



The Problem of Looted Artifacts in Chinese Studies: A Rejoinder to Critics

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Abstract

Ten years after the publication of “*Heng Xian* and the Problem of Studying Looted Artifacts” in *Dao*, this rejoinder to critics begins by recapitulating my original argument, then considers the leading objections that have appeared in the interim. After dispensing with two trivial and *ad hominem* responses (that I am a hypocrite and an imperialist), the discussion focuses on the one serious objection, namely, that the benefits of studying looted artifacts outweigh the costs. I conclude with my reasons for disagreeing with this judgment.

Keywords Antiquities trade · Chinese manuscripts · Looted artifacts · Scholarly ethics

In the years since the publication of “*Heng Xian* and the Problem of Studying Looted Artifacts” (Goldin 2013), a critical mass of responses has appeared, and the time has come for a succinct rejoinder.

Let me begin with a recapitulation of my argument. Looting is inimical to knowledge and science not only because it often damages artifacts, but, more typically, because it destroys their original context, without which artifacts cannot be fully understood (e.g., Fagan 1991: 77–84 and Sease 1997; for an influential opposing view, see Owen 2009 and 2013: 335–356). Looting is fueled by the extraordinary value of authenticated artifacts on the antiquities market, and consequently researchers who contribute to authenticating them are effectively complicit. Because referring to looted artifacts in print is tantamount to authenticating them, scholars must refrain from doing so.

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I borrowed this reasoning from pioneers like Clemency Coggins, Ricardo Elia, and Colin Renfrew (Coggins 1972, Elia 1993, Renfrew 2000),¹ and merely applied it to the present circumstances in China.² I do still study looted artifacts; I even try to learn from them. What I will not do is *cite* them. Moreover, repatriation is not the issue—as Xu Zhuoyun 許倬雲 recognized decades ago, repatriating an artifact does nothing to mitigate the pernicious consequences of looting (Xu 2010: 383–385).³ Authenticity is not the issue either—although there have been some notable forgeries,⁴ a depressingly large number of artifacts that have been identified as looted are authentic. The issue is the destruction of knowledge.

One of the first responses I received is that I must be some kind of hypocrite. Many of these have come in private and need not be repeated here, but this one, by Michael Friedrich, appeared in print:

In [Goldin 2013], he first discusses textual problems in an unprovenanced manuscript before advising the reader not to do so and blaming the German Research Foundation (DFG) for funding a project on the Yuelu collection; two volumes edited by him include articles using such artefacts. (Friedrich 2020: 330, n.141)

Though Friedrich's final point is vague, the implication seems to be that if I really stood by my position, I should not permit contributors to cite looted artifacts in volumes that I edit. (I e-mailed him to clarify, but he did not respond.) I do not try to control colleagues, nor do I prohibit students from referring to looted artifacts, because I am not a commissar. By Friedrich's logic, a vegetarian should forbid everyone else at the dinner table to eat meat. Moreover, accusing someone of hypocrisy is usually a weak strategy because it is *ad hominem*: it does nothing to refute the position. Even if I were a hypocrite, my arguments about looted artifacts would still stand. Thomas Jefferson was a hypocrite of historic proportions, but this does not invalidate the Declaration of Independence.

The second response was that I am an imperialist (or at least that I smell like one), as in this indictment by Lothar von Falkenhausen:

Pertinently, the Chinese academic community has no qualms whatsoever about dealing with unprovenanced texts, and it might well perceive an attempt by Western Sinologists to legislate “best practices” in Chinese manuscript studies as imbued with a whiff of imperialist arrogance. Pragmatically, in any case, a Western early China specialist who ignores these texts and the important

¹ At the time, I was not aware of Brodie 2009, which is particularly relevant for its focus on manuscripts.

² Note that the argument applies to *recently* looted artifacts, that is, artifacts looted under circumstances that still obtain today. The objection that a sizable number of pieces in the British Museum or the Louvre were also looted (which I view as an attempt at *reductio ad absurdum*) is a red herring, because most of them were looted under circumstances that do not still obtain today. Hence referring to, say, Veronese's *Wedding Feast at Cana*, which was looted by Napoleon's army in 1797 and is the largest painting in the Louvre, does not plausibly contribute to further looting today.

³ Edward L. Shaughnessy still seems to misunderstand this point (Shaughnessy 2022: 255).

⁴ See the discussions and references in Foster 2017: 172–181 and Friedrich 2020: 309–320, both heavily reliant on Hu 2010.

scholarship done about them by Chinese specialists would consign his/her own work to irrelevance. (Falkenhausen 2021: 267)

It is surprising that an archaeologist as eminent as Falkenhausen would make such patently untenable claims. What he calls “the Chinese academic community” does indeed have qualms about dealing with unprovenanced texts. With reference to looted epitaphs (*muzhiming* 墓誌銘) rather than looted manuscripts, Luo Xin 羅新 has expressed serious dismay (Luo 2008; see also Zheng et al. 2014).⁵ Consider also this article from *Guangming Daily* 光明日報:

The reasons provided by the “rescuers” for studying looted manuscripts are well known: it is the “rescue” and “conservation” of the materials, and also on account of their unique scholarly value. The other side of the problem is: when one [looted artifact] after another is purchased and housed in the name of “rescuing,” could it incite wave after wave of more serious looting? Rampant looting is related to the dereliction of the relevant authorities, but is that all there is to it? Paul R. Goldin points out that the time has come for scholars to look inside their hearts and ask themselves whether their work indirectly abets this kind of destruction of (and behavior toward) knowledge. (Zhang 2019)⁶

These lines are preceded by a lengthy and accurate restatement of my work (omitted here for the sake of concision). This discussion, presented fairly and without rancor in a forum as significant as the *Guangming Daily*, ought to put to rest the notion that Chinese researchers will not heed my views. It is strange (or worse) for foreigners to doubt that Chinese scholars could be just as alarmed by looting as they are.

Edward L. Shaughnessy, also in the process of objecting to my position, concedes as much:

Chinese scholars are every bit as concerned about the incidence of tomb-robbing in China as the handful of Western scholars who are clamouring for scholars everywhere—but especially in the West—not to make any use of looted materials in their publications. (Shaughnessy 2022: 255)

Thus, while Falkenhausen criticizes me for voicing my concerns on the grounds that Chinese scholars supposedly “have no qualms whatsoever” about using looted artifacts, Shaughnessy does so for the very opposite reason: “Chinese scholars are every bit as concerned” as I am. One or the other might stand, but not both.

Falkenhausen’s final assertion is easily refuted, because other prominent “Western early China specialists,” including Anthony J. Barbieri-Low and Michael Hunter, hold views broadly congruent with my own—and their work is hardly “irrelevant” (Barbieri-Low, forthcoming; Hunter 2021: 16). As I stated in my original paper (Goldin 2013: 158), the notion that one simply cannot afford not to work on

⁵ Both explicitly discuss what I consider the core problem: citing looted artifacts stimulates further looting. Many Chinese scholars have told me in private that they agree with me, but dare not speak out in today’s climate. (A referee for the original paper wrote this too.) All the more reason why I must.

⁶ The author added further reflections in Zhang 2022, with comments on the inadequacy of relevant laws in China.

looted artifacts⁷ makes no sense in a field with so much primary source material, both transmitted and archaeologically excavated, both textual and nontextual, awaiting rigorous study.⁸ It would be worth applauding if Western scholars were to begin working on indefensibly neglected sources such as the Eastern Han 漢 legal texts from May First Square (Wu-Yi Guangchang 五一廣場) in Changsha 長沙, which were responsibly excavated and are enormously important (to cite just one of any number of examples). That would be “relevant.”

The third and strongest response is that the benefits of referring to looted artifacts outweigh the costs. I do not agree, as I shall explain below, but others have come to this conclusion after *bona fide* reflection. One articulate exponent is Christopher J. Foster:

While Goldin’s call to abstain from studying looted bamboo-strip manuscripts is praiseworthy in its intentions, I personally believe that it would be a detrimental course of action. We are presented with a choice: either to recover what information we can from looted artifacts, at the risk of inspiring further acts of pilfering archaeological sites; or to sacrifice already looted artifacts we could have saved and studied, risking that our actions ultimately have little impact on the antiquities market, and might lead to the destruction of bamboo strips by looters regardless. In both cases, the risks are uncertain and difficult to weigh objectively. For my own research, I would rather act upon the known quantity (the artifacts already looted) than the unknown (those additional artifacts which will be looted because of the incentive we provide). While I would not deny that our scholarship incentivizes tomb robbery to a certain extent, it is questionable how significant an impact it has, especially in light of the complex mechanisms driving demand for illicit artifacts. Instead of devaluing the historical import of looted bamboo strips, we should embrace their value and aim to educate the public instead about the disastrous consequences of tomb robbery. (Foster 2017: 239)⁹

Reasonable minds can disagree, but I think Foster underestimates the impact that conscientious researchers can have (see Foster 2017: 235 for similar doubts on his part); more importantly, I think he also underestimates the costs by designating them as “unknown.” I do not by any means “devalue the historical import of looted bamboo strips”; on the contrary, like any other sincere researcher, I appreciate their value only too keenly. Many of them provide information that was previously unavailable, sometimes even unimagined. This is why I wish to do anything I can to prevent further looting. There are thousands of unexcavated tombs across China (not to mention other kinds of cultural deposits such as hoards and caches). If we can

⁷ Repeated in Friedrich 2020: 330.

⁸ For a similar perspective from Assyriology, see Cherry 2014: 240.

⁹ See also Hu 2010: 105; in English, Pines 2020: 43–45, and Kern 2019: 46–49, who notes that he could not have presented his argument *without* looted manuscripts. I am grateful to Pines and Kern (who disagree with me), as well as to Chinese scholars who should remain nameless, for help while I was drafting this paper.

prevent even a tiny percentage of them from being looted, it stands to reason that the value of the knowledge we will have preserved should dwarf the value of a single cache of looted manuscripts like those now housed at Peking University, as fascinating as they may be.

There are parallels with the ecological ravages of whaling in the 19th century:

Commercial whaling did not cease because the market recoiled from devouring the future of an entire species—and with it, its own prospects. The mechanism of capital had no such discipline: people buying corset stays and umbrellas were insulated from most knowledge of bowheads.... Nothing in [the narrative of progress once baleen had become obsolete in the early 20th century] reckoned with how whale profits were incommensurate with the cost their absence left in Beringia, in human lives and changed seas. Bowheads avoided extinction not because a new space opened in the accounting ledger to tally their worth alive. They survived because, in the world outside the strait, they ceased to have any value at all. (Demuth 2019: 68–69)

Bowhead whales survived because baleen lost its commercial value in the Industrial Age, not because people loved marine mammals or because they took care to inform themselves of the devastation caused by systematic hunting. People loved corset stays and umbrellas, and chose, in Foster's words, to act upon the known quantity rather than the unknown. But *disregarding* hidden costs does not *reduce* them. What it usually does—if we are honest about our history—is to defer the reckoning to future generations.

Most scholars working on classical Chinese texts have high integrity; my purpose is not to impugn colleagues around the world as villains. We do not participate in looting directly, and understandably resent the dilemmas that it has imposed on us. But I am certain of my own choice: neither the quest to satisfy someone else's criteria of "relevance" nor the opportunity to work on marvelous looted materials outweighs the cost of potentially encouraging more looting. I am not so egotistical as to believe that *my* implicit authentication of a looted artifact would suffice, in itself, to raise its market value, but that of scholars collectively, a limited imagined community in Benedict Anderson's sense (Anderson 1991: 6–7), surely does.

An observation, in closing: philosophers have generally been more sympathetic to my views on looted artifacts than Sinologists. For example, Colin Klein concurs that "withholding citation is an effective sanction" in academic disciplines (Klein 2017: 2), and has proposed applying the same rationale to research that relies on disproportionately harmful experimentation on sentient animals. This was not my intention, and I am not sufficiently knowledgeable about the issues to be sure that I support the argument. But it is better than being branded a hypocrite or imperialist.

Declaration

The author declares that there is no conflict of interest.

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