan Museum in New York: the episodes are quoted in a way that shows how unproblematic and commonly accepted the practice was. Another example is the scandal involving Sotheby's in the late 1990s as reported by Watson (1998), and the wider network of looting, smuggling and commerce of antiquities surrounding the dealer Giacomo Medici documented in Watson and Todeschini (2006). The photographic archive of Medici has facilitated the repatriation of many pieces to their

documents, and also considering that as a matter of fact the legality of this and of other cases is complicated, and depends on the legislation we consider, whether that of the source or that of the destination country.²¹ If we accept the conventional watershed of April 1972, then we should be careful in publishing any of the papyri in question since they were acquired in the 60s and 70s, and the state of the documentation does not allow us to establish which ones were acquired and exported before or after 1972. From the perspective of the Egyptian law, these papyri were legally acquired only if Anckonie III made his purchases from licensed dealers and exported them with due documentation, but once again extant documents to prove this was the case seem to be missing.²² This is not an isolated case, but just one example among many.

3. Provenance and publication and access policies

As an expert in antiquities laws has recently stated, «if one were to devise a badly flawed market, one would be hard-pressed to surpass the antiquities trade. The reasons for this are numerous, but can be attributed to two main factors: a restricted supply and a trade plagued by anonymous buyers and sellers often shielded by auction house practices and traditions».²³

The questions raised by the Sakr-Anckonie case show how factors such as the scanty documentation accompanying the collection make it very difficult if not impossible to verify provenance, and as a consequence to eventually publish these texts without infringing laws and publication policies. The Jesus' Wife fragment episode has recently demonstrated in a crystal clear way some of the risks academics undertake when publishing an object without making in-depth investigation of its provenance beforehand.²⁴ After years of debate, the disclosure of the real history of the fragment and its owner demonstrated that Karen King, Harvard University and the editorial board of Harvard Theological Review, which published a first edition of and commentary articles on the fragment,²⁵ had underestimated the importance of investigating provenance thoroughly. It is difficult to understand how publication decisions have been made, but I wonder if the abovementioned principle of scholarship's purposes played a role. When an object with a potentially high impact on

country of provenance, and has also improved to some extent current knowledge of their original finding spots; see most recently Gill and Tsirogiannis (2011). Yet 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 Schroeder (2017) 312.

²¹ Fincham (2008) analyses legal difficulties in repatriation court cases due to conflicting national and international legislations and argues that an international agreement on applying the legislation of the countries where the contested antiquities originally come from could help curb the flow of illicit objects on the market.

²² I wish to stress that the lack of documents can be due to many good reasons, such as their loss or even later discard due to the different mentality and attitudes of collectors in those years. Nonetheless the lack of these documents presents a problem when verifying the acquisition history of the manuscripts.

²³ Fincham (2010) 147.

²⁴ In September 2012 Karen King, Hollis Professor of Divinity at Harvard, presented to the 10th International Congress of Coptic Studies a papyrus fragment which contained some lines from an unknown gospel in Coptic mentioning the wife of Jesus. The news was reported worldwide and years of polemics followed between those who deemed the fragment a forgery, and others who maintained the possibility of it being genuine; for a summary on the debate see the six articles collected as "Assessing the Jesus' Wife Papyrus" in *New Testament Studies* 61/3 July 2015. Regrettably, very little attention was paid to the poorly documented and odd collection history of the piece, apart from a few articles and blog posts, see e.g. Jarus (2014), Mazza (2014a). In June 2016 an extensive reportage by journalist and writer Ariel Sabar published in *The Atlantic* exposed the history of the fragment and its owner (Sabar 2016a). As a result, it became evident beyond any doubt that the papyrus is a modern forgery, as recognized by the same Karen King (Sabar 2016b). On the whole story, including the last developments, see most recently the articles of Schroeder, McGrath, Goodacre, and Spittler in Burke ed. (2017).

²⁵ *Harvard Theological Review* 107/2 (2014) 131-193.

scholarship appears, academics are ready to undertake huge risks, and weak policies on issues of provenance can lead editorial boards and institutions to make mistakes with serious consequences as in this case.

The Jesus' Wife fragment story has also brought to light the connection between undocumented or badly documented antiquities and the circulation of forgeries and fakes on the market. This has become a quite serious issue in the field of Dead Sea scrolls and Biblical artefacts.²⁶ It should also be recalled that the suspicion of antiquities smuggling has not been completely clarified: radiocarbon analysis results on the Jesus' Wife fragment seemed to indicate that the papyrus was ancient, which implies that a genuine blank papyrus must have been retrieved somewhere.²⁷

Now, the risks to the reputations and careers of scholars are evident in this case as in many others, 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, academics can be charged with an offence under section 328 of the Proceeds of Crime Act 2002 connected with money laundering, because their expertise facilitated exchanges of criminal property.²⁸

The AIP recommendations and the ASP resolution are both adamant on the necessity of being aware of the legislations in place and on our duty to respect them as any other citizen. In the course of conversations with colleagues on the matter of unprovenanced papyri, I often heard the mantra «scholarship comes first», which sounds similar to part of the AIP's resolution that mentions measures «that may appropriately serve the purposes of scholarship». This mantra puzzled me since it is clear how easily it can lead to behaviour at the limit if not against national and international laws, when these laws impede the aim of scholarship, that for some scholars seem to be to publish texts at all costs. Clearly, tension derives from the way some academics conceive scholarship as isolated from the wider socio-political context where it is produced. Therefore the way research and the production of knowledge is conceptualized becomes central to the definition of professional ethics and publication policies.

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) everyday professional practices, which are not only informed by shared principles, like those contained in the two abovementioned documents,²⁹ but are the outcome of self-reflective actions of intellectuals who are concerned about what they are doing and are eventually ready to change their methods and behaviours. I do believe that papyrology is at a turning point in terms of ethical codes for many different reasons. The first is linked with Roger Bagnall's and the ASP resolution's point about the material nature of our sources and the archaeological soul of papyrology.³⁰ If papyrologists share this view, as it seems they do, it is clear that we have to

²⁶ On forgeries of Biblical antiquities see Rollston (2005), Burleigh (2008) and Davis Parker (2016); on the doubtful nature of recently emerged Dead Sea scrolls' fragments see Davis (2017) and Davis et al. (2017) with previous bibliography. Similarly, I believe that the polemics surrounding the Artemidorus papyrus are in part fuelled by the mysterious circumstances of its finding and collection history.

²⁷ See Tuross (2014) and Hodgins (2014).

²⁸ See Ulph and Smith (2012) 110-111.

²⁹ 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.

³⁰ See also Davoli (2015).

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.³¹

I do think, however, that there are other reasons for the shift besides the need to protect archaeological evidence. Addressing the issue of the provenance of the manuscripts we study is now urgent in 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. Museum archaeology and the study of the history of papyrology have brought to light evidence on how antiquities, including papyri, have been at the centre of market exchanges and cultural enterprises, which were the outcome of complex interactions between Egyptian and foreign subjects; in this panorama of publications usually focussing on the biography of famous personalities, the recent volume published by Hagen and Ryholt on the Egyptologist O. Lange represents a more complex achievement. The authors, in fact, have brought to light important documents allowing them to reconstruct in detail the complex network of actors in the antiquities market and the formation of collections of Egyptian antiquities not only outside, but also in Egypt.³² Hagen and Ryholt have programmatically chosen a descriptive approach to the subject, due to the complexities of dealing with modern colonial history;³³ nonetheless, their study is in fact an invitation to frame the history of the discipline in the wider context of the colonial era.

Papyrologists need to reflect on the history of their discipline, and at the same time spell out clearly what our current position is, not only regarding the illicit market but also the licit one since, as I have argued elsewhere, any change of ownership of a papyrus is a potential threat to its conservation and availability for study.³⁴ Moreover, should papyrology go global, so to speak, 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’s and ASP’s statements seem to imply, what kind of policies and actions should we undertake in order to encourage this change, and implement policies that aim to protect Egyptian cultural property? On the other hand, Egyptian papyrologists should take more responsibility in the discipline and exercise a more pro-active role in the preservation of and public access to their country’s papyrus collections, and in promoting the study of the Graeco-Roman legacy in Egypt.

³¹ Papyrologists’ scholarship on ethical issues is almost nonexistent; see Johnson (2012); Mazza (2015a). Blog posts and online articles have recently appeared especially as a result of the Jesus’ Wife fragment debate, see e.g. Choat (2016) and Schroeder (2017), offering a general 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, has some implicit ethical questions), while the other has an entire 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”.

³² Hagen and Ryholt (2016).

³³ Hagen and Ryholt (2016) 7-9.

³⁴ See Mazza (2015a) on the vicissitudes and risks of disappearance of 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. XII 1432 and 1550; P.Oxy. XIII 1595 and 1596; P.Oxy. XIV 1677, 1686, 1737 and 1774). The lot was privately sold by the School in 2015 through a dealer, without paying any attention to the terms of the donation, and without following the recommendations contained in art. 7 of the AIP document or taking any precautions for future accessibility. Officially, only the current location of P.Oxy. XIII 1596 is known, since the owner, Mr. Gifford Combs, informed the scientific community and specified that the manuscript would be available for study.

The necessity of recognizing the centrality of Egypt as a nation to which papyri and the history they document belong brings me to the final point on provenance and publication and access policies. I believe that as a professional body we must be very clear on the need to include full discussion of the provenance of the papyri we publish. This discussion must always be provided when a piece is presented for the first time and not months after publication. Moreover, I do believe that collections (both institutional and private) must give full access to acquisition documents, through online digital copies and direct access to the originals upon request.

To avoid discussing provenance in publications hinders a fundamental aspect of scholarship, that of providing the audience with all the information necessary to evaluate research and eventually challenge it. This is highly unethical behaviour, which actually goes against the aims of scholarship, to recall the AIP's documents.³⁵

A crucial point connected to papyrology and ethics also regards 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 texts obtained in this way must discuss the process in their publications and include relevant images. Again, access to collections' conservation documents should be allowed upon request.

4. Conclusion: Some suggestions

It is clear then that papyrologists have the professional duty to discuss provenance and conservation history in detail in publications and that collections should give open access to documents regarding both acquisition and manipulation, restoration, and conservation. These positions should be formally supported by the AIP and the ASP, and must be enforced by editorial boards and conference committee members.³⁶ Research on provenance must be taken much more seriously than it has been so far: especially in the 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.

Should we publish looted, undocumented, or even illegal Egyptian antiquities? I believe that the answer could be affirmative under specific circumstances: when a looted, undocumented or even illegal papyrus is published, the editor must provide not only a frank and detailed statement about this, but also a thorough discussion of the reasons why publication has been nonetheless accorded (e.g. the object is going to be repatriated, or the country from which it originally came has allowed publication).³⁷

³⁵ On the point, see Mazza (2014a) and (2014b).

³⁶ I have already advocated this in the blog posts cited in the previous footnote. Choat (2016) has taken a similar view.

³⁷ As we all know, even without taking the watershed date of 1972, strictly speaking many of the papyri which have been published in the long history of our discipline are undocumented or poorly documented, and some were also 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 may 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.

It becomes crucial to establish what ‘specific circumstances’ means on a case by case basis, 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 have gathered so far, interventions from these bodies in our field have been non-existent or minimal. I think a more proactive role in this ambit is indeed desirable.

Finally, the terminology and formulation of some principles also require 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’ and auction houses’ archives on the other. As a consequence, there is urgency for collections, Egyptian 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 employees, including academics, to improve access policies to collections and to reform the complicated and not always transparent bureaucratic processes which regulate them so that joint projects can be indeed possible.³⁸ It should also be recalled that there are different national legislations regulating the duty to inform police authorities of possible breaches of the laws. I 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 of great importance for keeping track of papyri that are at risk of disappearing into inaccessible private collections, and for providing evidence of illicit trafficking.

Finally, 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 the document should recognize 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 storage facilities as if that could be the only source of illegal circulation of manuscripts; but as I have explained above, illegal excavations and looting in Egypt are nowadays common ways through which antiquities, papyri included, reach the market.

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³⁸ This statement is based on my frustrating experience in trying to coordinate a joint application to a British funding body in order to work on the Cairo papyrus collections held respectively in the National Library and Archives and the Museum of Egyptian Antiquities.

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Papyrology and Ethics

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