



The Nabu Museum: the Alleged Guardian (Saviour) of the Mashriq

Nabu Musée, Le prétendu gardien (sauveur) du Mashriq

A private art and archaeological museum was inaugurated in 2018 on the Mediterranean coast under the name of Nabu after the Mesopotamian God of Wisdom and Writing. The museum exhibits a collection of more than 2,000 archaeological artifacts from Lebanon, Syria, Palestine, Iraq, Egypt and Yemen. Immediately after its inauguration, the so-called museum was the subject of controversy as to how and from where it had acquired its archaeological collection. The co-founder and director of the museum, Jawad Adra, defended the ownership of this collection and made reference to decree No. 3065 issued in 2016 that aims at organising the General Inventory of Old Movable Archaeological Items. This article investigates this controversy, its context, causes and implications.

Keywords: Lebanon, Archaeology, trade, private museums, laws.

En 2018, un musée privé d'archéologie et d'art a été inauguré sur la côte méditerranéenne, baptisé du nom de dieu mésopotamien de la sagesse et de l'écriture, Nabu. Le musée présente une collection de plus de 2000 pièces archéologiques, originaires du Liban, Syrie, Palestine, Irak, Égypte et Yémen. Juste après son inauguration, le soi-disant musée a provoqué une controverse liée à la provenance et au mode d'acquisition de sa collection archéologique. Le cofondateur et directeur du musée, Jawad Adra, a défendu la propriété de cette collection en se référant à un décret, n ° 3065 publié en 2016, qui vise à organiser l'inventaire général d'anciens objets archéologiques mobiliers. Cet article traite de cette controverse, son contexte, causes et enjeux.

Mots-clés : Liban , archéologie , commerce , musées privés , lois.



Fig. 1. The Museum.

The Museum and the Collection

In September 2018, a new privately owned museum, named after the Mesopotamian God of Wisdom and Writing, Nabu opened its doors on the coast of El Herri, Chekka, North Lebanon. The museum was co-founded by Jawad Adra, a businessman and an art collector along with two renowned Iraqi artists, Dia Azzawi and Mahmoud Obaidi, who also designed the rust steel cubical museum building.

Situated on the Mediterranean coast, with a stunning view out to the sea, the museum displays a permanent collection of around 2000 archaeological artifacts dating to the Bronze and Iron Ages, to Roman, Greek and Byzantine periods. The museum's collection also includes contemporary works of art, paintings and sculptures by Lebanese and Arab artists.¹

Curated by Pascal Odille, an expert in Modern and Contemporary Art at the French National Chamber of experts specialized in arts and collectibles (C.N.E.S.), the museum's first exhibition, *Millennia of Creativity*, compared 60 modern artworks with around 400 archaeological pieces, coming from the Near Eastern region, mainly Lebanon, Syria, Iraq, Palestine and Yemen.

Among the most prominent collections housed in the Nabu Museum, is the Phoenician collection of around 66 funerary stelae, probably from the site of Tyre Al-Bass, located in south Lebanon (Seeden 1992 a&b).

Another important collection is the Iraqi collection of cuneiform tablets, which probably comes from the ancient lost city of Irisagrig, whose location was discovered by looters but remains unknown to archaeologists. It should be noted that, at present, most of the known cuneiform tablets are dispersed in collections in the United States of America, Australia, Japan, Canada, the United Kingdom, Sweden, Germany and France, among other places.² Irisagrig recently made the headlines with the Hobby Lobby case, when 450 cuneiform tablets smuggled into the U.S., were seized by the American Immigration and Customs Enforcement (ICE) and returned to Iraq.

The online database of Neo-Sumerian Texts, funded by the Spanish Ministry of Science, which is updated regularly, lists the Nabu Museum, as the owner of 138 tablets from Irisagrig and seven others of unknown provenance.³

Another famous collection is the General Moshe Dayan collection of ceramics and bronze objects, mostly found in Palestine, of unspecified origin.

1. 22 September 2018. *Nabu. Millennia of Creativity*, Museum Catalog, 79 p.

2. <<https://www.livescience.com/62437-stolen-sumerian-tablets-from-lost-city.html>>.

3. <<http://bdtns.filol.csic.es/>>.

Moshe Dayan, an Israeli military and political figure, held numerous ministerial roles during the course of his political career: Agriculture, Defense and Foreign Affairs.

An amateur archaeologist, he performed illegal digs, looting different sites and trading in antiquities. All these activities were described in detail by Raz Kletter (Kletter 2003).

The Moshe Dayan Nabu collection, was comprised of the gift allegedly made by Dayan himself to his friends Helen & Paul Zuckerman,⁴ and Irving Bernstein.⁵ According to one of Bernstein's sons: "the artifacts have a well-established provenance, and they have passed through very few hands. As a favor to Mr Bernstein, many of the pieces have been identified, autographed and dated by Dayan himself." This collection of gifts was later put up for auction by the heirs of the Zuckerman and Bernstein families.⁶

According to the catalog of the Moshe Dayan Nabu collection,⁷ this collection was purchased by two Lebanese NGO's: The "Saadeh Cultural Foundation",⁸ and the "Social and Cultural Development Association (INMA)",⁹ from two auction houses in the United States of America in 2012.

Another important collection is the Palmyrene Funerary Reliefs, originating from the ancient city of Palmyra, modern day Tadmour in Syria (Abousamra 2016 & 2018). This is a UNESCO World Heritage Site that has been subjected to massive waves of destruction and looting since the ISIL militants took over the city and destroyed the Temple of Baalshamin on the 23rd August 2015.

Terracotta votive figurines from the site of Tell Halaf, located in North-East of Syria, near the Turkish border, also feature among the most prominent museum's collections.

Artifacts, mainly alabaster statues and funerary stelae, whose provenance is labeled as the south of the Arabian Peninsula, without referring directly to the Republic of Yemen, are also mentioned on the museum's website.

The controversy

Helen Sader, professor and Chair at the Department of History and Archaeology at the American University of Beirut, and the author of various articles

4. An American businessman and a philanthropist.

5. Executive vice-president of the United Jewish Appeal - Federation of Jewish Philanthropies of New York, from 1971 to 1984.

6. <<https://www.haaretz.com/1.4822473>>.

7. The Saadeh Cultural Foundation and the Social & Cultural Development Association (INMA) Recover Palestine's Looted Antiquities, INMA, Beirut, 2015. (See <https://monthlymagazine.com/article-desc_1810_>>).

8. Founded in 1999 and named after Antoun Saadeh, the founder of the Syrian Social Nationalist Party in Lebanon, it aims at spreading the philosophy of Mr Saadeh.

9. An NGO founded in 1997, by Jawad Adra and his wife Zeina Akar Adra. INMA scope of activities is based on serving a cluster of villages and specific neighborhoods throughout Lebanon. INMA projects cover health, education, environment and income generating activities. <<http://information-international.com/page/21/inma>>.

on looting and private collectors (Sader 2012-2013), was the first to raise the issue of the Nabu Museum in her plenary address at the American Schools of Oriental Research (ASOR) annual meeting, that took place in Denver, last November.

In her address entitled "Between Looters and Collectors, and Warlords: Does Archaeology Stand a Chance?", she expressed her dismay at how no one inquired about the origin of the finds exhibited in this museum. Sader continues and asks how the museum's owners were not only able to purchase looted artifacts but also appear to have the right to display them 'legally' in a private museum without being questioned?¹⁰

Since then, a few modest voices have been heard discussing the Nabu issue. Yet despite this controversy surrounding the Nabu Museum and its suspicious collection, not a single official public statement was issued by the Lebanese Ministry of Culture, nor by the General Directorate of Antiquities (DGA), which is the rightful guardian of Lebanon's heritage and the only entity authorized to investigate and take the measures needed to stop any illegal action.¹¹

In the same way as the Lebanese, no Syrian official body has taken any official stance, nor have they made any statements whatsoever regarding the acquisition of Syrian looted artifacts by the Nabu Museum. In contrast, the Iraqi Ambassador, Ali Al Aamiri, stated in an interview with the Lebanese newspaper *Al Modon*, that the Iraqi embassy in Beirut refuses to disclose any details regarding this matter. Their official comment was restricted to vaguely stating that the Iraqi government might follow any necessary legal procedures to deal with the Nabu Museum issue (Merhi 2019).¹²

The Iraqi archaeologist and the translator into Arabic of *The catastrophe! The Looting and Destruction of Iraq's Past* (McGuire 2008), Abed Es-Salam Sobhi Taha wrote an article in Arabic, whose translated into English title is: "The memory of Iraq in the black market" published, in the Iraqi magazine *Beyn Nahreyn*. In this article, Taha demands Nabu Museum "to have the wisdom of the Mesopotamian God Nabu and to return its heritage to its country." (Taha 2019: 5).

In April 2019, the Nabu Museum and eleven other museums celebrated the Night at the Museum annual event, which has been organized by the Lebanese Ministry of Culture since 2016, in partnership with the French Embassy in Beirut and in conjunction with the yearly celebration of the Francophonie month.

Including a 'suspicious museum' in the list of museums taking part generated controversy among archaeologists and museum professionals working in the public and the private sector. The author of this article addressed an open letter to all museum professionals, on March 30th 2019, a few days before the Night at the Museum event, which was shared by email and on social media platforms, urging the

10. <<https://www.youtube.com/watch?v=zCx56KgQsY0&t=7s>>.

11. <<https://www.dailystar.com.lb/News/Lebanon-News/2019/Apr-11/480893-museum-tangled-in-debate-over-heritage.ashx/>>.

12. <<https://www.almodon.com/society/2019/4/29/>>.

custodians of the National Museum, the Higher Commission of Museums, the National Committee of the International Council of Museums and the Directors of University Museums to speak up and fight against the inclusion of the so-called “Nabu museum” in the Night at the Museum event, bearing in mind that such an act would legitimize the Museum and its collections.

The letter received different reactions, but remained without an official response from any of the organizers and participants directly concerned in the event.

However, a few archaeologists and DGA employees, voiced objections and boycotted the event and refused to participate in the celebration.

Following this open letter, a campaign was launched on social media, with the aim to spread awareness regarding the origin of the artifacts on display at the Nabu Museum and to put pressure on officials to take legal measures, in order to conform to national and international laws. Sadly, however, it received only modest support from national and local newspapers and television stations.

In response to this campaign, the Nabu Museum hit back with massive media coverage for the museum and its collection, and they lost no opportunity to justify the fact that they are collecting and exhibiting artifacts, and they avoided the issue of how and from where they acquired them.

In a TV interview in a program called *The Orient Bells*, that was aired on June 7th 2019 on Al Mayadeen, a Lebanese Pan-Arab satellite television station, Mr Adra, defended his right to own these artifacts claiming that the Nabu Museum is saving the cultural heritage of the ‘nation’. According to Mr Adra, this concept of the ‘nation’ goes beyond the Lebanese borders, and takes in Syria, Iraq, Palestine, Jordan and Egypt.¹³

To understand this ideology better, it should be borne in mind that Mr Adra, one of the founders and the director of the museum, is a member of the political bureau of the Syrian Socialist Nationalist Party (SSNP). The SSNP was founded in Beirut, by Antoun Saadeh, in 1932, as an anticolonial and national liberation organization, modeled on European fascist movements, in order to fight French colonialism. The SSNP operates in Lebanon, Syria, Jordan, Iraq and Palestine, with close political ties to the Ba’ath National Progressive Front, the governing party in Syria.

The SSNP ideology rejects the borders first drawn up under the Sykes–Picot agreement in 1916, on the basis that the borders outlining the newly created states were fictitious, resulting from colonialism, and do not reflect any historical and social realities. The party maintains that Greater or “natural” Syria represents the national ideal which encompasses the historical people of Mesopotamia and the Fertile Crescent, all of whom belong to a common historical, social and cultural development path (Saadeh, 2004).

Using this doctrine as a starting point, the Nabu Museum is preserving and promoting the Cultural Heritage of Greater Syria, and does not possess

artifacts from other countries, but only from the Greater Syria nation. Nabu considers itself to be the legitimate guardian and keeper of the heritage of a nation that formed a single unit in ancient times, and still remains so according to the ideology of those behind the creation of this museum.

Private Museums in Lebanon and Looting

The Nabu Museum is not the first, nor the only private archaeological museum in Lebanon that has been enriched by purchased artifacts.

In Lebanon, the majority of archeology and history museums are public state museums. Apart from the National Museum of Beirut, regional site museums have emerged since the end of the civil war in the nineties. Yet on the private sector level, two major private universities, the University of Saint-Joseph and the American University of Beirut, have played an important role in protecting the archaeological heritage of Lebanon. The collections of these university museums include a considerable number of archaeological remains found throughout Lebanon and the neighboring countries (Badre 2010).

The Archaeology Museum of the American University of Beirut, created in 1902, amassed its collection through private donations and acquisitions from the market during the period of its creation.¹⁴

Looting and trading antiquities in Lebanon started under the Ottoman empire (1516-1918), flourished under the French mandate (1923-1946), and began again on a larger scale during the Lebanese Civil war (1975-1990). Robert Fisk, the multi-award winning Middle East correspondent at *The Independent* investigated the plundering of Lebanon’s heritage while he was based in Lebanon in 1991, and he described the country as “‘The biggest supermarket’ in the region” (Fisk 1991a: 243-252).

Two private archaeology museums owned by wealthy businessmen, are testament to the extent of the looting and smuggling that took place in Lebanon during the last century.

The first is the Audi Mosaic Museum, privately owned by Raymond Audi, chairman of Audi Bank – Saradar Group, a businessman, politician¹⁵ and founder of Audi Foundation for promoting heritage and craftsmanship.¹⁶ The museum is located in the capital city of Beirut, in Villa Audi, a mansion built in 1910, that served as the main branch of the Audi Bank from 1970 until 2000. It was later transformed into a private museum that hosts a unique private mosaic collection, and a number of sculptures, from different countries, dating back to the second and sixth centuries A.D. The Audi Museum is currently closed to the public, but occasionally opens its doors during the Night at the Museum event and upon reservation.

14. <https://www.aub.edu.lb/museum_archo/Pages/default.aspx>.

15. Minister of the Displaced from 11th of July 2008 until 9th of November 2009.

16. <<http://www.audifoundation.org.lb/audi-foundation/>>.

13. <<http://mdn.tv/40yv>>.

The second is the Robert Mouawad Museum located in Zoqaq El Blat, Beirut.

The current museum was conceived and funded by the jeweler and collector Robert Mouawad to showcase his collection of art, furniture, carpets and antiquities. It is housed in the former home of the late Lebanese politician and art collector Henri Philippe Pharaoun (Issacs 2014).

The museum's collection was amassed from antiquities from Lebanon, the Near East and different corners of the world, which Mr Pharaoun had purchased to decorate his mansion (Farhat 2012).

The New York Times aptly describes the residence as a "palace [which] resembles a Gothic castle with a hodgepodge of Greek and Roman statues and sarcophaguses in the walled garden".¹⁷

In an interview with National Lebanese television, that was never broadcast, Mr Pharaoun retells the story of how Greek artifacts, that were later included in the museum's collection, were discovered in the garden of the villa in the mid-forties during renovation work.¹⁸

Mr Pharaoun's only son, Naji, sold the palace to a Saudi Arabian Prince and then in June 1991, ownership of the mansion was transferred to the Mouawad family. Mr Pharaoun moved to the seaside Carlton Hotel in 1992 where he was brutally murdered in his hotel room at the age of 92.

For years, the museum was closed for extensive refurbishment and opened only for special occasions. The museum is now permanently closed and the fate of its archaeological collections remains unknown.

What distinguishes the aforementioned two museums from the case of the Nabu Museum, is that these collections were amassed in Lebanon before the establishment of laws and conventions, and during periods of massive turmoil and chaos. Many other private Lebanese collections contain huge numbers of looted antiquities from Lebanon and around the world, but the Nabu collection, with over 2000 archaeological pieces, appears to be the first collection acquired in modern day Lebanon, that clearly and pretentiously defies all the existing and non-existing national and international laws and agreements.

National and International Laws, Decrees and Ministerial Decisions

To date, Lebanon continues to rely on a law of antiquities that dates back to 1933, when Lebanon was still under the French mandate. Not a single law dedicated to museums has been established yet.¹⁹

Despite the fragility of this outdated law, it still remains operative and has clear dispositions regarding the preservation of archaeological heritage. The law gives an essential role to the General Directorate of Antiquities, which is in charge of protecting, restoring and managing the cultural heritage (art. 19). It strictly

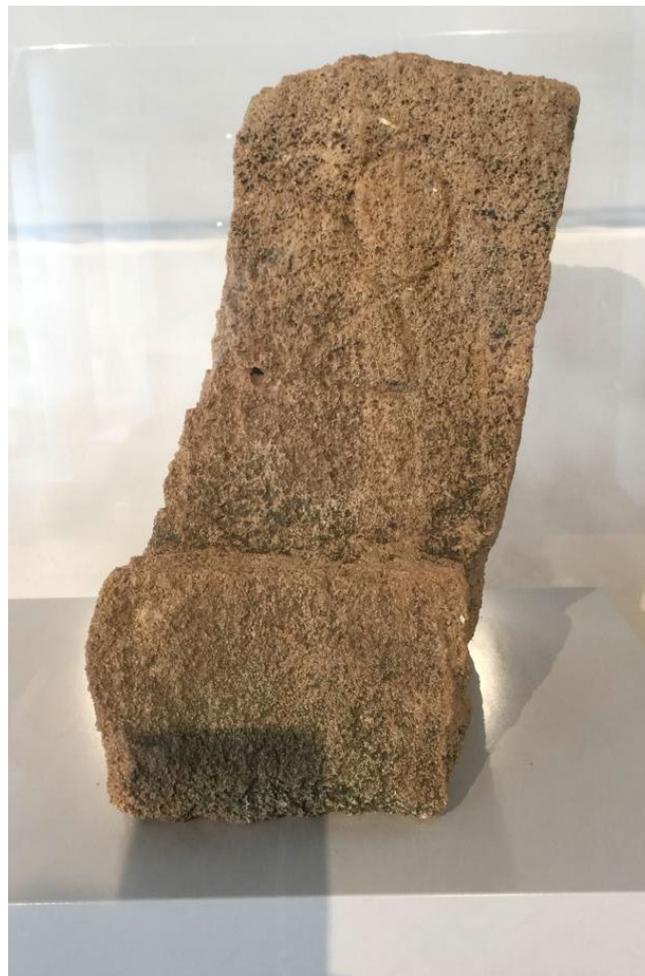


Fig. 2. Tyre Funerary Stelea.

prohibits looting and clandestine excavations (art. 72-73) and imposes financial penalties for violators.

It outlaws the import of antiquities from Iraq and Palestine (art. 100) without an import license granted by the competent authorities of the mentioned countries.

But on the other hand, the same law allows the import and export of antiquities, although under strict conditions, and legalizes the work of antiquities dealers (chap. IV).

To put an end to this and because of the lack of control over the Lebanese antiquities market, the Minister of Tourism, Walid Joumblatt, issued ministerial decision No.8 in February 1988, after 13 years of civil war, forbidding the import of antiquities outside Lebanese Territory and urging the General Director of Antiquities to stop providing dealers with import/export licenses. (The General Directorate of Antiquities was then dependent of the Ministry of Tourism and only fell under the Ministry of Culture in 1993).

This decision was followed in the same year by decree No. 14 with the aim of organizing the antiquities market within Lebanon.

Subsequently, in 1990, these two consecutive decisions were combined into a single Ministerial Decree, which prohibits any type of export of archaeological objects from Lebanon and bans any kind of trading in antiquities within the country.

17. <<https://www.nytimes.com/1993/08/07/obituaries/henry-pharaoun-is-slain-at-home-founder-of-free-lebanon-was-92.html>>.

18. <<http://www.alhayat.com/article/1874259/>>.

19. 7 November 1933. *Lebanese Law of Antiquities*. Bylaw n° 166. Beirut.



Fig. 3. Iraq Cuneiform Tablets. ©nabumuseum.

Later in the same year, Lebanon ratified the UNESCO 1970 convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property that gave signatories the ability to seek the return of illicitly obtained cultural goods and set guidelines for collectors. Countries parties to the 1970 Convention are committed to establishing appropriate legislation to combat looting and trafficking antiquities.²⁰

Lebanon also recently ratified the UNESCO complementary 1995 UNIDROIT Convention that aims to balance the complexities of the “good-faith buyer” by demanding a level of due diligence.

In July 2015, following her insistence that the UNESCO Convention 1970 be implemented, the then General Director of UNESCO Mrs Irina Bokova received a report from the Lebanese Minister of Culture Raymond Arayji. In this report he listed all the Lebanese laws and ministerial decisions banning the import and export of antiquities and organizing the sale of antiquities. Mr Arayji reassured Mrs Bokova that Lebanon is abiding by its national laws and decisions, and by the 1970 UNESCO Convention, mentioning the number of seizures of artifacts smuggled from Syria and Iraq, that had occurred on Lebanese territory since 2012.²¹

Less than a year later, and few days before the end of the aforementioned Minister’s term of office in March 2016, Decree number 3065 was published in the official gazette, with the aim of organizing the

General Inventory of Old Movable Archaeological Items.²²

The decree, effective for three years, is comprised of 13 articles, and in its first article it defines the method for acquiring cultural property, stating that it is to be done ‘transparently, calmly, in a non-suspicious manner and for non-commercial means’.

In accordance with this decree, individuals with undeclared collections, had a grace period of three years to declare them to the Ministry of Culture, represented by the General Directorate of Antiquities, using an online declaration form available through the ministry’s website.

Following this declaration, the collector of the artifacts receives a receipt from the General Directorate of Antiquities, giving him/her legal ownership of the declared collection.

The decree was recently renewed in June 2019 for a three-year period, with amendments in respect of the provenance and acquisition mode of the object, the inspecting archaeologist and the collector’s responsibility for the accuracy of the information, and with an emphasis on the right of the General Directorate to inspect and check the artifacts should it be considered necessary. According to article number 3, this decree can only be renewed once.

While recognizing that Lebanese law needs to be updated, the problem in Lebanon is not the dispositions of the law, but how to enforce it. In 1999, The Directorate-General of Antiquities was given the status of a judicial police force, empowered to investigate the whereabouts of allegedly stolen ‘antiquities’ and

20. <http://portal.unesco.org/en/ev.phpURL_ID=13039&URL_DO=DO_TOPIC&URL_SECTION=201.html>

21. <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Report_Lebanon_clear.pdf>.

22. <<http://legallaw.ul.edu.lb/Law.aspx?lawId=258560>>.



Fig. 4. Tell Halaf figurines. ©nabumuseum.

raid suspected hiding places. The Lebanese General Directorate of Antiquities, whose prerogatives were provided for in the 1933 antiquities law, moved to take measures against suspected owners of artifacts, especially those artifacts that dated back to before 1700, which according to the aforementioned law, are considered to be the property of the state.

The decision to reactivate the law regulating the possession of artifacts that date back to the 18th century or earlier was taken at a meeting attended by Magistrate Khaled Hammoud, a public prosecutor for financial fraud, in addition to DGA's Acting Director-General at the time, Professor Shaker Ghadban.²³ Following that decision, many suspicious houses and warehouses were raided, antiquities confiscated and warehouses sealed with wax.

Ethical issues

Along with the laws and conventions, the Nabu Museum case highlights the role played by many archaeologists in studying and authenticating the Nabu collections.

A number of Lebanese and international archaeologists and art historians collaborated with the collector and the museum, providing both professional advice and academic publications.

For example, the Palmyra reliefs belonging to Nabu collection were published in a study led by Gaby Abousamra (2016), a professor of Epigraphy and Semitics at the Lebanese University, as well as several articles on other artifacts belonging to

the same collection (Abousamra & Lemaire 2016; Abousamra 2018).

In addition, he co-authored a book on the Phoenician Stelea of Tyre, that is a part of the private collection of Nabu Museum (Abousamra & Lemaire 2014).

The collection of Sumerian tablets from the site of Irisagrig, Iraq, has also been studied and published (Owen and Lafont 2000).

That was not the first time that the names of some of these scholars have been linked to unprovenanced artifacts.

In 2003, the Department of Near Eastern Studies at Cornell University accepted a donation of a large number of cuneiform tablets. These tablets with no verifiable evidence of provenance, form the subject matter of an ongoing series of academic monographs, studied by David Owen and published in 2007 under the auspices of the Cornell University Studies in Assyriology and Sumerology (Owen 2007a and 2007b).

The collection of 1500 unprovenanced tablets included the so-called Garšana archives, believed to have been discovered by looters at a presently unknown location in southern Iraq, but which on the evidence of a recurring toponym is thought to have been a 3rd-millennium-BC town named Garšana.

Interestingly enough, the Nabu collection also features cuneiform tablets from Garšana.²⁴

Another scholar, André Lemaire, an academic epigraphist, who was the co-author of the aforementioned book with Abousamra, was previously linked to other unprovenanced and questionable material: two Iron Age, inscribed biblical artifacts that appeared on the antiquities market in 1979 and in 2002. The first one is an ivory pomegranate carrying the inscription "Holy to the priests, belonging to the T[emple of Yahwe]h" and the second one is the so-called James Ossuary, a limestone burial box from the 1st century BC bearing the Aramaic inscription "James, Son of Joseph, Brother of Jesus" (Lemaire 1984 & 2002).

These inscriptions are of a debatable nature, yet were considered to be authentic by Lemaire.

The market value of both inscriptions increased after they were studied and published by Lemaire and were sold and bought many times at high prices, without taking into consideration the authenticity of these inscriptions nor their modes of acquisition.

Conclusion

Alex Barker (2003: 75-76) argues that exhibiting objects and publishing collections from a private collection increases their commercial value. He also argues that such an increase might lead to an increase in looting and trafficking of cultural goods to meet the market demand. Barker goes on to say that from a research point of view, there is no way to ensure that these objects are even authentic if they came from unknown sources.

Owen, on the other hand, in defense of the Garšana research, advocates that "scholars are obligated to preserve and publish those records of the past that

23. Daily Star, 18 March 1999.

24. <<http://bdtns.filol.csic.es/>>.

are available, whether or not they have documented contexts or origins” and that no evidence whatsoever has been presented to demonstrate that scholarly study and publication of unprovenanced inscriptions encourages the looting of sites or inflates the value of cuneiform texts in private collections (Owen 2007a: V & 2009).

Renfrew calls the involvement of scholars in the publication of looted material as an ethical crisis in archaeology, and argues that unless a solution is found, our record of the past will be vastly diminished. He describes the collectors as the real looters, and insists that clandestine digging and looting of archaeological sites is destroying the context in which archaeological findings can reveal valuable information about our human past (Renfrew 1993: 16-17).

Tess Davis, an archaeology and heritage law expert at the Scottish Centre for Crime and Justice Research at the University of Glasgow said in an interview to ABA Journal in July 2014, that while “cultural heritage has always been a casualty of war,” the commodification of antiquities has made them even more vulnerable to armed conflict. “War is an expensive business,” she says. “So as long as there is a market for these so-called blood antiquities, there will be a supply. At best, those who purchase such pieces are contributing to the destruction of the world’s cultural heritage. At worst, they may be prolonging conflict by funding, even indirectly, those who wage it.”²⁵

Over the course of its modern history, Lebanese social fabric has been broken down by the influence of many internal and external factors. The final blow was the civil war (1975-1990), which destroyed the country’s cultural, social and architectural fabric. These events lead to the population’s division into different ethnic, religious, sectarian, and political groups. These cultural divides are constantly on the increase, and historical narratives are used fraudulently by sectarian and political parties in an attempt to prove origins and develop factions.

These controversial issues extend into both modern and ancient history. History is thus considered to be full of tragic events and came to be ignored by the majority of the population.

To date, the Lebanese refuse to reconcile with this painful past and move towards a better understanding of their history. The multitude of different, and often contradicting narratives, the disagreement on origins and identity have resulted in the absence of a homogenous unified history textbook in schools in Lebanon. The notion of the past as a common legacy, that serves to unite the population as heirs of a common heritage, was annulled by sectarian and political parties.

Archaeological artifacts are considered by the majority of the population as a good source of income, that can be traded for profit.

There is no sense that archaeology belongs to the people and is being appropriated, which is why there

is a lack of activism in archaeological and cultural causes (Seeden 1994a&b).

The awareness campaigns that aim to promote cultural heritage are rare, or non-existent, and this is enhanced by the DGA’s current policy of keeping its work secret, and not engaging with the local community or stepping in to clarify any controversies being spread by the media about the fate of archaeological remains, by providing clear and scientific explanations.

That leads to a lack of interest in archaeology, mistrust of the DGA and does nothing to enhance public awareness (Sader 2012). As a result of the secretive nature of the work of the DGA, archaeologists are viewed by the Lebanese as gold diggers, who destroy sites and steal the artifacts. Hardly anyone understood the controversy surrounding the opening of the Nabu Museum and even fewer people objected to its opening.

In 2015, UNESCO, in collaboration with the Ministry of Culture, launched the national campaign Unite for Heritage to mobilize UNESCO State Members, and to address the deliberate destruction of cultural heritage by violent extremist groups.²⁶ The hashtag #unite4heritage has been widely shared on all social media platforms and at the Rafiq Hariri International Airport, and so the #Unite4Heritage campaign has become a widely expanding global movement which seeks to engage a global audience, with young people as its core demographic. Ironically however, it has not publicly addressed or even discussed the provenance of the Nabu collection.

In September 2014, following the publication of Lemaire and Abousamra’s book *New Funerary Phoenician Stelae* (Abousamra & Lemaire 2014), a Lebanese NGO called The Green Southerners, based in Tyre, Lebanon, filed a notice with the public prosecution, stating that the 66 stelae studied in that book were illegally obtained from clandestine excavations at the archaeological site of Tyre. The fate of this notice was not made public and remains uncertain.

In 2019, after the inauguration of the museum and the display of a few pieces of the Phoenician Stelae collection in the museum, the same NGO filed a law suit against the owner of the museum, Mr Jawad Adra, accusing him of owning looted artifacts from the Phoenician site of Tyre.

The timing of issuing Decree 3065, in March 2016, should not to be ignored.

Amidst the turmoil in Syria and the brutal massacre in August 2015 of Khaled El Assaad, the director of Antiquities and Museums of Palmyra, and the Palmyra offensive of the Syrian Arab Army to recapture the city on 27 March 2016, one must ask if it was an innocent coincidence. And why establish a decree that organizes private collections at a time of such regional instability, with massive waves of destruction and looting of archaeological sites?

Some argue that it will help organize this market by reducing the impact of looting and trade. Others see it as a powerful tool that can be used by collectors

25. <http://www.abajournal.com/magazine/article/how_countries_are_successfully_using_the_law_to_get_looted_cultural_treasures>.

26. <<https://www.unite4heritage.org/en/unite4heritage-celebrating-safeguarding-cultural-heritage>>.

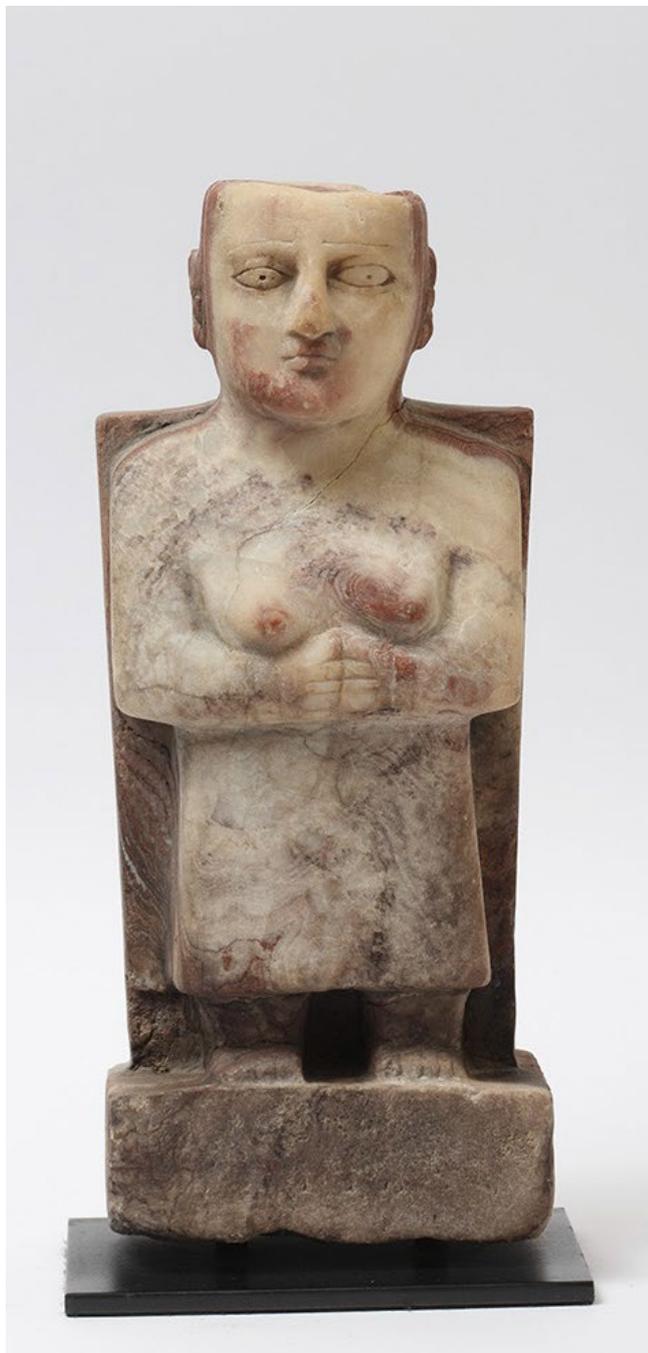


Fig. 5. Yemen Statue. ©nabumuseum.

to legalize and “cleanse” their ‘suspicious’ collections, helping them acquire more objects illegally and later declaring them to the state therefore making them ‘legitimate’.

The decree does not specify who pays the archaeologist/ inspector, and who owns the data uploaded onto the declaration website, nor who has the right to access it.

As a legal response to the issuing and the renewal of this Decree, preparations are underway by a group of lawyers and heritage activists to lodge an appeal against Decree 3065, on the basis that it contradicts national and international laws and decisions, and encourages collectors to keep on purchasing looted material, in the confidence that the decree will validate their ownership.

In his aforementioned 2015 report, Minister Arayji mentions the number of antiquities seizures that have occurred since 2012. Yet in fact there is no record that the General Directorate of Antiquities returned so many smuggled artifacts to Syria and Iraq.

The Lebanese Higher Commission of Defense issued a report in 2019, indicating the presence of more than one hundred illegal crossing points between the Syrian/Lebanese borders.

Archaeological goods, amongst other items, are being smuggled through these crossings in the absence of any official authority. The report states that the smuggling also takes place through the regulated official crossings, making it even more challenging to be able to control and fight the smuggling. According to the same report, illegal trading not only happens on land but also in the territorial waters with the use of speed boats to smuggle all sorts of goods across Lebanon, Syria and Turkey.

On June 3rd 2019 Yemen deposited its instrument of ratification of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, with the Director-General of UNESCO. The Convention entered into force on September 3rd 2019.²⁷

Clearly such laws and conventions are not the magical solution that will stop the massive plundering and looting of archaeological sites. But one cannot help but wonder, in the face of the massive destruction and looting of the Syrian, Iraqi, Palestinian and Yemeni heritage, about the purpose and the effectiveness of all the different conventions, agreements and UN resolutions.

Do we have any success stories to tell? Have any of these laws and conventions saved any Middle Eastern country’s heritage from being vandalized, destroyed and looted during armed conflicts? One has to pause, reflect and meditate on the fate of heritage in the Middle East in the last few years, considering all the laws and agreements written and signed that have never been respected by the parties in positions of power, and this has only served to heighten the feeling of helplessness and frustration of the local communities who are facing major regional conflicts. There is a need for a reassessment of the missions of such organizations and the politics of preservation in today’s world.

Lynn Meskell (2018) questions the role of UNESCO in the light of recent major political developments, with different case studies from all over the world that show where UNESCO fell short, in the face of the plundering and looting of different archaeological sites.

Over the next five to ten years, the Lebanese Ministry of Culture will inaugurate new archaeology and history museums. However, the question remains as to how it will regulate the world of private museums, with the absence of any laws pertaining to museum licensing, collections, management and ethics.

27. <http://portal.unesco.org/en/ev.php-URL_ID=49506&URL_DO=DO_TOPIC&URL_SECTION=201.html>.

In 2016, the Ministry of Culture created an administrative board for the High Commission of Museums, composed of seven members; a president, a vice-president and an executive committee. The role of this commission is to supervise and strengthen the establishment and the management of Lebanese public and private museums, to preserve Lebanese cultural heritage, and to enhance the skills of the museum professionals. Another organization that can play a role in shaping the museum sector in Lebanon is the National Committee of the International Council of Museums (ICOM), an NGO, that has proved itself to be a leading entity in the museum world. ICOM is the only global organization in the museum sector. As a forum of experts, it makes recommendations on issues related to cultural heritage, promotes capacity building and advances knowledge and sets professional and ethical standards for museum activities. So far, both committees in Lebanon remain inoperative for unknown reasons, and have not even taken a stance on the creation of the Nabu Museum.

Collecting antiquities and art is a sign of refinement, luxury and wealth, and it seems to be regaining momentum as one of the favorite hobbies of the rich and sophisticated circles in Lebanese society.

This collecting frenzy evolved, with flamboyant displays of wealth by collectors, into the opening of private museums to show off their rich collections. Rich collectors compete over the ownership of the most expensive works of art or antiquities, indifferent to their scientific historical or archaeological value.

The Nabu Museum recently removed all the archaeological artifacts that were on display keeping only the works of art, the paintings and the sculptures. Yet since then, not a single step has been taken by the DGA or any legal entity to investigate the current location of the artifacts.

In 2013, Cornell University returned more than 10000 Sumerian tablets to Iraq, and in 2018, over 450 tablets, presumably looted from the city of Iris-agrig, that were seized by the U.S. government, will be repatriated to Iraq. Will the Republic of Lebanon step in and encourage the Nabu Museum to return any of the looted artifacts to their various countries of origin?

It is a well-established fact, that due to market demands, collectors can become dealers, and that publishing and displaying objects contributes to pushing up the market price of the objects and thus serves as the perfect marketing strategy. Taking this into account, the question that has to be asked whether publishing and putting on display a number of the Nabu artifacts was a simple marketing plan to ensure a more lucrative deal on the resale? And taking this question further, does the museum serve as a medium to sell the region's antiquities? Has the Nabu Museum become the new biggest antiquities supermarket of the Middle East?

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