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Making Markets for Mesoamerican Antiquities

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The attraction of antiquities from Mexico and Central America, especially from the celebrated urban societies that archaeologists define as Mesoamerican, occupies a special place in the development of modern cultural heritage policy, museum practice, and archaeological ethics. Parallel in many ways to the urgency raised by concerns about the impact of collecting of Mediterranean classical antiquities on cultural heritage sites in that region, for the Americas, the destruction of Maya sites by operators in search of marketable sculptures and more portable objects dramatized threats to heritage in the critical decade leading up to passage of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property in 1970.

In their preface to this volume, the editors relate it to two previous landmarks: the publication by Clemency Coggins of “Illicit Traffic of Pre-Columbian Antiquities” (Coggins 1969), and the 1990 Dumbarton Oaks symposium *Collecting the Pre-Columbian Past* (Boone 1993). These represented very different interventions. This volume is indeed a successor that interweaves the somewhat separate concerns of these predecessors. Coggins brought attention to the destruction of sites due to demand for antiquities without concern for how they were obtained, posing an opposition between the interests of the market and of researchers. The Dumbarton Oaks conference took a more nuanced view of the relationships between commerce and knowledge, showing that these had been entangled in myriad ways in the history of study of the region. The contributors to the present volume consider the traffic in antiquities and legislative initiatives to lessen destructive impacts from it, as

well as the ways that researchers and research institutions have been participants in the movement of antiquities from their source countries.

This volume comes at a significantly different moment from either of the predecessors cited by the editors. The 1969 publication by Coggins preceded the passage of the UNESCO Convention and was part of the motivation for the United States to pass specific legislation intended to protect Mesoamerican sites in 1972 (discussed in this volume by Allison Davis and Donna Yates). While the United States had already passed legislation implementing the UNESCO Convention before the 1990 Dumbarton Oaks Conference was held, the impact of this mechanism of intervention on the preservation of threatened Mesoamerican sites was quite limited when the participants met. An emergency agreement with El Salvador in 1987 covered material from the Cara Sucia area, notably the first action under the 1983 Cultural Property Implementation Act (see Davis, this volume). Emergency protection for the antiquities of Guatemala's Petén region followed in 1991. A full agreement with El Salvador was not created until five years after the Dumbarton Oaks conference was held, and the bilateral agreement covering Guatemala was only passed in 1997.

In her chapter, Donna Yates makes a case that the implementation of the UNESCO convention has not had the desired outcome of reducing depredation of Mesoamerican sites. Yet that is not the only way in which the implementation of the convention has operated. Allison Davis demonstrates a number of positive efforts stemming from the U.S. process of reaching bilateral agreements to implement import restrictions on specific kinds of antiquities. We can also look at how the implementation of the convention in the United States has changed the landscape of antiquities collecting in the country.

In the years since the Dumbarton Oaks conference, it has become less acceptable for art museums in the United States to accept donations of objects without clear evidence that they entered the United States before the passage of the 1970 UNESCO Convention. The Association of Art Museum Directors (AAMD), which covers the most prominent art museums in North America, eventually implemented guidelines for member museums that have been revised twice since their introduction in 2004, most recently in 2013 (AAMD 2013). Under these guidelines, museums are required to have "provenance demonstrating that the object was out of its country of modern discovery prior to or legally exported therefrom after November 17, 1970." While these guidelines can be criticized for allowing museums to substitute "informed judg-

ment” for documented provenance, they represent a major shift from when the AAMD signed on to a friend of the court brief in 1998 arguing in support of a collector accused of violating U.S. law (Lyons 2002).

Major art auction houses have also moved to avoid work with uncertain history, an additional factor possibly contributing to the decrease in Maya antiquities auctioned by Sotheby’s since the 1980s, documented by Cara Tremain. Yet in parallel, new forms of marketing facilitated by digital technology have created opportunities for material to be sold directly to buyers in other countries (Brodie 2015). In a few cases, law enforcement actions have successfully identified participants in illegal transactions of this sort, including those trafficking in Mesoamerican works (ICE 2011). Offered for what at times are relatively low prices, such transactions vastly expand the potential acquisition of antiquities by would-be collectors who were not part of the smaller group of patrons of museums discussed by contributors to this volume. At the other end of the spectrum from this small-scale, high-volume threat, the dramatic destabilization of the region as drug trafficking grew has swept under its fold antiquities trafficking, along with other forms of illicit traffic (see Davis, this volume).

This present book, then, takes shape in a very different world from that of the works cited as predecessors by the editors. It postdates any period when archaeologists could reasonably deny the entwined character of aesthetic appreciation and social or historical research. It acknowledges that early museum collections now often treated as completely unobjectionable sources of information often have complicated histories. It seeks as much to understand how collected materials circulated, in order to facilitate new research, as it does to critique the continued ways that markets are supported. The contributors identify the activity of a wide range of participants—excavators, both academic and informal, individual collectors in source countries and outside, agents working for and through galleries, and institutions that work to preserve these things—and trace different ways they interacted to create and satisfy a desire for Mesoamerican antiquities.

In some ways, talking about this solely as a market—with the implication that the important story is about the buying and selling of cultural heritage items—continues to obscure wider systemic issues that affect even those disciplines that have official ethical positions opposing commercialization, like that of the Society for American Archaeology. We might consider whether sociologist Howard Becker’s concept of art worlds (Becker 1982, x) might serve

us better: “the network of people whose cooperative activity, organized via their joint knowledge of conventional means of doing things, produces the kind of art works that art world is noted for.” Thinking about the participants described in this volume as art worlds would allow us to distinguish among the activities involved while recognizing their interdependencies. It would enable us to recognize that Mesoamerican antiquities are produced *as art works* by the art world—not by the ancient crafters and patrons whose intentions resulted in the first manifestation of these objects.

In the conclusion to this chapter, I return to this point, using it as a moment to identify what we might want to single out as a “market” and what we might more broadly want to think about as an “art world” converting things made in the past in this region into antiquities or art works. In order to make those points, I first need to tease out some of the strands that unite the various chapters here around, not a market as such, but an art world or worlds.

Starting in the Middle

An often-told story of the illicit traffic in antiquities from Mesoamerica that appears multiple times in the pages of this volume begins with a crisis of looting of Maya sculptures and pottery in the 1960s (for example, as discussed by Sofía Paredes Maury and Guido Krempel). Certainly the passage in 1972 of protections for sculpture and wall paintings forming part of in situ structures, sparked by this crisis, is a landmark in U.S. legislative history. But as this volume demonstrates, commercialization of Mesoamerican antiquities has a deeper and much more complex history.

Commercialization has historically taken many forms, from the direct exchange of money for goods, to the indirect creation of cultural capital from the acquisition of things explicitly denied the status of mere commodities. Given that early archaeological practices contributed to the commercialization of collecting, we might even reconsider the repeated claim that the market for such things as Maya antiquities reached an unprecedented peak in the 1960s, and include in our analyses earlier peaks of collecting that resulted from archaeological research, in a pattern of shifting modes of acquisition that contributed to creating a continuing Mesoamerican art world (or worlds).

A fundamental part of this story of the formation of art worlds is the way that commerce, museum exhibition, and archaeological explorations together

contributed (and continue to contribute) to the creation of a taste for antiquities, and for specific objects. The capacity we have to identify types of objects—Ulua marble vases, Guatemalan carved jade and bone—as fashionable in the market is partly a reflection of the scholarly attention the same categories of objects have attracted.

Perhaps the best illustration of this point in this volume is Martin Berger's exploration of highly targeted looting of a cave or caves in the Tehuacán area. He demonstrates that this occurred shortly after such caves became foci of problem-oriented archaeological research. In his study of the role of Nelson Rockefeller in the mid-twentieth century art world that emerged around Maya art, James Doyle also documents how scholarly investigations fed into the developing taste for Mesoamerican art that market intermediaries supplied.

There is no easy solution to this dilemma: scholarship builds the value of antiquities, but ignoring objects with limited provenience doesn't stop the development of a taste for certain things that fuels the acquisition end of the market. Berger argues that trying to avoid dealing with objects that entered institutions without formal documentation can actually inflict a kind of "double loss" of cultural heritage (citing Levine and Martínez de Luna 2013, 264). Adam Sellen's demonstration of the capacity to assemble a systematic corpus out of objects that mostly did not result from professional excavation exemplifies the challenges posed by the existence of an art world that connects scholars to the antiquities market. He is not alone in finding his academic research cited explicitly in marketing materials; nor is there any way that significant scholarship can be held outside the art world that links researchers and the market.

Of course, the activity of high-profile art collectors created markets in a much more direct and intentional way than the research activities of archaeologists. Specific individuals like Nelson Rockefeller, who James Doyle notes may have been purchasing Maya art as early as the 1930s, were taste makers, not just consumers of commoditized antiquities. Activity by people like this laid some of the groundwork for the upsurge in the market for Mesoamerican antiquities that reached crisis proportions in the 1960s. Such individuals were embedded in networks connected to institutions and museums whose missions they did not just passively support, but actively shaped. A major exhibition held in 1940 at the Metropolitan Museum of Art, championed by Rockefeller, increased the cachet of the works he collected and that others following his example would proceed to collect.