The Illicit Trade in Chinese Antiquities

By Melvin Soudijn and Edgar Tijhuis

In March 2000, CHW raised the issue of a stolen statue of Bodhisattva in the collection of the Miiho Museum in Japan. The statue was stolen from a museum in Bonsai country, Shandong Province, in July 1994. In 1996, the Miiho Museum bought the statue from a London dealer, who claimed to have bought the item from another dealer in good faith. After more than a year, an agreement on the return of the statue was signed between the Chinese National Administration on Cultural Heritage and the Miiho Museum. In 2001 the National Gallery of Canada voluntarily returned to China a stolen 1,350 year old Buddhist limestone carving, which had been surreptitiously chiselled from the wall of a temple cave some time during the last century. The object was only known in China from a picture of the temple taken at the beginning of the twentieth century.

At the beginning of the twentieth century, the museum industry, the international arts market was also implicated. Apparently, there is a large market for Chinese antiquities, the most notable in Hong Kong, London, and New York. Some antiquities dealers purport to handle only ‘old’ items, that is, items that come from existing collections and are supposed to have been outside China since pre-1970. However, these assertions seem to be at odds with the continuous appearance of dubious items on the art market. Furthermore, there are thousands of smaller markets in numerous countries, Asian and Western. Nowadays, illicit excavations meet most of this large-scale demand, resulting in the irreversible destruction of valuable archaeological information that was previously available.

Although the Chinese government formally takes a serious stance on combating illegal excavation and export of Chinese antiquities, many questions can be asked about the sincerity and efficiency of their policies. Since 1978 numerous legislative measures have been taken to tackle the problem. The Law on the Protection of Cultural Heritage was adopted in 1982 and twice amended in 1988 and 1991. Nowadays, the problems of illicit excavation and trade have reached dramatic proportions. Government sources suggest that, in the past, the bulk of illicit antiquities resurfaced in foreign museums, while these days much of it ends up in foreign markets. According to Chinese experts, there are at least one million items of Chinese art that should be returned from 200 foreign museums spanning 47 countries. Yet, most Western museums are unwilling to return their collections. A major reason being the idea that most acquisitions were legal at the time they were made, for example under colonial rule. Nonetheless, China has experienced some success in reclaiming stolen artefacts.

Furthermore, the policies of the Chinese government are weakened by the ineffective registration of cultural heritage.

The fact that the government lacks a database on stolen art and antiquities inhibits an effective policy against illicit trade and can lead to awkward situations. In the Miiho Case, Cultural Heritage Watch and the Chinese authorities argued that the Miiho should return the statue and should have been informed of it being stolen because it belonged to a Chinese museum and was published as such. However, the fact that the theft was not properly registered seemed to escape both their attention. The lack of effective registration also hinders all fruitful cooperation with international agencies like Interpol and the International Council of Museums (ICOM), rendering the aforementioned treaties inapplicable (see note).

With ineffective registration, the real scale of the problem can hardly be reliably represented by statistics on the number of items intercepted by Chinese customs officials. Any attempt to quantify the problem of illicit excavations and trade by looking up statistics and figures from a number of different sources only reveals how incomplete they are: records only exist for 1986, 1991–1995, 1997, the first five months of 1998, and the period from 1999 to September 2001. Additionally, the numbers cannot be compared because they measure different things and usually only refer to tourists. For example, according to figures from Chinese customs, 110,000 items were seized, from tourists, between 1991 and 1999.

Although much can be said about China’s shortcomings with regard to its anti-trafficking of antiquities policy, there are other factors to consider. Wherever people are prepared to pay high prices (as is the case in the Chinese government itself), there are those prepared to buy. Many independent buyers are individual travellers interested in Asia and the like, in contrast to large retailers or auction houses, most likely to purchase mass-produced items of one kind. Of course, one also needs to consider the quality of the items they acquire. All the experts we spoke to highlighted the fact that most material coming from China seems to be of sub-standard quality, apart from a huge number of fakes. Nevertheless, many among the IAS Newsletter readers will have some sort of Chinese artefact at home. Call it an argument from a Chinese perspective. It does not make it any less valid.

For more information, also see: www.culturalheritagewatch.org/indexes/english.html

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