

Legislative Legacies – The Development of Laws Regulating the Antiquities Trade in the Middle East

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The current legal market for antiquities in Israel bears the legislative legacies of a 19th century Ottoman Law and the British Mandate. Rather than reflecting a Turkish interest in cultural heritage, the 1884 Ottoman law was originally created as a measure to ensure that artifacts remained within the boundaries of the far-flung Empire. Subsequent legal initiatives by other overseers of the region (British Mandate, Israel, and Jordan) retained the basic tenets of the 1884 law, resulting in the current paradoxical situation where legal purchase of artifacts is possible in Israel (from pre-1978 collections), but where excavation without a permit is illegal in all areas – Israel, Jordan, and the Palestinian Authority. Looted antiquities from the Ottoman Empire represent booty, tribute, and symbols of control and resistance. Similarly, plundered archaeological material from the PA and Jordan, routed through the legal market in Israel, continues a colonial legacy as a symbol of control, domination, subjugation, and resistance. This is an investigation of the Ottoman legacy manifest in the legal mechanisms and archaeological record in Israel, Jordan, and the Palestinian Authority.