



## **Cultural heritage looting and trafficking in Nigeria**

### **Godwin Nwachukwu Arua**

CLN, Chief Librarian Federal College of Education, Eha-Amufu, Enugu State, Nigeria;  
[ngonwa4tochi@gmail.com](mailto:ngonwa4tochi@gmail.com)

### **Ebere Maryann Ebisi**

Librarian I Federal College of Education, Eha-Amufu, Enugu State, Nigeria.  
[ebisi.ebere@fceehamufu.edu.ng](mailto:ebisi.ebere@fceehamufu.edu.ng)

### **Helen Obioma Ukwuaba**

Senior Librarian and Ag. College Librarian, Enugu State College of Education (Technical), Enugu, Nigeria. [helenukwuaba@gmail.com](mailto:helenukwuaba@gmail.com)

### **Ginika Ezeanuna**

CLN, Assistant Librarian, Federal College of Education, Eha-Amufu, Enugu State, Nigeria.  
[ginikafavour33@gmail.com](mailto:ginikafavour33@gmail.com)

### **Chinenye P. Nwebiem**

CLN, Principal Librarian, Federal College of Education, Eha-Amufu, Enugu State, Nigeria.  
[nwebiemchinenye@gmail.com](mailto:nwebiemchinenye@gmail.com)

### **Celestine Onyebuchi Eze**

CLN, Deputy College Librarian, Federal College of Education, Eha-Amufu, Enugu State, Nigeria. [kassidyze@gmail.com](mailto:kassidyze@gmail.com)

### **Edwin Ifeanyi Ogbo**

Deputy College Librarian, Federal College of Education, Eha-Amufu, Enugu State, Nigeria. [eziafa2015@gmail.com](mailto:eziafa2015@gmail.com)



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### **Abstract:**

*Nigeria is a colourful combination of culture and landscapes, a place that fully embraces its African heritage and celebrates its diversity. Heritages are significant endowment emanating from man and nature, passed down from one generation to another through conscious*

*preservation and conservation. The cultural heritage of a people is the memory of its living culture which is expressed in different forms, both tangible and intangible. The case of plunder, theft, illicit trafficking and destruction of cultural heritage in developing countries like Nigeria continues unabated, despite many attempts and calls, both locally and internationally, for the need to address the issues. The cultural heritage has been ripped away for sale abroad or destroyed at home due to greed, ignorance, religious beliefs, internal conflicts or neglect. Looted antiquities move from poor nations where they are found to rich developed nations where buyers are. Looting and trafficking of antiquity can destroy the archaeological context in which the objects are found, diminishing our capacity to correct knowledge about past civilizations and also harm the objects themselves deliberately such as when objects are cut or broken into pieces for ease of transport. The state of most cultural heritage in Nigeria may be said to be endangered. The preservation of cultural heritage is an essential aspect of human life and its promotion and preservation an aspect of a nation. To value the cultural heritage and to care for it as a treasure handed to us by our ancestors, it is our duty to transmit it wholly to our children. We must pursue standard-setting and design instruments like the convention for the protection of the world cultural and natural heritage. This paper explores the challenges, problems and prospects of preserving Nigeria's cultural heritage and proffer strategies to address illicit trafficking and looting of our cultural heritage.*

**Keywords:** Nigeria, Cultural Heritage, Preservation, Nigerian Cultural Heritage , Looting and Trafficking, Preservation of Cultural Heritage.

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## **INTRODUCTION**

Africa is the cradle of humanity, where the first traces of early hominids and most ancient tools produced by humankind are found. The African continent has extremely rich and varied cultural heritage; the immovable and immovable heritage. Nigeria is a nation bestowed with a lot of cultural heritage derived from its multicultural communities. In other words, heritages are significant endowments arising from man and nature .Nigeria is a colourful combination of culture and landscape, a place that fully embraces its African cultural heritage and celebrates its diversity. From the above, heritages could be grouped into two, based on their sources, namely; ecological/natural heritages and cultural heritages. Nigeria is endowed with both types of heritages. Nigeria is a country located in the Eastern part of West Africa (Aremu, 2008). Geographically, Nigeria occupies a space of 923, 768 sq. km, and is the most populated (over 140 million, based on the 2006 census figures), multi-ethnic and multilingual country in Africa, with over 250 ethnic groups. It has the Igbo on the East, the Yoruba on the West and the Hausa-Fulani to the North as major ethnic groups among others perceived “minor” ethnic groups.

Ecological natural heritages emanate from nature and environment. Ecological heritage is defined as the relatively undistributed or uncontaminated natural areas with its wild plants (flora) and animals (fauna) and its geomorphic features (caves, rivers, lakes, hills, mountains, cataracts) conserved for the specific objectives of studying, admiring, and enjoying the scenery which it affords. (Duke cited Aremu, 2008; Eluyemi, 2002). Nigeria is bequeathed with about 29 game reserves, 1129 forest reserves, 4 game sanctuaries, 2 strict nature reserves and 8 national parks (Marguba, in Onyima, 2016). Cultural heritage is the legacy of physical artifacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations. Cultural heritages evolves from man's activities, preserved and transmitted through oral traditions or in written concrete forms a cross generations of human societies. Oral tradition is the body of information concerning history, culture and environment of a people at any given time and space, usually obtained through the words of mouth. This treatise will concentrate on the cultural heritage of Nigeria, the looting and trafficking, challenges of preservation and remedies to curb the looting and trafficking.

### **Conceptual Framework:**

We would like to start by explaining the meaning of culture and cultural heritage, trafficking and looting, in order to have a clear meaning of the work.

### **Culture**

Culture is said to be at the core of human being. Culture is the way of life of a people and man's way of being human especially in relation to others. *The Oxford Dictionary of Language Matters* (2015) defines cultures as the ideas, customs, and social behaviours of a particular people or society. Culture is defined as the totality of way of life evolved by people in their attempt to meet the challenges of their environment which gives its order and meaning; their social, political, economical, aesthetic and religious norms and modes of organization, and thus distinguishing a people from their neighbours. (Federal Republic of Nigeria, 1998). The above definition presents two important phrases, namely "way of life" and "distinguishing a people from their neighbours". Culture includes our arts and artefacts, crafts, folktales, folksongs and poetry, music, dance, belief, ideas, occupation, technology, etc that are handed from generation to generation through socialization and education, and are our cultural heritage (Nwaru, 2015). Culture is socially acquired as well as inherited and

passed from one generation to another. This makes it our heritage. The diversity of culture and heritage is an irreplaceable source of spiritual and intellectual richness for civilizations.

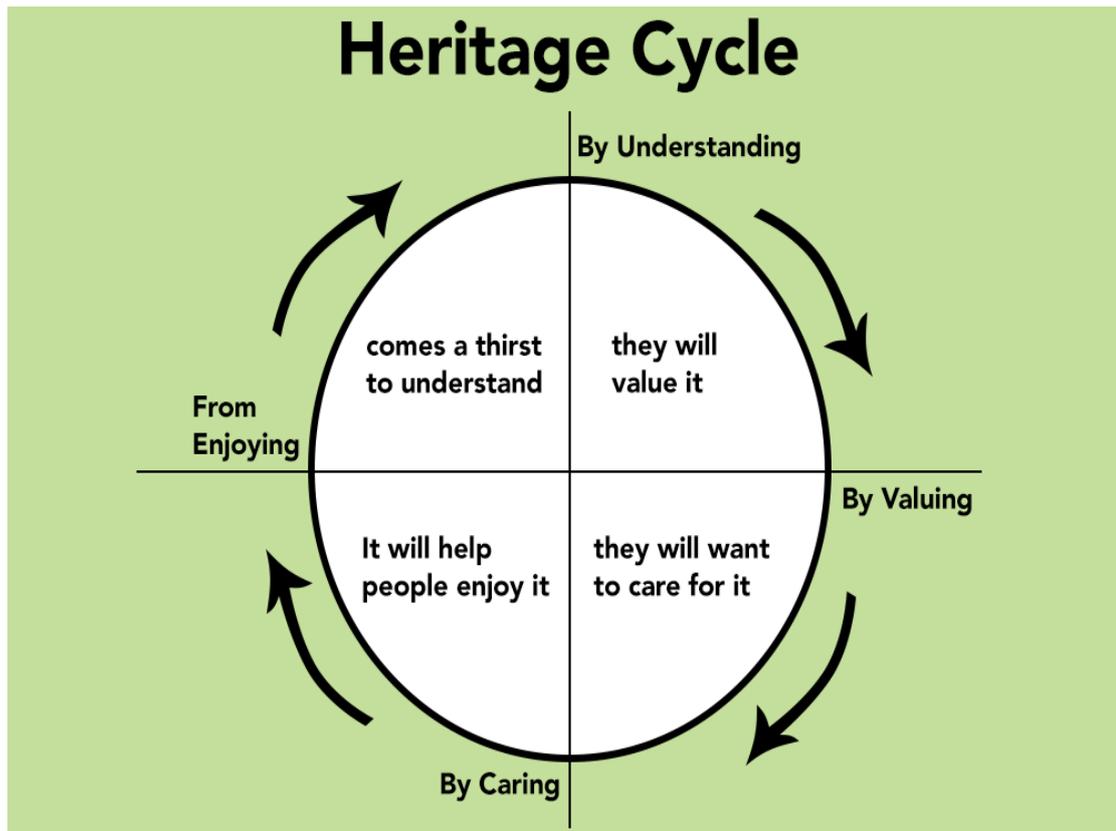
### **Cultural Heritage**

Cultural heritage is the expression of ways of living developed by a community and passed on from generation to generation, including customs, practices, artistic expressions and values. (ICOMOS, 2002). Cultural heritage may be defined as the sum total of the people's cherished arts, customs, festivals, sacred or worship sites, norms, values, ideologies, dress and dress-patterns, traditional monuments, and architectures, technology and technological sites, and other artifacts which are cherished and conserved for their historical, political, educational, recreational and religious significance among others (Onyima 2016). Cultural heritage includes tangible culture, such as buildings, monuments, land spaces, books, works of arts, and artefacts; intangible culture (such as folklores, traditions, languages, and knowledge) and natural culture including currently significant landscapes and biodiversity (Sullivan, 2016).

Though it comes from the past, cultural heritage is preserved in the present and valued by present generations. It is therefore the basis for the existence of any ordered human society. That is why our forefathers evolved in their orderly society than what we have now, inspite of our exaggerated technological advancement or modernity (Nwaru, 2015).

The Cultural heritages have economic, historical, tourist, aesthetic, educational and research significance (Onyima, 2016).. Cultural objects have been significant to mankind throughout history, and remain so today. They are unique manifestation of intellectual creativity imbued with among other attributes, aesthetic and or spiritual value.

The cultural heritage cycle developed by Simon Thursley helps explain the process of finding and incorporating culture into our lives. The heritage diagram gives ideal how we can make the past part of our future (Thursley, 2005). The first stage is the understanding of cultural heritage. By understanding cultural heritage, people would value it. By valuing it, people would want to care for it and by caring for it, it will help people to enjoy it. From enjoying it, comes a thirst to understand it more and so the cycle moves around again.



*Fig.1 A graphic of the heritage circle originally developed by culture in development.*

Nigerian cultural antiquities are unique in nature with regards to quality and the ingenuity of their creators which make them suitable targets for criminal minded people who are highly motivated by the potential monetary value generated by their sale at the international markets for illicit antiquities.

### **Trafficking and Looting of Culture Heritage**

Illicit trafficking in cultural property or antiquity is an unauthorized possession of ethnographic and archaeological objects and the illegal trading in them for commercial purposes through the connivance of syndicates of diverse nationalities at undisclosed international markets (Akinade, 1997). Trafficking in antiquities is a crime of transnational proportion, because it involves the illegal removal and export of cultural materials from the source countries, to which supplies the demand generated by developed rich market economies. Illicit antiquities are illicit because they have been illegally removed from somewhere or looted from some place (Mackenzie, 2005), or smuggled, and laundered (Tijhuis, 2006). Looting is the deliberate, destructive, and non-archaeological removal of objects from archaeological sites to supply the demand of collectors for antiquities. Site looting is motivated by commercial factors and is stimulated by the international demand of

collectors and museums for archaeological objects. Looters remove objects from their archaeological context, in a bid to supply market objects to collectors, and in the process destroy or disturb their archaeological sites that contain them (Elia, 1997)



*Fig. 2: Looters working an ancient site in Mali. Photo by Michel Brent and reproduced with his permission.*

Literature indicate that antiquities trafficking occurs in four stages:

1. Looting, often by poor subsistence diggers;
2. Trafficking by organized criminal networks from source to destination
3. Facilitation, where artifacts are laundered and given false provenance; and
4. Entry into the market (Campbell, 2013).

Throughout history, cultural objects have attracted the attention of mankind for numerous reasons: In war time, they have been looted as trophies to pay troops, or to further humiliate the enemy. In time of peace, they have been both subject of clandestine excavations and served as gifts to foreign dignitaries and were objects of trade. In recent times, also, they have become objects of scientific interest. While some of these activities have long been illegal,

such as clandestine excavations, others have been illegal with the passing of time such as looting of an enemy's cultural treasure. Some continued to be legal, for instance, the legal trade in cultural property, whereas, others even though considered legal in a strict sense, raise moral issues, such as transfer of artefacts from colonies to the colonial powers in the former times (Tasdelen, 2016). The example of cultural objects transferred in colonial times has brought about many claims for the return of these cultural artifacts and these claims have given rise to disputes, he further stated.

It has been observed that collecting objects from foreign nations and culture flourished during the 19<sup>th</sup> century, especially after European powers got firm control of Africa and Asia. The materials evidenced in the newly discovered cultural empire, were studied, catalogued and displayed in European museums to illustrate the greatness of the colonial empire.

Developing countries are usually the source countries while the richer, developed countries are the market countries. In other words, looted antiquities tend to move from the poor nations where they are found to the rich developed nations where the buyers are. Many countries suffered this kind of looting; the most high profile of cases of looting has been in nations such as Egypt, Turkey, Greece, China, and in South American countries such as Peru and South East Asian countries of Cambodia and Thailand (Mackenzie, 2005). It is worthy of note that antiquity looting can destroy the archeological context in which the objects are found, diminishing our capacity to correct knowledge about the past civilizations. Looting and trafficking can also harm the objects themselves, and this is sometimes deliberate, such as, when objects are cut or broken into pieces for ease of transport (Mackenzie, 2014).

### **Looking and Trafficking in Cultural Objects: The Nigerian Experience**

Colonialism ushered in an era of unrestricted negative human activities such as looting, vandalism, thefts, unscientific excavation of grave goods, iconoclasm, wars, illicit trafficking of actual objects among others (Onyima, 2016). The years of 1900 to 1960 marked the period of colonialism. The palace of the king of Benin was plundered in 1897, when the British Colonial administration attacked the Benin culture area, looted the rich bronze works and art treasures of the Benin royal palace. This is the most remarkable of these destructive human activities in Nigerian cultural heritage (Eluyemi, 2002, Aremu, 2008). The British expedition was led by Consul Philips who tried to enter Benin City at a time the king was performing the most important religious rite of the years and at such period, the king is not allowed to have contacts with foreign elements, including persons. The expedition was advised accordingly but Consul Philip tried to force his way through the city which infuriated the king's aide,

acting without the knowledge of the king, to cause seven out of the nine expeditors to be killed. The British revenged by invading the palace, looting tens of thousands of works of arts in wood, ivory, and bronze and burning the palace and forcing the king into exile. The tens of thousands of art pieces were removed to London and subsequently were dispersed throughout the world (Shyllon,2011) .



*Fig 3: Members of the infamous Punitive Expedition of 1897 proudly posing with looted Benin artefacts.*

17 magnificent bronze heads and one-half figures were found in Ife South–West Nigeria, in 1938, during the digging of foundation for a house being erected near the palace of the Oni of Ife. Two of the bronzes were moved to the United States, and a third to London, through Paris, and was purchased by the National Art Collection Fund that presented it to the British Museum. The digging started early in 1995, after a farmer uncover a sculpted terracotta head which he sold to antiquities for \$30, almost twice his monthly earnings from selling yams. Words of the windfall spread, and locals began tilling the ground in Kawu, 50km Northeast of Abuja, the capital of Nigeria. Within months, more than 2,000 diggers were burrowing into stony earth Kawu; farmers left their crop rot, traders left business for digging of terracotta and new rich locals bought motorcycles (Labi, and Kawu, 2001).

1996 alone witnessed the looting of 24 Museums and communities in Nigeria with a total loss of 382 artifacts recorded (Eluyemi, 2002; Akinade, 1999). Filane (2003) submits that various syndicated thieves, who usually gained access through the museum galleries, have stolen priceless objects from virtually all important museums in Nigeria. Most of the local shrines, royal palaces and many museums in universities have been completely depleted, he further stated. Akinade, 1999) reported cases of destruction of movements city walls, gates, parks, community shrine and forest reserves and abandoned archaeological sites and ancient cities.

Layiwu (2010) reported the stealing of terracotta pot from Igbo-Ukwu culture deposited at department of Archeology museum, University of Ibadan in 1995. In 1999 too, three Nok and Sokoto terracotta from Nigeria, enlisted an the International Council of Museum (ICOM) Red List of African Cultural Object at Risk, appeared in France, but after much pressure, the French government acknowledged that Nigeria owns the antiquities. (Shyllon, 2011). Agbedeh's (2011) report of this theft, claimed that the stolen terracotta, valued US \$25,000 and US \$30,000, consist of two monoliths stone, traced back to Bakar people in Cross River State.

Five Nok objects from Nigeria turned up for sale at Tetaf Exhibition in Maastricht, Netherlands in March 2000, but the Nigerian embassy in Netherland promptly alerted the nation and further hired a lawyer who obtained a court injunction stopping their sales (Eluyemi, 2002). In 2009, three recovered artefacts, impounded from the smugglers by Canadian Barriers Services Agency; two of the terracotta carvings were believed to be between 700 and 1, 300 years old and the third, a wooden carving, aged between 200 and 300years old were smuggled to Canada. They were returned to Nigeria by the Canadian Conservation Institute (Agbedeh, 2011). The popular Benin Bronze artefacts, the terracotta figurines from Nok culture, Igbo-Ukwu/Ife bronze works, Esie soap-stones among others, are groups of Nigeria cultural objects in Nigeria that have been consistently subjected to systematic trafficking by treasure hunters and antique dealers (Ojedokun, 2012).



Fig 4: Queen- Mother Idia, Benin, Nigeria, now in the British Museum, London, United Kingdom.

### **Factors Influencing Looting and Trafficking of Cultural Heritage in Nigeria**

Diverse factors account to the potential problem of looting and trafficking in Nigerian cultural antiquity

- Pervasive culture of corruption that has bedeviled the nation, Nigeria. International illicit art dealers usually collaborate with some corrupt Nigerians who burgle museums, royal palaces, shrines and sacred groves in some rural communities. Illicit antiquity dealers engage in the theft and trafficking of cultural antiquities purely for financial reasons. The annual trade in illicit antiquities is estimated to be around US \$7.8 billion, ranking behind drugs (US \$160 billion) and arms (US \$100 billion) as the most profitable black market (INTERPOL, 2007). Shyllon (1999) states that the value of bronze and terracotta figurines stolen from Ife museum was estimated at US \$250 million. This high potential monetary gain accruable from the sale of illicit antiquities serves as one of the strongest motivating factors which encourage people to engage in their theft and smuggling.
- Absence of effective laws governing cultural looting and trafficking in Nigerians is another crucial factor influencing the incidence of theft and smuggling of cultural property in our nation. Legislation, such as those relating to the protection of cultural antiquities in Nigeria are the antiquities (inhibition transfers) Decree NO 9, 1974 and Decree 77 of 1979 and the National Commission of Museums and Monuments Act of 1979 (Odubayo, 1994; Eluyemi, 2002) which are aimed at safeguarding Nigerian cultural antiquities by prohibiting their buying and selling except by accredited agents. These decrees are insufficiently sophisticated to deal effectively with this problem and as Shyllon (1999) observed, the sanctions and protective measures enshrined in the act are hopelessly inadequate.
- Low level of security arrangements. There is low level or shoddy security arrangement that exist where cultural properties are stored. Important national museums, including those located within universities in Nigeria, do not enjoy adequate security arrangement, which are at par with invaluable cultural heritages they house, thus being inadequately protected from criminal activities of traffickers.
- Growing enthusiasm of the West for African objects. The West's growing enthusiasm for African object has placed many of them in jeopardy
- Poverty. Many Nigerians, of whom converted to Christianity or Islam and rejecting the idols of their forefathers, see no reason in holding onto the artifacts when they can hardly afford to feed their families. They sold them because they need money to take care of themselves and their families.
- Tourists also scoop up some of the illicit bargains. The best artifacts are brought by dealers filling orders from Europe, the US, and South Africa, tourists to the country.

- **Political Unrest:** Lack of order is perfect breeding ground for people who want to collect arts. In African countries, where there are conflicts, fighting has left many of the country's museums empty because enemies would loot and for starving soldiers, anything is good for sale including antiquities.

### **Importance of Presenting Cultural Heritage**

Objects are a part of the study of human history because they provide concrete basis for ideas, and validate them. Their preservation demonstrates a recognition of the necessity of the past and of the things that tell its story (Tanselle, 1998). Preserved objects validate memories. Culture and its heritage reflect and shape values, beliefs, and aspirations, thereby defining a people's national identity. It is important to preserve our cultural heritage, because it keeps our integrity as a people. To value the cultural heritage and to care for it as a treasure bequeathed to us by our ancestors that it our duty to transmit it to our children wholly as possible is a sign of wisdom. That is why we must pursue standard setting action and design instrument like the Convention for the Protection of the World Cultural and Natural Heritage. The preservation of cultural heritage of nation has been an impulse towards its development. Most nations of the world have come to realize that cultural heritage is an essential aspect of human life and its promotion and preservation an aspect of a nation. Preserving cultural heritage in Nigeria can promote collective consciousness of the citizens with respect to unity, oneness, nationalism and fostering peaceful co-existence among Nigerians.

### **Challenges of Preservation of Cultural Heritage in Nigeria**

The preservation and conservation of cultural heritage has been a major concern and challenge to Nigerian as well as international community for many decades. The protection of cultural heritage diversity and identity has been recognized by the international community to be promoted as an essential facet of human development. UNESCO Convention in 2003 for the Safeguarding of Intangible Cultural Heritage drew attention to the common responsibility of all human kind to preserve and transmit the values and traditions of all cultures for future generations. UNESCO statement calls on all Nigerians to provide opportunity to promote the preservation and conservation of our rich cultural heritage.

According to the implementing legislation (19 U.S.C 2601) of the 1970 UNESCO Convention of Means of Prohibiting and Preventing Illicit Import, and Export and Transfer of Ownership of Cultural Property which was signed into law in 1983, the United States may upon request by a country of origin, impose an emergency import ban on looted artefacts in

the case of an “emergency conditions” involving archaeological or ethnographical material in jeopardy from pillage, dismantling, dispersal or fragmentation (19 U.S.C. 2603). The import ban applies to these categories of materials: newly discovered materials important for understanding the history of mankind; materials coming from a site recognized to be of high cultural significance; and part of the remains of a particular culture or civilization. Mali is the only African country that has signed a treaty with the US restricting the importation of cultural artefact. They have cut illegal export to 75% by enlisting the villagers as informants. In Nigeria, Eluyemi, the Museum ‘boss’ is talking with a group of illegal traders to ensure that at least some objects remain in the country. The 1995 plundering frenzy in Kawu slowed down after six months, partly because of the visits by Police and Officials of the Ministry of Culture..

The need for community involvement and awareness creation. Private sector has a role of play in heritage conservation and that this is not solely the responsibility of the government. A common point of convergence is that heritage must bring some benefit to the local community for it to be sustainable.

It has been widely opined in discussion around a number of transnational criminal markets that where a global economic supply and demand relationship exists, demand reduction by way of consumer education and awareness raising may be an effective intervention in reducing illicit trade. It seems obvious and sensible suggestion on the face of it but how amenable are consumers to being submissive (Mackenzie, 2014). Policy makers should target the third and fourth stages of trafficking, facilitation (where artefacts are laundered and given false provenance; and entry into the market, to create the opportunity to curb the demand that is funding that trade and causing the destruction of valuable cultural heritage. This is very important because if there are no more demands for the trade by developed countries, illicit trafficking of cultural heritage will stop automatically.

Recent international efforts to counter illicit antiquities trafficking are a good start, and the need to protect cultural property is beginning to receive the level of attention that has long been called for by such acts such as the 1954 convention and the 1970 UNESCO Convention (Campbell, 2013) Nevertheless, international laws can only go so far. As public awareness of the trade in black market antiquities increases, nations all over the world must take steps to stop it. Laws that have built-in reinforcement mechanism will be the most effective way to crack down on this illicit market. Specific “choke points” in the supply chain need to be targeted, such as transit countries and cities known as hubs for selling illicit antiquities

(Howard, Prohov and Elliot, 2015). Efforts targeted at curbing the demand site of the market will help crackdown this lucrative market. Finally, a public private initiative that involves governments, museums, collectors, and archeologists should be launched to help eliminate the purchase, transfer, and sale of illicit antiquates, and to recommend further policy actions to reduce illicit trafficking activity.

## **CONCLUSION**

Cultural heritage constitute an inalienable past of a people's sense of self and of community, functioning as a link between the past, the present and the future. It is necessary to sensitize the public about their cultural heritage and especially the younger generation. Unique and exceptional artworks, and movements, ritual objects, national symbols, ancestral remains, dismembered pieces of outstanding works of arts are irrevocably identified by reference to the cultural context in which they were created . There is need to preserve and conserve the cultural heritages of the people for posterity, for it is their original context that gives them their authenticity and unique value.

For cultural heritage management to be effective, laws must not only recognize community definitions of cultural heritage but also ensure the promotion of the values, symbolism and social practices of communities. Hicks (2001) laments that the massive plundering of cultural heritage around the world in the form of art and antiquities theft is one of least recognized and analyzed forms of criminality.

The issue of plunder, theft, illicit traffic and destruction of cultural heritage in Africa, and Nigeria in particular continues unabated, despite the many attempts and calls, both locally, and internationally, for the need to address the issue. The huge continent with diversity of peoples, language and heritage resources, African's heritage has for the past decades been ripped away for sale abroad, or destroyed at home, due to greed, ignorance new emergency religious fundamentalism internal conflict or neglect (Abungu, 2016). As long as they are valued elsewhere, African's remaining riches will continue their exodus. The rape of this treasure filled continent is not yet over.

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