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Textual healing: ethical conservation of looted manuscripts and 'The Gospel of Judas'

Abstract

Through a case study of the looting, sale, conservation and subsequent publication of 'The Gospel of Judas', this article examines if there is any ethical merit in conserving looted manuscripts. While fully acknowledging the extensive harm caused by looting, it explores the prevailing argument in archaeological circles that all looted artefacts must be ignored by conservators, given the logic that the blanket refusal to authenticate, conserve or research looted objects would decrease demand and their grey market value, and so prevent archaeological sites being robbed. However, this view, it is argued, is complicated by antiquities with written content and that conservation ethics leave room for conservators to use informed judgement on a case-by-case basis, especially as looted manuscripts have two types of context: archaeological and textual. By examining the experiences of a wide range of conservators and applying professional conservation ethics, the argument is made that there is still merit in conserving and publishing the textual content of otherwise unique, historic and badly deteriorated manuscript artefacts such as 'The Gospel of Judas'. Conservators need to retain agency and uphold a duty of care to an object in order to help unlock and preserve landmark texts, so long as it is undertaken responsibly in the service of mitigating the harm done by looting as much as possible.

Keywords

Looting; Gospel of Judas; antiquities; book conservation; papyrus, coptic

Introduction

As a result of the effort to combat the destruction of archaeological sites through illicit looting, some archaeological professionals and conservators have decided that the best way to handle illicit or unprovenanced artefacts is, in fact, to refuse to handle them at all.¹ This stricture would apply not only to collectors, researchers and authenticators, but also to conservators. Theoretically, the refusal by experts to legitimise looted artefacts would help quell market demand for illicit items and therefore impede the cycle of looting. However, this view leaves little room for nuance in the case of manuscript objects that have written context as well as archaeological context; while the latter is destroyed through the act of looting, in some cases the former may still be invaluable to future scholarship. This black and white approach would also rob conservators of their agency to exercise their own ethical judgement in remarkable cases. The case of the looted codex containing The Gospel of Judas can provide an instructive example for conservators to explore these issues in context, showcasing both the irreparable harm done by looting as well as the potential merit in conserving and publishing the landmark manuscript.

The article will examine the 'ignore illicit items' approach, starting with a discussion of the cycle of looting, the harm it causes, and how conservators can unwittingly play a part in perpetuating it. It will then focus on archaeological manuscripts and how their written content complicates this ethically-driven response of ignoring illicit items, and suggests how conservators might ethically approach them. It also interrogates how wide the

¹ Neil Brodie, 'The Role of Conservators in Facilitating the Theft and Trafficking of Cultural Objects: The Case of a Seized Libyan Statue', *Libyan Studies* (2017): 1–7; Ricardo J. Elia, 'Conservators and Unprovenanced Objects: Preserving the Cultural Heritage or Servicing the Antiquities Trade?', in *Antiquities: Trade or Betrayed, Legal, Ethical, and Conservation Issues*, ed. Katherine Tubb (London: Archetype, 1995), 244–55.

awareness is of these concerns within the field; to this end, a survey was conducted, the results of which are summarised. The survey explored the experiences of a wide range of conservators and how they approach the ethics of treating illicit items, and what their priorities would be in working with them. These issues are then contextualised within the ethical framework provided by the UK's professional body, the Institute of Conservation (Icon). Finally, the case study of the looted 'The Gospel of Judas' will be examined using this framework. The argument will be made that despite their origin there is merit in conserving and publishing the textual content of these unique, historic and sometimes badly deteriorated manuscripts such as 'The Gospel of Judas', and that conservators need to retain agency and uphold a duty of care to them. However, the article will emphasise that any such work needs to be undertaken responsibly and in conjunction with the principles of free access and repatriation where necessary in the interest of mitigating the harm done by looting as much as possible.

Conservators and the antiquities market

The antiquities market has long been fraught with illicitly acquired and looted artefacts.² Conservators often misunderstand or downplay their role in the process but arguably can act as legitimising agents for dubious antiquities. Looted, unprovenanced or stolen items can be granted legitimacy through academic scholarship and conservation work, sometimes resulting in an increase in an object's monetary value, which perpetuates the cycle of illegal acquisition.³ In his article on conservators and unprovenanced objects, Ricardo J. Elia explains:

'by conserving, cleaning, and restoring unprovenanced objects the conservator enhances their market value and in some cases authenticates them. These activities facilitate the buying and selling of looted and smuggled objects and promote an increase in market demand, which in turn leads to more looting.'⁴

Elia later continues that, 'conservation is, in fact, the final stage in the laundering process which transforms looted antiquities into art commodities: objects go in dirty, corroded, and broken, and come out clean, shiny, and whole' (Fig. 1).⁵

Academic and conservation work has been shown to inflate the price of specific items through identification and study. Multiple scholars have conducted research on the correlation between the two and have raised concerns.⁶ Archaeologist Neil Brodie comments that 'scholarly experts create cultural value, and by creating cultural value they also unintentionally establish economic value'.⁷ Conservators especially can have an unwitting hand in value creation, as they have the ability to make an object 'market-ready' by reconstructing broken artefacts and removing the remnants of archaeological digs. Brodie elaborates:

'conservators clean and restore objects in such a way as to improve their appearance, longevity and ultimately desirability [...]. Such work has the unintended consequence (for the conservator at least) of establishing the identity, condition, authenticity and quality of a piece, all important factors for price formation.'⁸

While the full restorations and invasive interventions mentioned are much less common and discouraged in current conservation practice, any conservation work on 'grey market' objects can be legally fraught, with invasive treatments, for example, potentially eliminating evidence that could trace back to the archaeological findspot and prove theft—evidence necessary for potential legal action against thieves, who the conservator

2 Neil Brodie, 'Congenial Bedfellows? The Academy and the Antiquities Trade', *Journal of Contemporary Criminal Justice* 27 (2011): 408–37; Brodie, 'The Role of Conservators', 1–7; Elia, 'Conservators and Unprovenanced Objects', 244–55; Patrick J. O'Keefe, 'Conservators and Actions for Recovery of Stolen or Unlawfully Exported Cultural Heritage', in Tubb, *Antiquities*, 73–82.

3 Brodie, 'Congenial Bedfellows'.

4 Elia, 'Conservators and Unprovenanced Objects', 244.

5 Elia, 'Conservators and Unprovenanced Objects', 249.

6 Catherine Sease, 'Conservation and the Antiquities Trade', *Journal for the American Institute of Conservation* 36 (1997): 49–58; Elia, 'Conservators and Unprovenanced Objects'.

7 Neil Brodie, 'The Antiquities Market: It's All in a Price', *Heritage & Society* 7 (2014): 32–46.

8 Brodie, 'The Role of Conservators', 3.

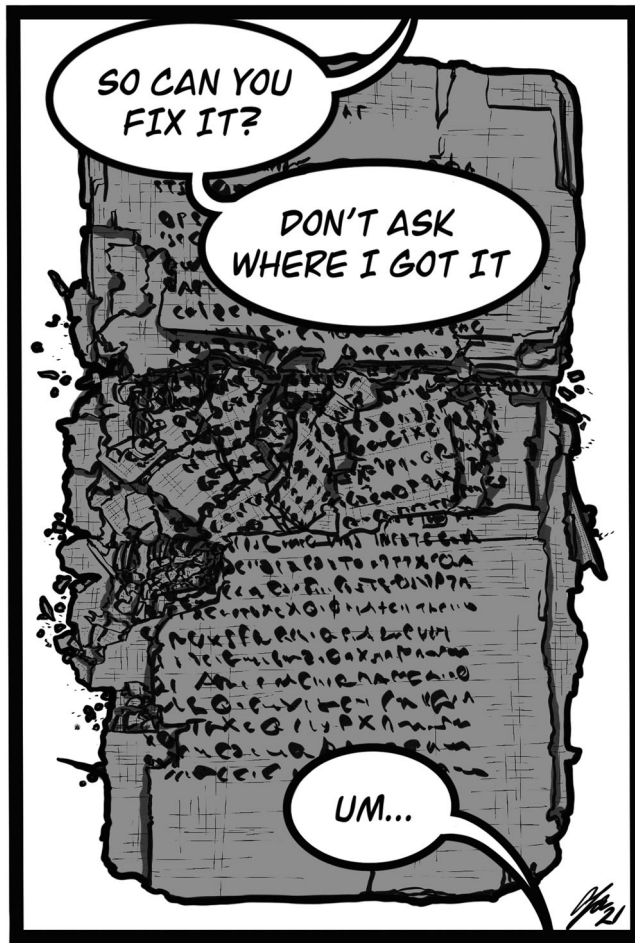


Fig. 1 Looted manuscripts add a layer of complexity to a conservator's ethical decision-making process due to their recoverable textual content.

could be accused of abetting.⁹ Given this context, working with unprovenanced artefacts is ethically dubious and heavily discouraged.¹⁰

However, the literature has a significant blind spot regarding texts as the focus tends towards archaeological and cultural objects, such as the Kanakariá mosaics, the Euphronios krater, and assorted Cycladic figurines and Apulian vases, with minimal scholarship devoted to manuscripts.¹¹ Manuscripts and inscribed objects such as cuneiform tablets are a special case among looted artefacts. The main area of concern regarding the looting of archaeology, apart from anything else, is that it strips away an object's context. However, with a written manuscript there are two types of context: archaeological and textual. Even if a manuscript is looted, the textual information is still available even if the archaeological is not; obviously the loss of archaeological context is devastating for future scholarship, but a manuscript is able, to a certain extent, to speak for itself. Archaeologists acknowledge that this argument exists, but point out how it has been used to trivialise the criminal implications of publication in the name of knowledge for its own sake.¹² This article is meant to do the opposite; while fully appreciating the harm caused by looting, to examine if and how a conservator can make an ethically informed approach to the conservation, investigation and publication of looted manuscripts.

The prevailing argument in archaeological circles regarding looted artefacts is to ignore them, and to neither publish nor publicise content about

9 O'Keefe, 'Conservators and Actions for Recovery', 73–82; Elia, 'Conservators and Unprovenanced Objects', 244–55; Jonathan Ashley-Smith, 'The Ethics of Doing Nothing', *Journal of the Institute of Conservation* 41, no. 1 (2018): 6–15.

10 Cf. for example, European Confederation of Conservator-Restorers Organizations (ECCO), *ECCO Professional Guidelines (II)* (Brussels: ECCO, 2003), 3.

11 Catherine Sease and Danae Thimme, 'The Kanakariá Mosaics: The Conservator's View', in Tubb, *Antiquities*, 122–30; Sease, 'Conservation and the Antiquities Trade'; Brodie, 'Congenial Bedfellows'; Brodie, 'The Antiquities Market', 32–46.

12 Brodie, 'Congenial Bedfellows', 413.

13 Neil Brodie, 'Consensual Relations? Academic Involvement in the Illegal Trade in Ancient Manuscripts', in *Criminology and Archaeology*, ed. Penny Green and Simon Mackenzie (Oxford: Hart, 2009), 41–58.

14 Brodie, 'The Role of Conservators', 2.

15 Cf. for example, Sease, 'Conservation and the Antiquities Trade'; Kathryn Walker Tubb and Catherine Sease, 'Sacrificing the Wood for the Trees—Should Conservation have a Role in the Antiquities Trade?', in *Archaeological Conservation and its Consequences*, ed. A. Roy and P. Smith (London: Icon, 1996), 193–7; Kathryn Walker Tubb, 'The Antiquities Trade: An Archaeological Conservator's Perspective', in Tubb, *Antiquities*, 73–82; Brodie, 'The Antiquities Market'; Brodie, 'The Role of Conservators'.

16 Sease and Thimme, 'The Kanakariá Mosaics'; Tubb and Sease, 'Sacrificing the Wood for the Trees'; Sease, 'Conservation and the Antiquities Trade'.

17 Sease, 'Conservation and the Antiquities Trade', 55.

18 Institute of Conservation (Icon), *Professional Standards and Judgement & Ethics* (London: Icon, 2020), 1–19; Institute of Conservation (Icon), *The Institute of Conservation's Code of Conduct* (London: Icon, 2014), 1–3.

19 Icon, *Professional Standards*, 12.

20 Icon, *Code of Conduct*; Icon, *Professional Standards*; Catherine Smith and Marcelle Scott, 'Ethics and Practice: Australian and New Zealand Conservation Contexts', in *Conservation: Principles, Dilemmas, and Uncomfortable Truths*, ed. Alison Bracker and Alison Richmond (Oxford: Elsevier, 2009), 184–94.

21 Sease and Thimme, 'The Kanakariá Mosaics', 128.

22 Tubb, 'The Antiquities Trade'.

23 Cf. for example, Neil Brodie and Blythe Bowman Proulx, 'Museum Malpractice as Corporate Crime? The Case of the J. Paul Getty Museum', *Journal of Crime and Justice* 37 (2014): 399–421.

them. 'One promising strategy is to characterise and discourage the active involvement of professional experts in facilitating illegal trade', states Brodie,¹³ and in a different publication he elaborates that 'their expertise is crucial for identifying, authenticating and valuing objects offered for sale on the market, thereby helping to create a coherent pricing structure and maintain market confidence'.¹⁴ In theory, preventing the scholarship and publication of looted and illicit objects would affect market demand and decrease looting, and such sentiments are echoed across the literature.¹⁵ However, this view is complicated by antiquities with written content. Archaeological conservator Catherine Sease makes the argument that conservators should avoid working with looted material, even if working with it keeps that content in the public eye and out of private collections.¹⁶ She wonders, '... does having a looted artefact in the public domain negate the fact that it is plundered or make up for loss of context?'.¹⁷ Sease concludes that it does not, but in the case of manuscripts, 'public domain' means something very different from 'available to view in a museum' as it can mean it will be 'widely disseminated for anyone to read' which, while not negating the damage caused by looting, could still benefit scholars and readers everywhere. However, in the case of delicate papyrus manuscripts, the worry is not just that the item will disappear into a private collection, but that it will disappear entirely.

Conservators, ethics and looted manuscripts

When confronted with a looted manuscript, what is the ethical course of action? Conservators in the UK are bound to protect the interests of the objects in their care as defined by guidelines of practice and ethics set by the Institute of Conservation.¹⁸ Good conservation practice mandates meticulous documentation of any work so that any changes become part of the object's history.¹⁹ In addition to treatment and documentation there has been a wider movement towards enshrining sustainability, justice and respect for indigenous rights within the definition of conservation ethics.²⁰ However, there are instances where it is difficult for conservators to reconcile their duty to an object and their duty to preventing the cycle of looting. For example, a conservator's refusal to work on ethically ambiguous objects could mean an illicit object is treated by someone who does not practise within professional guidelines, causing even more data to be lost (see Fig. 2). Catherine Sease experienced this when she assessed the looted and subsequently 'restored' Kanakariá mosaics:

'The disregard of the quality of the restoration certainly indicated a superficial and uninformed attitude towards the treatment suitable for the preservation of the mosaics [...]. This presupposes that the concept of the integrity of a work of art was either considered to be of no relevance or that it was an unfamiliar concept'²¹.

The professional conservator sits between two unsavoury choices: either treat the work and perpetuate the looting and value-creation cycle, or refuse it and potentially see any remaining context disappear under sloppy 'restoration' or neglect. Another archaeological conservator, Kathryn Tubb, suggests sidestepping the problem entirely by avoiding private work,²² however, many museums and public institutions are hardly immune from having looted material in their collections.²³

The urgency of the choice is exacerbated in the case of a disintegrating text. The materials often associated with ancient manuscripts, such as papyrus or parchment, are particularly susceptible to disintegration, warping and cracking; the ink with which they are written can become



Fig. 2 Looted artefacts refused by conservators may be given to someone who does not practise within professional standards of treatment and documentation.

friable and flake off entirely.²⁴ Conservators are experts in materials, not necessarily content. However, if a manuscript has fragmented, a scholar needs a conservator to realign the pieces in order to better read it. Many archaeological manuscripts would be impossible to study without a conservator stabilising, reassembling, housing or collating its ancient fragments, as is the case with large fragmentary collections such as the Lewis–Gibson Genizah collection at the Cambridge University Library.²⁵ This adds another layer to the dilemma: declining to conserve a looted manuscript means refusing to help access its remaining textual context, which can conflict with the ethical standards of other related professions. In their 2021 'Joint Statement on the Papyrus Trade', the American Society of Papyrologists (ASP) and the Association Internationale de Papyrologues (AIP) encourage authors to avoid publishing text from illicit manuscripts unless they are either an established part of an existing collection or an exceptionally important historical find, in which case the text, the circumstances of its acquisition, and its owners should all be well documented and made available.²⁶ Without the aid of a conservator, many efforts towards documentation and free online access to text on fragile papyri would be rendered impossible.

The 'Conservators and looted artefacts' survey

Through a literature review on looted and/or illicitly traded artefacts, it became clear that many of the people most informed about and invested in the issues of provenance and value creation in conservation are, unsurprisingly, archaeologists and archaeological objects conservators. Many of the sources for this article come from the archaeological field because these professionals often experience aspects of the looting cycle firsthand. However, once they enter the market or larger collections, these often unprovenanced artefacts are treated by conservators of all specialisms; in the case of looted manuscripts, almost certainly by a book or paper conservator. This is especially true for historically looted or illicitly traded manuscripts, as many have made their way into established museum

²⁴ Abigail Quandt, 'Recent Developments in the Conservation of Parchment Manuscripts', *The Book and Paper Group Annual* 15 (1996); Florence Darbre, 'The Papyrus Codex Tchacos', *Papier Restaurierung* 9 (2008): 19–25.

²⁵ Mary French, Rebecca Goldie, and Emma Nichols, 'Conservation of the Lewis–Gibson Collection: Re-treatment of Manuscript Fragments from the Cairo Genizah', blog post, July 2015, Cambridge University Special Collections, <https://specialcollections-blog.lib.cam.ac.uk/?p=10386> (accessed 19 July 2021).

²⁶ Amin Benaissa et al., 'ASP–AIP Joint Resolution on the Papyrus Trade', The American Society of Papyrologists, <https://www.papyrology.org/resolutions.html> (accessed 19 July 2021).

27 Benaissa et al., 'ASP-AIP Joint Resolution'.

28 Gretchen Allen, 'Conservators and Looted Artefacts: The Results of a Short Survey on Conservation Ethics', forthcoming conference presentation, 'Conservation Activities in Ireland', The Institute of Conservator-Restorers' in Ireland (ICRI), October 2021.

29 Allen, 'Conservators and Looted Artefacts'.

30 The survey was sent to representatives of AIC-FAIC, ICRI and Icon, and was distributed through the AIC-FAIC mailing list and ICRI social media accounts.

31 Allen, 'Conservators and Looted Artefacts'.

32 Allen, 'Conservators and Looted Artefacts'.

collections.²⁷ Conservators may unknowingly handle such objects throughout their careers, especially those working for large collections of former colonial powers.²⁸

To gain further understanding of the problem, a survey was undertaken of conservators from a wide range of specialisms and awareness levels. The survey featured 10 questions designed to gauge awareness of looted or illicitly traded artefacts, and to investigate how often conservators across specialisms encounter, identify and approach such items. The goal of the survey was not to provide hard scientific data, but to gain insight from a range of perspectives and experiences on the topic. It also served as a platform for conservators to speak about the topic directly, and the opportunity to elaborate on some of the issues addressed in the questions. What follows is a short summary of the responses; the full results of the survey, including deeper analysis of the results, the full statistical breakdown, tables and a wider cross section of quotes from respondents will be published elsewhere.²⁹

The survey was sent to several professional conservation bodies³⁰ and was distributed through the AIC-FAIC managed online Global Conservation Forum and on social media by the Institute for Conservator-Restorers in Ireland (ICRI). It was completed by 55 people, including conservators from a wide cross-section of the field. Almost half of the respondents self-identified as objects or archaeological objects conservators, and there was a significant portion of responses from book and paper specialists. Other specialists included those from ceramics and glass, monuments, metals, paintings (easel and wall), preventive conservation, and conservation science. Most respondents confirmed they had encountered looted or illicitly traded artefacts in their work, but only a minority of respondents had or were aware of policies regarding such items at their workplace. While a large majority felt they could identify such items in specific cases, only around 12% of respondents felt confident that they could spot them in most cases. Only half were confident that they would be supported by their workplace without retaliation should they refuse to work on them.³¹

However, when respondents were asked to rank 11 scenarios in which they would knowingly work with a looted or illicitly traded artefact in order from highest to lowest importance, the results were overwhelmingly in favour of only performing work when it was to aid in repairing the harm caused by the cycle of looting. Of the 11 scenarios given, by far the one most often ranked number one was 'yes, if my work would lead to the object's safe repatriation to its country of origin', which was the first choice for 48.98% of respondents, and when not chosen first was often chosen second. The second highest choice was 'yes, if the object was in dire physical condition', followed by 'no, there is no circumstance under which I would work with a looted object', 'yes, if the object were likely to be taken to someone with no conservation training if I refuse', and 'yes, if the information contained in the object is inaccessible without my help (fragmented books, papyri, etc.)'. The remaining scenarios in the bottom six concerned (in order) objects that were looted long ago, landmark historical finds, preventing loss to closed private collections, the conservator's potential loss of livelihood, war or political repression of culture of origin, 'I don't know', and lastly, furthering a conservator's own personal research.³² In the case of this survey, respondents were heavily in favour of working on looted items only if it would mitigate the harm caused by the grey market antiquities trade and allow wider access to the information they contain.

However, while the will is there to mitigate harm done by the cycle of looting and value creation, multiple respondents drew attention to the lack of training and resources in these matters across non-archaeological

disciplines, leaving them feeling unequipped to identify these items or report them to the correct authorities. This is especially concerning in the case of looted manuscripts, because it is highly likely that these items will be turned over to a book or paper conservator, potentially one without specific archaeological expertise. One respondent addressed this information gap specifically, saying:

'I don't think most book and paper conservators are aware of these laws in the way archaeological conservators must make it an integral part of their everyday work. So book/paper/library conservators may be asked to work on papyrus without realizing it may have been illegally obtained, and has no provenance attached. They don't realise they should check that first, before proceeding.'³³

This is especially true when objects are not recently looted or have passed through multiple buyers and decades from the actual act of looting.³⁴ As research continues and evolves, conservators need to be actively included in the conversation and start incorporating these principles into their own practice, so that the field has the tools to act ethically in the face of looted artefacts in general and manuscripts in particular.

Looted manuscripts and duty of care

In the chain of criminal activity, conservators are typically several degrees removed from the act of theft itself or the money laundering that comes with selling stolen goods; as such, the field relies largely on self-regulation and self-policing to maintain its ethical integrity.³⁵ Professional standards are codified by professional bodies such as Icon in the UK, and members can be investigated and sanctioned for not abiding by such standards, but conservators are not required to be members to practise. Icon's *Professional Standards* tangentially address the looting dilemma by charging conservators to 'understand the ethical basis of the profession and the responsibilities of the conservation professional to cultural heritage and to wider society'.³⁶ On its own it would seem to indicate that a conservator should side with writers such as Brodie, Sease, Tubb and Elia and place the wider consequences of looting and the antiquities market over the needs of one object. This would certainly be supported by educating conservators on the dangers of working with looted artefacts. However, in the *Icon Code of Conduct* there is a telling loophole:

'you must establish to the best of your ability that you are not agreeing to work on stolen or illicitly traded cultural objects, unprovenanced archaeological material or any items wrongfully taken, unless to establish wrongdoing or *exceptionally to save the object from rapid ongoing deterioration.*' (Emphasis added)³⁷

When read alongside another recommendation, 'handle value-conflicts and ethical dilemmas in a manner which maintains the interests of cultural heritage',³⁸ any definitive stance is bypassed, placing the decision entirely on the conservator and their case-by-case judgement. This is not unique to Icon: even when the antiquities trade is explicitly mentioned in Article 19 of the Professional Guidelines of the European Confederation of Conservator-Restorer's Organizations (ECCO), conservators are told they should 'never support the illicit trade in cultural heritage, and must work actively to oppose it' and to check provenance, but there are no guidelines on what constitutes 'supporting the illicit trade'.³⁹

One move towards empowering conservators in this area is another Icon document, *Guidelines for Creating a Personal Statement of Ethical Practice*. This document lays out guidance for the creation of a conservator's

³³ Allen, 'Conservators and Looted Artefacts'.

³⁴ Cf. Benaissa et al., 'ASP-AIP Joint Resolution'.

³⁵ Cf., for example, John Braithwaite, 'The Essence of Responsive Regulation', *UBC Law Review* 44, no. 3 (2011): 475–520; John Braithwaite, 'Responsive Regulation', website article, last updated 19 March 2019, <http://johnbraithwaite.com/responsive-regulation/> (accessed 19 July 2021).

³⁶ Icon, *Professional Standards*, 18.

³⁷ Icon, *Code of Conduct*, 2.

³⁸ Icon, *Professional Standards*, 19.

³⁹ ECCO, *ECCO Professional Guidelines (II)*, 3.

40 Institute of Conservation (Icon), *Guidelines for Creating a Personal Statement of Ethical Practice* (London: Icon 2020), 1–14, <https://www.icon.org.uk/asset/11CBDBBB-9F8E-4895-AE2EE243CD56BDC8> (accessed 19 July 2021).

41 Icon, *Guidelines for Creating a Personal Statement*, 2–4.

42 Icon, *Guidelines for Creating a Personal Statement*, 4.

43 Tubb and Sease, 'Sacrificing the Wood for the Trees', 3.

44 Sease, 'Conservation and the Antiquities Trade', 54–5.

45 Allen, 'Conservators and Looted Artefacts'.

46 Icon, *Code of Conduct*, 2.

47 Tubb and Sease, 'Sacrificing the Wood for the Trees'.

48 Tubb and Sease, 'Sacrificing the Wood for the Trees'.

49 Allen, 'Conservators and Looted Artefacts'.

50 Tubb and Sease, 'Sacrificing the Wood for the Trees'.

51 Brodie, 'The Role of Conservators'.

own bespoke code of ethics based on Icon's *Ethical Guidance* and their own personal judgement.⁴⁰ These guidelines are an excellent place to start; while not mentioning illicit items specifically, the introduction includes passages about moving beyond the axioms of 'case-by-case' and 'as long as it's legal' toward a considered, personalised code that allows conservators to pre-empt future ethical questions with pre-considered stances.⁴¹ It also makes specific mention of the merits of doing nothing, which in ethically dubious situations can sometimes be the safest response.⁴² Like the Icon *Professional Standards*, while these guidelines advocate for moving beyond 'case-by-case', the responsibility is still entirely on the conservator to exercise their judgement in cases of dubious objects.

Conservators are trained to see an object's wellbeing as paramount, a view summarised by Kathryn Tubb and Catherine Sease: 'clearly the choice in favour of treatment reinforces the conservator's unflinching sense of duty to the object. After all, conservation training still conditions its practitioners to regard the safety and integrity of the artefact as the main priority'.⁴³ Sease observes:

'like physicians, most conservators find the idea of turning away a patient, especially one in dire need, not only difficult to accept but difficult to do. We have set ourselves up as being advocates for objects ... to think in terms of "this object needs me".'⁴⁴

Many respondents to the author's survey expressed these same conflicting feelings with one saying, 'I feel strongly about suppressing looting, but I feel I also have a duty to the object itself and to the preservation of the information it contains'.⁴⁵ This attitude is reflected in Icon's *Code of Conduct*: 'to save the object from rapid ongoing deterioration' clause where treatment of an illicit object in need can be tolerated.⁴⁶ Tubb and Sease advocate that conservators need to look beyond the object to the consequences of the perpetuation of looting, and arguably they are right to do so.⁴⁷ But while it would be myopic to insist on working on an illicit object to the exclusion of all consequences, some consider it equally myopic to define an object's entire value and future by its lawful or illicit status.

In view of these considerations, how should conservators reconcile their duty of care to an artefact and their duty to uphold ethical practices? There are two possible courses of action that a conservator can take given Icon's *Guidelines* document. As outlined by Tubb and Sease, the first is to treat and document the artefact to conservation standards so that any remaining information about the artefact can be preserved.⁴⁸ A collection care conservator who responded to the survey remarked that:

'one of the conservation treatment options is to do nothing once assessment has been carried out. That an object is properly documented means that it is known about and can be traced. It is therefore less likely to "disappear from view" into private collections or onto the black market.'⁴⁹

However, even agreeing to take on such an object for documentation can be a step too far. The second option is to refuse the work and know that no contribution was made to the legitimisation of the grey market, but without the guarantee of any documentary trace of the object.⁵⁰ Given the various guidelines found across Icon, there appears to be room on a case-by-case basis to go either way; the case has been made in the past to eliminate this 'wobble room', but fortunately it still stands.⁵¹ Shutting down the loophole entirely would force the conservator's choice, allowing no room for informed ethical intervention that could prevent irreparable loss.

Case study: 'The Gospel of Judas'

'The Gospel of Judas' is a textbook case of a looted manuscript that, once identified by experts, caused profits to skyrocket and provided a constant stream of ill-gotten gains for its shareholders (see Fig. 3).⁵² It is also a perfect example of why the view within conservation that birthed Icon's 'rapid deterioration' loophole has merit. The manuscript was looted from the al Minya province of Egypt at some point in the 1970s, after which it followed a decades-long path to the US.⁵³ In 1984 the codex was abandoned in a safe deposit box in Hicksville, New York, where it remained undisturbed for 16 years.⁵⁴ In 2000 the manuscript was purchased for \$300,000 by antiquities dealer Frieda Tchacos, then Frieda Tchacos-Nussberger, who took it to academics and experts for identification.⁵⁵ During this period, the manuscript was placed in a freezer, which heavily exacerbated the damage and led to the extremely friable condition of the ink and substrate.⁵⁶ The manuscript, now known as the Codex Tchacos, was formally identified by Yale's Beinecke Library as containing four early Christian works, two of which—the 'Letter of Peter to Philip' and the 'First Revelation of James'—were shortened or variant versions of works previously discovered in the Nag Hammadi library.⁵⁷ The remaining two, the 'Book of Allogenes' (Greek for 'The Stranger') and 'The Gospel of Judas', had never previously been discovered (Fig. 3).⁵⁸

Scholars had long been searching for 'The Gospel of Judas'. It was denounced as a heretical text alongside other contemporaneous Gnostic gospels by Irenaeus, Bishop of Lyons and influential figure in the codification of early Christian doctrine.⁵⁹ Though copies of the other 'heretical' texts have since been found—many in the Nag Hammadi library, also known as the 'Gnostic Gospels'—'The Gospel of Judas' was a one-of-a-kind landmark find that was thought to be lost before the Beinecke's discovery in the Codex Tchacos.⁶⁰

What followed the Gospel's identification was 'a graphic, if extreme, example of the economic worth of scholarly work, in this case conducted at the Beinecke'.⁶¹ Tchacos, after failing to sell the newly identified manuscript to the Beinecke—they declined to buy due to its glaring lack of provenance—established the Maecenas Foundation in 2001.⁶² This was ostensibly for the guardianship of the Codex which she then 'donated' to the foundation ... after receiving \$1.5 million and being guaranteed half of all future commercial profits.⁶³ This agreement was made with the express stipulation that the Gospel be returned to Egypt after conservation and translation work. Tchacos had made back her money many times over

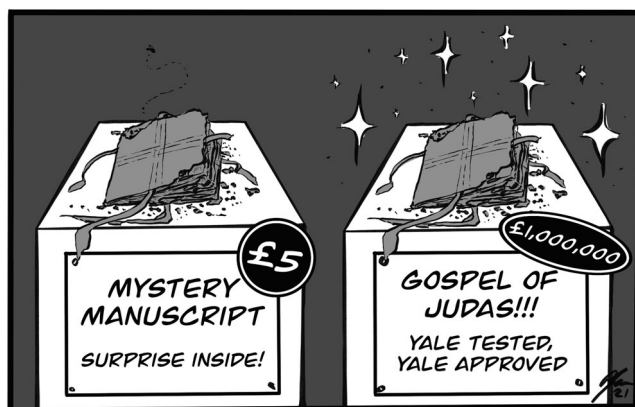


Fig. 3 Authentication of looted manuscripts by experts can cause market values to skyrocket, leading to high sales prices and fuelling the cycle of looting.

52 'The Dark Past of the Judas Gospel Dealer', *Sydney Morning Herald*, 2006.

53 Neil Brodie, 'The Lost, Found, Lost Again and Found Again Gospel of Judas', *Culture Without Context* 19 (2006): 17–27.

54 Brodie, 'Gospel of Judas', 19.

55 Brodie, 'Gospel of Judas', 19.

56 Darbre, 'The Papyrus Codex Tchacos'.

57 In his book 'Adversus Haereses [Against Heresies]' published circa 180 BCE, Irenaeus condemns the authors of the text: 'they declare that Judas the traitor was thoroughly acquainted with these things, and that he alone, knowing the truth as no others did, accomplished the mystery of the betrayal [...]. They produce a fictitious history of this kind, which they style "The Gospel of Judas"'. S. Kent Brown, 'The Manuscript of the Gospel of Judas', *BYU Studies Quarterly* 45 (2006): 1–7; Gesine S. Robinson, 'An Update on the Gospel of Judas (after additional fragments resurfaced)', *ZNW* 102 (2011): 110–29.

58 Brodie, 'Gospel of Judas'; Brown, 'The Manuscript of the Gospel of Judas'.

59 Robinson, 'An Update on the Gospel of Judas'.

60 Robinson, 'An Update on the Gospel of Judas'.

61 Brodie, 'The Antiquities Market', 10.

62 'The Dark Past ...', *Sydney Morning Herald*.

63 'The Dark Past ...', *Sydney Morning Herald*; Brodie, 'The Antiquities Market', 11.

64 Brodie, 'Gospel of Judas'; Brodie, 'Congenial Bedfellows'; Brodie, 'The Antiquities Market'.

65 Brodie, 'Gospel of Judas', 24; 'The Dark Past ...', *Sydney Morning Herald*.

66 Brodie, 'Gospel of Judas', 24.

67 Brodie, 'Gospel of Judas'; Robinson, 'An Update on the Gospel of Judas'.

68 National Geographic: Press Room, 'Ancient Text Titled "Gospel of Judas" Is Authenticated, Translated'; Brodie, 'Gospel of Judas'; Darbre, 'The Papyrus Codex Tchacos'.

69 National Geographic: Press Room, 'Ancient Text Titled "Gospel of Judas"'.

70 Darbre, 'The Papyrus Codex Tchacos', 24.

71 Brown, 'The Manuscript of the Gospel of Judas'; Darbre, 'The Papyrus Codex Tchacos'; *The Gospel of Judas*, directed by James Barrat (USA: National Geographic Films, 2006).

72 National Geographic: Press Room, 'Ancient Text Titled "Gospel of Judas"'.

73 The National Geographic translation of 'The Gospel of Judas' is available to download for free, and the original pages have been digitised for the benefit of other scholars. *The Gospel of Judas*, trans. Rodolphe Kasser et al., National Geographic Society, 2006, <http://www.nytimes.com/packages/pdf/national/judastxt.pdf> (accessed 23 July 2021).

74 *The Gospel of Judas*, trans. Rodolphe Kasser et al.

75 National Geographic: Press Room, 'Ancient Text Titled "Gospel of Judas"' ; *The Gospel of Judas* (film); Stefan Lovgren, 'Lost Gospel Revealed; Says Jesus Asked Judas to Betray Him', *National Geographic*, 2006, <https://www.nationalgeographic.com/science/2006/04/lost-gospel-judas-revealed->

in the space of a year due to the academic experts she had consulted: Neil Brodie points to this as evidence that the legitimisation of looted objects through expert analysis is exploited for profit by criminal dealers who perpetuate the cycle of looted items entering the grey market.⁶⁴ Tchacos was convicted in Italy of handling stolen artefacts in 2002.⁶⁵

In 2005 National Geographic purchased the rights to the publication and text of the Codex Tchacos for a further \$1 million paid to Tchacos.⁶⁶ Once the rights were secured, National Geographic appointed Coptic scholar Rudolph Kasser to reconstruct and translate the ancient text.⁶⁷ This proved to be a herculean task; the manuscript had been in a non-climate-controlled safety deposit box for 16 years and was then frozen and thawed, causing the fragile papyrus pages to disintegrate.⁶⁸ Kasser was reported to have said that:

'he had never seen a manuscript in worse shape. Pages were missing, some pages had been rearranged, the top half containing the page numbers had broken away, and nearly a thousand fragments lay scattered. "The manuscript was so brittle, it would crumble at the slightest touch".⁶⁹

This is corroborated in the subsequent conservation report, which describes papyrus and ink fragments so fragile that even Japanese repair tissue was impossible to use given how easily the papyrus fibres would get caught and cause further disintegration.⁷⁰ In addition, the dire physical condition of the manuscript was documented in other contemporaneous articles and in a National Geographic documentary on the Gospel.⁷¹ A conservator's intervention was essential for translation to proceed. Kasser called in Coptic scholar Gregor Wurst and Swiss papyrus conservator Florence Darbre, and the team began the gargantuan effort of reviving the text:

'The 26-page "The Gospel of Judas" was written on 13 sheets of papyrus, both front and back. If a fragment fit one side, it had to fit on the other ... "If you take a nine- to 10-page typed document, rip it into tiny pieces, throw away half the pieces and try to reconstruct the other half, you will get an idea how difficult this process is", Kasser said. Darbre placed the fragile pieces between sheets of glass, and photographs were taken of the fragments and the pages. With the help of computer programs that record text, register gaps and try to match gaps to text, and with careful, visual inspection of suggested matches to confirm papyrus fiber continuity, Darbre, Wurst and Kasser have been able to reassemble more than 80 percent of the text in five painstaking years.⁷²

Even after the Gospel was fully conserved and published,⁷³ the work continued as missing fragments of the Codex resurfaced over the next decade.⁷⁴ The translation of the Gospel, wherein Jesus asked Judas, his most enlightened disciple, to betray him and free him from his earthly body, became an instant sensation.⁷⁵

Was it worth it?

It is possible to accept the harm done by the looting of the manuscript and acknowledge that its conservation and publication was still important and beneficial. 'The Gospel of Judas' has an extensive history of harm and exploitation. Context was lost through the act of looting; the findspot has been approximated, but the in situ evidence is irretrievably lost,⁷⁶ and Egypt is still missing valuable heritage that has still to be returned.⁷⁷ The manuscript suffered years of neglect and deteriorated so much that post-conservation scholarship is still stymied by its fragmentary nature.⁷⁸ It passed through a chain of criminal antiquities dealers, each of whom profited more than the last.⁷⁹

However, 'The Gospel of Judas' remains one of the most textually significant manuscript discoveries in recent history. It re-interprets one of the foundational narratives of Christianity, and therefore of Western culture and crucial to the understanding of Gnostic Christianity's relationship to the figure of Judas and the 'mystery of the betrayal'.⁸⁰ In this sense, it is a perfect example of a case where the remaining textual content of a looted manuscript can be judged significant enough that conserving it for posterity is ethically justifiable, even with its illicit status. While the motives for publication 'may not have been completely altruistic',⁸¹ the original and translated contents of the Gospel are now available to anyone, including scholars, following its conservation and publication.⁸² Conservators can also benefit from the techniques Darbre developed to realign, repair and mount the fragments following their publication.⁸³ In addition to scholarly gain, the National Geographic coverage ignited the public interest in the Gospel with accessible and educational material, with money from subsequent merchandising going to fund future projects, while bringing looting to public attention.⁸⁴ Had conservation work been forbidden in the interest of 'ignoring illicit objects', none of this would have been possible.

Conclusion: mitigating a harmful past with an ethical future

While a prohibition on the conservation and publishing of looted manuscript material seems like a logical step to prevent looting, any black and white approach can also cause damage. Transparency, awareness, education and open discussion of provenance, not an outright publication ban, may be a more helpful way forward.⁸⁵ In the case of 'The Gospel of Judas' a refusal to conserve would have doomed the object to disintegrate entirely, and a great treasure and unique resource would have been lost. While its past is full of exploitation and harm, its future does not have to be; arguably, the manuscript should be returned to Egypt, as was originally planned by the Maecenas foundation,⁸⁶ so that it may be kept with the contemporaneous Nag Hammadi collection in Cairo's Coptic Museum. This would both return the looted object to its rightful home and grant the orphaned manuscript a place in the larger context of similar items. Its text should continue to be freely accessible. Conservators should educate themselves and each other on working with unprovenanced items, the looting cycle, and how their actions inform and perpetuate illegal dealings in the antiquities market, which would better equip them to judge which cases merit intervention. Ethical guidelines like Icon's should continue to allow space for conservators to exercise their case-by-case judgement for illicit objects, and to be an active part of mitigation and harm reduction in exceptional cases like that of 'The Gospel of Judas'. Conservators and archaeologists have the same goal: to ethically preserve and study the past to inform the present and future. To suggest that in all cases an illicit object is better left un-conserved and unstudied, especially in the case of ancient texts, accomplishes neither.

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Résumé

«Récupération des textes : conservation déontologique des manuscrits pillés et de l'évangile de Judas»

À travers une étude de cas sur le pillage, la vente, la conservation et la publication ultérieure de l'Évangile de Judas, cet article examine

[jesus-archaeology/](#) (accessed 3 August 2021).

76 *The Gospel of Judas* (film).

77 Cf. Mazza, 'Papyri, Ethics, and Economics', *The Bulletin of the American Society of Papyrologists* 52 (2015): 113–42.

78 Jonathan Cahana, 'Salvific Dissolution: The Mystery of the Betrayal between the New Testament and the Gospel of Judas', *New Testament Studies* 63 (2017): 111–24; Robinson, 'An Update on the Gospel of Judas'.

79 *The Gospel of Judas* (film); Brodie, 'Gospel of Judas'; 'The Dark Past ...', *Sydney Morning Herald*.

80 Irenaeus, 'Adversus Haereses'; Cahana, 'Salvific Dissolution'.

81 Robinson, 'An Update on the Gospel of Judas', 3.

82 Cf. Brown, 'The Manuscript of the Gospel of Judas'; Cahana, 'Salvific Dissolution'; Robinson, 'An Update on the Gospel of Judas'.

83 Darbre, 'The Papyrus Codex Tchacos'.

84 *The Gospel of Judas* (film).

85 Roberta Mazza, 'Open Letter to Brill: Fake and Unprovenanced Manuscripts', *Faces and Voices*, blog post 2018, <https://facesandvoices.wordpress.com/2018/11/05/open-letter-to-brill-fake-and-unprovenanced-manuscripts/> (accessed 23 July 2021).

86 Brodie, 'Gospel of Judas', 17–27; Mazza, 'Papyri, Ethics, and Economics'.

s'il y a une quelconque valeur éthique à conserver les manuscrits pillés. Tout en reconnaissant pleinement les dommages considérables causés par le pillage, il explore l'argumentaire prédominant dans les cercles archéologiques selon lequel tous les artefacts pillés doivent être ignorés par les conservateurs, en supposant que le refus généralisé d'authentifier, de conserver ou de rechercher des objets pillés réduirait leur « marché gris », et empêcherait ainsi le pillage des sites archéologiques. Cependant, ce point de vue se complique avec les antiquités qui ont un contenu écrit et la déontologie de la conservation laisse la possibilité aux conservateurs de porter des jugements éclairés au cas par cas,

d'autant plus que les manuscrits pillés ont deux sortes de contexte : archéologique et textuel. Au travers du prisme de la déontologie de la conservation et en examinant les expériences des conservateurs sur un large éventail, l'idée est avancée qu'il est toujours utile de conserver et de publier le contenu textuel de ces artefacts uniques, historiques et souvent gravement détériorés, tels que l'Évangile de Judas. Enfin, il est suggéré que les conservateurs doivent conserver leur libre arbitre et respecter leur devoir de précaution pour contribuer à dégager et à préserver ces textes souvent emblématiques, pour autant que cela est entrepris de manière responsable afin d'atténuer les dommages causés par le pillage.

Zusammenfassung

„Textuelle Heilung: Ethische Restaurierung geraubter Manuskripte und das Judas-Evangelium“

Anhand einer Fallstudie über die Plünderung, den Verkauf, die Restaurierung und die anschließende Veröffentlichung des Judas-Evangeliums untersucht dieser Artikel, ob die Konservierung von geraubten Manuskripten ethisch vertretbar ist. Während er den durch Plünderungen verursachten Schaden in vollem Umfang anerkennt, untersucht er das in archäologischen Kreisen vorherrschende Argument, dass alle geplünderten Artefakte von Restauratoren ignoriert werden müssen, da die pauschale Weigerung, geraubte Objekte zu authentifizieren, zu konservieren oder zu erforschen, ihren Wert auf dem "grauen Markt" verringern und so verhindern würde, dass archäologische Stätten ausgeraubt werden. Diese Sichtweise wird jedoch durch Altertümer mit schriftlichem Inhalt erschwert, und die Restaurierungsethik lässt den Restauratoren Spielraum für fundierte Einzelfallentscheidungen, zumal geplünderte Manuskripte zwei Arten von Kontexten aufweisen: archäologische und textliche. Durch die Untersuchung der Erfahrungen eines breiten Spektrums von Restauratoren aus Sicht der Restaurierungsethik wird das Argument vorgebracht, dass es immer noch sinnvoll ist, den textlichen Inhalt dieser einzigartigen, historischen und oft stark beschädigten Artefakte wie dem Judas-Evangelium zu erhalten und zu veröffentlichen. Abschließend wird vorgeschlagen, dass Restauratoren ihre Handlungsfähigkeit bewahren und ihrer Sorgfaltspflicht gegenüber einem Objekt nachkommen müssen, um zur Freilegung und Bewahrung dieser oft bedeutenden Texte beizutragen, aber nur so lange, wie dies verantwortungsvoll geschieht, um den durch Plünderung verursachten Schaden zu mindern.

Resumen

“Reparación textual: Ética de la conservación de manuscritos saqueados y del Evangelio de Judas”

A través de un caso concreto del saqueo, venta, conservación y posterior publicación del Evangelio de Judas, este artículo examina si existe algún mérito ético en la conservación de manuscritos saqueados. Si bien reconoce plenamente el daño extenso causado por los

saqueos, explora el argumento predominante en los círculos arqueológicos de que todos los artefactos saqueados deben ser ignorados por los conservadores, dada la lógica de que la negativa generalizada a autenticar, conservar o investigar los objetos saqueados disminuiría el 'mercado gris' y así, evitaría que los emplazamientos arqueológicos sean robados. Sin embargo, este punto de vista se complica cuando consideramos las antigüedades con contenido escrito porque la ética de la conservación deja espacio para que los conservadores emitan juicios informados caso por caso, especialmente porque los manuscritos saqueados tienen dos tipos de contexto: arqueológico y textual. Al examinar las experiencias de una amplia gama de conservadores a través de la lente de la ética de la conservación, se argumenta que todavía hay mérito en conservar y publicar el contenido textual de estos artefactos únicos, históricos y, a menudo, muy deteriorados, como el Evangelio de Judas. Finalmente, se sugiere que los conservadores deben mantener representación y cumplir con su deber de cuidado de estos objetos para ayudar a salvaguardar y preservar estos textos a menudo emblemáticos, pero solo mientras se lleve a cabo de manera responsable para ayudar a mitigar el daño causado por los saqueos.

摘要

“文本恢复——关于被盗手稿和犹太福音的伦理性保护”

通过有关犹太福音被盗、出售、保护，以及随后出版这一案例的研究，本文探讨了保护被盗手稿是否具有伦理价值。在充分认识到掠夺行为所带来的广泛危害的同时，作者探讨了在考古圈内盛行的一种观点——保护人员必须无视所有被抢劫而来的文物，这一观点的逻辑在于，全面拒绝对被盗文物的鉴定、保护和研究，将降低其在“灰色市场”的价值，因而避免考古遗址被盗。但是，这一观点因某些带有书写内容的古董而变得复杂，而且保护伦理对于保护人员在个案基础上做出充分判断留有余地，尤其是在被盗手稿有两种语境（考古的和文本的）的情况下。通过从保护的伦理角度审视广大保护人员的经历，作者得出了一个论点——保护和出版例如犹太福音这类独特、有历史，且经常受到严重损坏的文物的文本内容仍有价值。最后，作者建议保护人员应担负起减少因掠夺造成危害的责任，保留代理权，坚持保护物件的职责，以此帮助破解和保存这些通常具有里程碑意义的文本。

Biography

Gretchen Allen is a book and paper conservator and illustrator. She is a Library Conservator for Maynooth University Library. Gretchen received her BA in Art Conservation from Scripps College (Claremont, CA, USA) and her MA in Book Conservation from Camberwell College of Arts (UAL, London, UK). She completed her PG Cert in Antiquities Trafficking and Art Crime through the University of Glasgow. She has previously held positions with Cambridge University Library and the National Conservation Service. Her first graphic novel *Dying Verses Vol. 1: The Wind and the Rain* was published in 2021.