HOW DOES THE LEGACY OF COLONIALISM IN SOUTHEAST ASIA MANIFEST ITSELF IN CONTEMPORARY REGIONAL ATTITUDES AND PRACTICES TOWARDS LOOTING AND COLLECTION?

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Abstract

Cultural property trafficking continues to be and is growing as an issue despite increased legislation, international agreements and public interest, particularly since the seminal 1970 UNESCO Convention. For criminology, the challenge is to take into account the distinct and complex characteristics of cultural property trade and trafficking in order to aid in controlling, regulating and preventing crime in a way that resonates with those it seeks to target. However, the mainstream approach to this issue relies uncritically upon a dominant and simplistic narrative of transnational cultural property movement from Global South sources to Global North markets, which renders significant regional and processes invisible and creates an incomplete model of reality. By incorporating a postcolonial framework and interviewing market actors in the cultural property world, this thesis aims to fill a gap in the discipline by examining how colonial narratives, frameworks and structures still inform modern attitudes to cultural property trade and trafficking, which has emerged from the same history. As a rich source region with a healthy cultural property market, Southeast Asia is the chosen case study; however, though the conclusions drawn originate in this specific context, the methodology used is applicable beyond this scope. The findings indicate that though cultural property collection is accompanied by a shadow of illicitness, market actors are able to justify their activities by not only relying on familiar colonial tropes and narratives of custodianship and education, but also pragmatically referring to the moralities and identities of a post-colonial age. Additionally, the social structures fundamental to the cultural property world are also, to some extent, the product of a certain history, and identity formation and projection through cultural capital are key concepts in understanding the impetus for collection. Ultimately, actors' understandings of an authentic object as one that is of a particular style and, critically, of a particular age and condition, is synonymous with colonially influenced attitudes, and is inherently linked to the damage that anti-trafficking legislation seeks to mitigate.

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Acknowledgements

Introduction

In 1970, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) created the *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property* to target the illicit trade of antiquities and other cultural property items. Though it is not the first example of regulation targeting cultural property protection, this seminal document is upheld as the beginning of an international movement towards combating cultural property trafficking (Collins, 2016; ICOM, 2010 p.13). Particularly in the last few years, growing media focus on issues surrounding art crime and cultural heritage protection suggest an increase in interest and awareness from both public and private sectors. Subhash Kapoor's international antiquities smuggling network, Hobby Lobby's looted Mesopotamian artefacts and ISIS's trafficking of Syrian cultural property are all major headlines that have emerged in the media during the last three years alone (Zakaria, 2017). In terms of law and prosecution, 2003 saw the *Dealing in Cultural Objects (Offences) Act* come in to force in the United Kingdom — the first piece of criminal legislation to specifically target the illicit antiquities trade (Mackenzie, 2007 p.113). More recently, 2016 marked the first case of a defendant being charged with war crimes against cultural property before the International Criminal Court (ICC) (Jayaraman, 2017 p.1). Units targeting cultural property trafficking have emerged in police forces, prosecutor's offices and organisations like INTERPOL around the world, some, like the Carabinieri Department for the Protection of Cultural Heritage, predating the 1970 Convention (UNESCO, 2017). Positive as these advances may sound, the reality today is that the illicit market in antiquities continues to operate, and the frequency of looting and the accompanying destruction of archaeological sites has not decreased. Instead, as Colin Renfrew, staunch objector to the trade of illicit cultural property, has noted, this looting and destruction has only 'increased rather than diminished' following the 1970 Convention (Renfrew, 2001 p.xi). If, despite the increase in interest, legislation and international agreements, the situation has not changed for the better, then it follows that something in the preventative system must be faulty.

As Brantingham wrote, the ultimate aim in criminology is primary prevention, where the conditions that allow for criminal acts to occur should be identified in order to holistically prevent those acts (1976 p.290). However, rather than studying and altering the built environment, my interest is in studying the socio-cultural environment to which cultural property policy and legislation is applied. After all, law cannot operate in abstract terms and stand alone; it is an inherently social enterprise concerned with co-existence in groups and networks, and must rely on empirically and systematically understood patterns and conditions (Cotterrell, 1998 p.183). When it comes to cultural property trade and trafficking, however, comparatively little is published on the highly social context of cultural property dealing and collecting, and what is published on attitudes and practices in the cultural property world are often competing or even contradictory.[1] This thesis aims to begin building a basis for more research into the socio-cultural environment of actors in the cultural property world in order to better understand the complicated interplay between law, morality and practice. It is not an exercise in problem-solving; rather, this thesis embodies a critical approach that seeks to change the way that the cultural property market is understood and structured in research. By focusing on why market actors collect and deal in cultural property, through examining attitudes and practices, we can better create policies and regulations that will narrow rather than widen the gap between written law and accepted social rules. Moreover, if legislation can be made to resonate with market actors, then it may be made all the more effective (Alder and Polk, 2009 p.4; Thompson, 2015 p.67).

This thesis will focus on Southeast Asia as a singular region in order to grapple with the complexities of the cultural property world.[2] Southeast Asia continues to be a problematic area in terms of cultural property protection; despite being a

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[1] The cultural property world is taken as a distinct system from the (fine) art world, although there are many similarities and overlaps between the two. For the purposes of this thesis, the cultural property world is taken to comprise of market actors like collectors, dealers, auction house personnel and museum curators.

[2] For this thesis, the countries that make up Southeast Asia are defined according to the list of ASEAN member states, thus ensuring that the designation of being Southeast Asian is self-defined. These countries are: Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam (ASEAN, 2018).

region of plenty in terms of cultural heritage material, only three of the ten Southeast Asian countries have accepted or ratified the 1970 Convention (UNESCO, 2018). It seems obvious that something about the Convention and its methods of paving the way forward is not resonating with the region as a whole. This is not to say that the countries or peoples of Southeast Asia are not interested in halting the trafficking of cultural property. Cambodia, for instance, is a well-known and active player in furthering the cause of cultural property protection, as is Vietnam (Alder and Polk, 2009 p.4; ICOM, 2010 p.9). In terms of the entire region, the Association of Southeast Asian Nations, or ASEAN, as a whole, released the *Declaration on Cultural Heritage* in 2000 with the familiar aims of 'protect[ing], preserv[ing] and promot[ing]' the 'vast cultural resources' of Southeast Asia with an emphasis on 'regional cooperation and solidarity' (ASEAN, 2000 p.1). The general non-ratification of the 1970 Convention and subsequent documents like the 1995 UNIDROIT *Convention on Stolen or Illegally Exported Cultural Objects*, then, indicates a disconnect and clearly, we need to have a better understanding of what is happening in the region and why.

A critical theory like postcolonialism, with its emphasis on the importance of history and of recognising multiple narratives to reposition the discourse, is well-equipped to help criminology dissect the complexities of cultural property trade and trafficking in Southeast Asia (Cunneen, 2011 p.251). By using a postcolonial framework in this thesis, I aim to add to criminological scholarship by demonstrating the relevance of postcolonial theory to particular criminological issues like looting and cultural property trafficking, particularly considering the close association of looting with colonial conquest and, in turn, with the collection of cultural property today. More importantly, like much of the world, Southeast Asia encompasses a variety of countries that have been influenced by colonisation, and certain systems and frameworks of understanding left behind have persisted in, or been adapted to, these societies (Cunneen, 2011 p.250; Hensengerth, 2011 pp.57-62). This has ramifications for the cultural property world, too, and the same systems and frameworks continue to shape contemporary practices and ideas when it comes to cultural property trade and trafficking. My research question, then, is this: How does the legacy of colonialism in Southeast Asia manifest itself

in contemporary regional attitudes and practices towards the licit or illicit collection of cultural property?

This thesis will try to add to current scholarship by examining the interplay between the colonial and regional narratives, frameworks and structures that influence and inform Southeast Asian actors in the cultural property world. To begin with, postcolonial theory's relevance to criminology, and the trafficking of cultural property more specifically, will be examined with reference to the Southeast Asian context. Beyond the necessity of incorporating postcolonialism into criminology, the aim of this thesis is three-fold. The first chapter will explore why the trade is engaged in by actors, despite the shadow of illegality that accompanies the industry; while the overarching, colonially influenced justification narrative continues to prevail, practical and post-colonial justifications are also revealed. This will be followed by an examination of the socially driven motivations for identity formation and projection that are intrinsically linked to colonial history, which have manifested in the highly social networks of the cultural property world. Lastly, the notion of authenticity, underlined by colonial understandings of what objects are worth collecting, will be addressed as a significant factor in linking collection to the very activities that anti-trafficking regulations attempt to address. Ultimately, this thesis maintains that cultural property trafficking research and legislation does not adequately take into account the specific contexts and histories of cultural property collection. Consequently, its aim is to examine, in depth, the attitudes and practices of actors in Southeast Asia's cultural property world, and thus begin changing the foundations on which policies and regulations regarding cultural property are built.

Methods and Methodology

This thesis is situated within a postcolonial framework of understanding, with an emphasis on the role of history, the importance of power, and the breaking down of dominant narrative tropes into multiple simultaneous narratives — concepts that will be further explored in the next chapter. As a theory, postcolonialism is highly resistant to positivist understandings of truth and knowledge-building, and is instead rooted in social constructivism's understanding of the world and its systems as being historically and socially created rather than being immutable and independently true (Markauskaite et al, 2006 p.157; Burr, 2003; Oriola, 2006 p. 124). To reflect this, and to allow for deeper analysis of contemporary regional attitudes and practices in the Southeast Asian cultural property world, the research and analysis methods adopted are inductive and qualitative in nature. The aim is not to limit or replace mainstream criminological thought with postcolonialism; rather, the aim is to diversify the approaches used in criminology, thus helping to develop a healthy discipline. My qualitative methodology is based on a wider idea that postcolonialism and its exploratory, critical nature can be used in tandem with empirical and positivist research in order to arrive at a deeper understanding, and thus a more complete basis for further research and problem-solving (Copes et al., 2016 pp.122, 137). This thesis is not, and does not pretend to be, the ultimate deconstruction of the cultural property market psyche; in any case, qualitative methods of inquiry reliant on thick description do not lend themselves well to being applied to large segments of the population, especially not within the constraints of this thesis. Instead, it should be treated as a basis for further research, and a movement towards creating better-informed models for future law and policy (Nordstrom, 1997 p.xvi).

Data Collection

There are many ways of researching attitudes and practices, both qualitatively and quantitatively; however, as my interest is in understanding and theorising the complexity of cultural norms and attitudes in collecting communities, qualitative

methods of data collection are preferred. In this case, in the interest of researching a depth rather than a breadth of responses, I used the ethnographic method of semi-structured personal interviewing as the primary form of data collection. After all, the systems of trade and trafficking should be defined internally rather than imagined externally, and the information gained from a method like this can be a helpful indicator when something seems amiss in the theory (Shover, 2012 p. 140). Aside from fieldwork research, I refer to a variety of literature that will generally be reviewed in the next chapter. It should be noted that the interdisciplinary nature of criminology (Loader and Sparks, 2012 pp.18, 22), and in particular this issue of cultural property trafficking, will be reflected in my bibliography, which will draw from criminology, law, international relations and history, among other fields. Additionally, non-traditional sources of academic scholarship like newspaper articles and official publications from international organisations have been drawn upon not only as material to analyse, but also due to the valid factual information that they have to offer.

Modern cultural property trade and trafficking is inherently associated with the colonial enterprise of the nineteenth and twentieth centuries; similarly, Southeast Asia as a region, like much of the world, continues to navigate a path that has partly been forged by past colonial history (Lane et al., 2008 pp.6-7). Though this contributed to Southeast Asia being selected as the regional case study for this thesis, another deciding factor, as previously mentioned, is its status as a difficult region for international cultural property policy to penetrate despite being a proliferous source region. By focusing on a singular case study, investigation into the licit and illicit cultural property trade is anchored in specific circumstances, allowing for deep, exploratory study of the complexities of these activities and networks (Stake, 1995, p.xi). Within Southeast Asia, rather than pinpointing a selection of specific countries, the examples used will be dictated by the individual and collective experiences of the participants. By embracing flexibility in this way, there is space in this thesis to acknowledge and explore the intermingled intricacies of Southeast Asian communities that regularly defy nation-state borders (Gruber, 2013 p.342). This tendency is reflected in the interview participants, whose identities may comprise multiple races and nationalities simultaneously, or

who have lived and done business in two or more countries, sometimes concurrently.

For this thesis, I drew upon my own connections in the cultural property world to find interview participants, circumventing the issue that other researchers have encountered of attempting to gain access to a famously insular community (Yates, 2016 p.173). I also, however, relied on snowball sampling to reach other potential participants. It is important to point out that I have not, nor have I been, financially or professionally dependant or subordinate to any of the participants, despite having worked in the same industry. The reverse is the same, in that I do not have professional power over any of the participants. Also, while I am still granted access to the cultural property world, I am no longer an active actor and do not intend to be in the future. Interviewed actors in the field include regional and local collectors, dealers, and museum personnel. Activists and expert commentators, usually researchers, were also approached for both their knowledge of the region and their many interactions with actors in the cultural property world. It is entirely possible, however, for participants to engage in a combination of roles in the industry, such as collector-dealer or dealer-researcher. Similarly, though an individual may currently be involved in one segment of the cultural property world, like museums, they may have had extensive previous experience in another area, like auction houses. However, for ease of coding and for future analysis, I categorised each actor according to the roles they most identified with, and the order I interviewed them in; for instance, the first dealer I interviewed is labelled as D1 (for the full list, see Appendix 1). Thus, my final list of twelve participants comprises of four collectors, two dealers, one professional with a museum perspective, one professional with an auction house perspective, two activist-researchers and two expert commentators. Though four potential participants were ultimately unable to participate due to conflicting schedules, three other individuals rejected the invitation to take part outright. Two were museum personnel working for an institution that has been embroiled in cultural property issues in the past. They declined to be interviewed on the record due to the institution's newly bureaucratic and selective vetting process for interviews of

staff. The third individual, a private dealer, cited a reluctance to participate due to the controversy and sensitivity of the topic.

Each interview was scheduled to be one hour long, and each one was audio recorded either with a handheld device or on my laptop. I did not take notes during the interviews in the interest of maintaining a sense of open conversation rather than of strict interviewing. Instead, I wrote my observations and summary directly after the end of each interview. I then transcribed the interview as soon as possible, along with my observational notes. Each transcription was then reviewed and proofread, with the end results averaging 8700 words. For actors based in Singapore, or who frequently visit it, I arranged to interview them in person. Those who reside outside of Singapore, or who would not visit the country during the four-month fieldwork time frame, agreed to be interviewed over Skype. Though it was highly unlikely that my safety would be compromised by a participant, or as a result of information provided to me by a participant, I made sure to check in before and after each interview, as well as include details of my whereabouts.

The interviews conducted were semi-structured in format, with a basic set of questions that all participants were asked in one form or another depending on their roles in the cultural property world (for the list of questions, see Appendix 2). In this way, participants were kept on topic, but the structure allowed for variation in questioning and thus added richness in material for analysis, often in concepts that may not have occurred to the researcher beforehand. Also, the semi-structured format made the interviews less formal and interrogative, thus allowing participants to feel more comfortable and open. Additionally, participants were not furnished with the questions beforehand in order that their answers would be as immediate and unplanned as possible. Broadly, the three main sections of the basic set of questions were concerned with the participant's background, their experiences of collecting, and their attitudes and opinions on the ethics of the market. At the end of each interview, I also asked the participant to sum up what they thought were the key points of what we had discussed, so that I could later compare these summaries with my own. Adopting a postcolonial methodology

manifested in my questions as an interest in the ways in which the participants framed and reflected upon themselves and their experiences, as well as the wider cultural property world that they belong to. In pursuit of this, the questions I asked were purposefully as open-ended as possible, allowing participants the space to tell their own stories and naturally move towards and speak about topics that they felt were important. I also asked participants for their own definitions, for instance of what it means to 'loot', or what properties should be sought in cultural property objects.

Because the participants are currently active in the field, my main concern was participants inadvertently harming or compromising themselves. For instance, they may have shared information about situations that could be embarrassing, if not problematic for their relations with others in the field. To counter this, I have anonymised the participants as much as possible, and used pseudonyms if necessary. Similarly, though my research does not require the identification of participants, it is possible that in describing a certain situation, the identity of the individuals in question may be revealed. Another concern was the unintentional admission of committing or being complicit in a crime. However, to encourage participants to talk freely about their attitudes and activities, I provided an information sheet that laid out not only the aims of my project, but also detailed how my research would be used, what rights the participant has, and contact information for further questions (see Appendix 3). This was followed by a consent form that included the promise of confidentiality, except in cases where I am required by law, or the participant has agreed, to release information to a third party (see Appendix 4). Also on the consent form was the clear indication that involvement was voluntary and those participants who wished to withdraw could do so at any time. Nevertheless, the actors selected for participation are not vulnerable individuals; they are experienced, intelligent members of society, capable of protecting their own interests. As I am seeking to understand and theorise the complexities of cultural property trafficking and trade, and to examine the disconnect between purportedly routine or legitimate practices that may in fact be obscuring criminality, I did not contact active criminals.

By allowing actors to define situations or issues in their own terms, we are given deeper insight into the complexity of their behaviour, contradictions and all. However, a well-known challenge in interviewing is minimising the impact of the researcher on the researched, with the understanding that no impact can be removed with absolute certainty (Henry et al., 2009 p.468). Placing a participant in a research environment may influence the answers they give to interview questions based on, for instance, a desire to provide the correct answers that the researcher may be seeking, in turn impacting the validity of the data collected and skewing the overall research findings (Knapik, 2006 p.82). This was a significant challenge, especially considering the postcolonial framework of my research, and the clear indication on my participant information sheet that a significant part of my thesis would focus on the legacies of colonialism. To circumvent undue emphasis on the effects of colonisation, and avoid guiding participants into this line of thought, I purposefully steered clear of explicit mention of colonialism and imperialism until the participant organically brought the subject up themselves.

Another worry was the potential selective withholding of information that is the hallmark of those who are involved in an often vilified industry. However, the participants selected for this thesis are not strangers with appropriate experience; rather, they are within or connected to my network of relationships in the cultural property world, and are less likely to feel closed or defensive in an environment where I am the interviewer. In cases like these, there is always the danger of 'over-rapport', or the loss of critical distance, particularly as my status as an external observer is not possible (Ballinger, 2008). I would argue, along the lines of Herod, that by assuming the role of researcher, my own positionality moved closer on the sliding scale of familiarity to 'outsider' territory, increasing the critical distance between me and the participants (1999 p.326). Nevertheless, my ability to conduct in-depth interviews with actors in the cultural property world is dependent upon my existing ties to participants as well as the knowledge I gained as a member of that community, which results in a level of trust that may not be attainable for an external researcher. Arguably, this trust resulted in more truth in participant responses which, in any case, can be corroborated with my own observations and experiences. In addition, participant attitudes and observations were triangulated

across different interviews and texts, as will be discussed in the next section on data analysis (Cohen et al., 2000 p.254). Ultimately, however, a qualitative methodology that emphasises a subjective ontology recognises that no social science research can occur in a vacuum, and strict objectivity cannot be the aim (Young, 2004 p.25). A concept like validity, translated from its quantitative meaning of accuracy of data, should be described in qualitative research as credibility of information rather than precision (Copes et al., 2016 p.128; Young, 2004 p.25). In this sense, the aim is not to investigate the truth objectively, but to investigate and reflect upon the positionality and subjectivity of the researcher and the researched in creating knowledge (Kitossa, 2014 p.65). What is said and not said both hold truth, and is both of importance in understanding the webs of meaning and interpretation that form attitudes and behaviours.

Data Analysis

Qualitative data requires qualitative analysis, and the postcolonial framework of this thesis has informed the way that I have made sense of the data. Contextualised, local truths, narratives and behaviours have been extracted from the data and presented according to Geertz's ideas on thick description, where the researcher must not only present the facts, but also accompany that information with interpretation and commentary to reveal complex meanings (1973). As Dunn holds, analysis should not be limited to examining how discourse is produced, or encoded; it must also be concerned with how discourse is consumed, or decoded (2003 p.107). In order to draw out patterns, contradictions and points of significance, both interview content and observations were analysed, even as early as during the fieldwork stage. After all, it is the task of the qualitative researcher to simultaneously record, seek meaning, and redirect the study to match or further explore those meanings (Stake, 1995 pp.8-9). Aspects of discourse, document and content analysis also integrated with the overall thematic coding-based approach that formed the main data-analytical strategy in this research project. So also did, to some extent, analysis of participant observation, particularly considering the gap between projected attitude and actual practice in the cultural property world

(Bauer, 2007 p.701). In this way, my analysis does not solely rely upon participant answers; rather, by using the methods of analysis outlined above, what is said and not said, and what is confirmed and contradicted, all provide informative indicators for this thesis.

My analytical strategy began with a comparison of the participants' summary of their interview's key points, and my own notes. With this, I was able to not only begin drawing out key themes to examine in relation to the research question, but also mark the discrepancies between what they had said and what I noticed, and what they thought they had said or what they thought was most important. Interestingly, the key points raised by the external commentator participants closely matched my own notes, while the key points raised by active members of the cultural property world were more likely to vary. This gave me insight into the complexity of framing and projection of the self, the community and the issue at hand, particularly for those who are directly involved. Following this, when the transcripts for all interviews were completed, I began the task of coding. Each interview participant, and their associated transcript, was assigned a specific colour, as can be seen in Appendix 1. My aim was to draw out and explore, in-depth, the commonalities and themes that ran through multiple interviews, so instead of quantitatively coding the frequency of certain words or phrases, I instead grouped sections of relevant speech that referred to specific topics.

I first combed through the raw data, identifying and highlighting particular quotes that matched the previously outlined themes, or that led to other paths of inquiry that seemed worth exploring. I then systematically began compiling and arranging these quotes into specific codes for further analysis, informed not only by the concepts that emerged from the data, but also the themes found in the initial work I had done by comparing the participants' and my key summaries. Following this, I reviewed and re-reviewed the coded compilation, determining new themes relevant to the research question and restructuring as appropriate, while constantly referring back to the original transcripts. I also found that when there were instances that a quotation was relevant to two different topics, I was able to generally group them according to an underlying idea, thus allowing for some

fluidity between specific topics. For instance, though 'Continued hegemony of Western systems' is a separate code category to 'Art collection is a relatively new phenomenon in Asia', both contain quotes that fall under the general idea of 'Influence of the coloniser-West'. As each interview was already colour-coded, differentiation between voices was simplified. Also, the different colours served as a visual indication of the breadth of interview answers that touched upon the same themes; this also helped in validating the points and stories made by different participants. The final coding document not only organised the data into major codes that set up the main chapters and discussion points for this thesis, but it also naturally whittled down the initial data, totalling 95,905 words, to a core of 23,401 words of processed information. Over the course of this period, I fully familiarised myself with the data through constant revision and reanalysis of the coding document in order to formulate further ideas and discussion points, and to integrate thought from the relevant theory and literature.

A Postcolonial Criminology for Cultural Property Trafficking

Conventional Scholarship on Cultural Property Trade and Trafficking

In the field of criminology, cultural property trafficking research is still in an early, and comparatively crude, stage – particularly when compared with the studies of drug or human trafficking. Considering that licit or illicit transfers of cultural property cannot be said to be a new phenomenon, it is remarkable that the progression of criminological commentary on the issue has been slow (Alder et al., 2009 pp.119-120). This is not to say, however, that there is little or no writing on cultural property trafficking prevention or cultural property protection. A proliferation of writing does exist, though it has traditionally been dominated by researchers in fields like anthropology, law and, most commonly, archaeology (Mackenzie, 2011 p.134). Though the issue is well-suited to interdisciplinary study, it should be noted that scholarly discourse has been shaped by the assumptions of these disciplines, meaning that their interests have in turn shaped what is of interest in cultural property trafficking research. One consequence of this is the cross-disciplinary preoccupation with looting and its repercussions, particularly from potential or actual archaeological sites, almost to the exclusion of other means of acquiring cultural property (see Bowman, 2008; Brodie and Mackenzie, 2014; Gruber, 2013; Yates et al., 2017).

The illicit trade tends to be the focal point of this work, although some scholars conflate and include perceived immoral behaviour, such as selling objects with unconfirmed provenances, under the same umbrella — essentially assuming that all cultural property is illicitly acquired until undoubtedly proven otherwise (Carducci, 2006 p.74; for examples, see Bowman, 2008; Brodie, 2002). Nevertheless, cultural property trafficking is generally portrayed as a transnational crime (see Bowman, 2008; Campbell, 2013; Mackenzie, 2007; Mackenzie and Yates, 2015). It is also often described as possessing an organised crime structure, although the levels to which cultural property trafficking can be defined as a true organised crime vary (see Coles, 2001; Dietzler, 2013; Proulx, 2011). Its

criminality and systems are sometimes compared with other related crimes, such as money laundering (van Duyne et al., 2015) and rare orchid trafficking (Mackenzie and Yates, 2015). There are, however, some scholars who challenge the status quo; for instance, Byrne is notable for his focus on cultural property trafficking as a regional and domestic issue in Southeast Asia, rather than a transnational one (1999; 2016). Coggins, too, deviates from the norm of seeking to criminalise trafficking by focusing on the potential creation of a licit trade in cultural property (1995). While relatively little has been published in terms of analysis on how cultural property moves from both ends of the supply chain (for examples see Campbell, 2013; Mackenzie and Davis, 2014), much of the scholarship focuses on the separated entities of 'source' and 'market'. Research on source communities tend to focus on looters who take objects from notable sites, highlighting poor subsistence diggers who sell artefacts to survive or villainous organised crime looters (see Hollowell, 2006; Matsuda, 2008). The ethical bent of writing on these activities is extended to academic treatment of the market, where collectors, dealers, auction houses and museums that acquire and sell cultural property objects are often condemned for their perceived roles in sustaining cultural property trafficking (see Brinkman, 2006).

In the context of criminological research on cultural property trafficking and trade from the perspective of the market, the scholarship tends towards being concerned with the ethics and justifications for collection. Quantitative research is instinct is hampered by the issue's position within the 'dark figure' of crime, meaning that current crime statistics for cultural property trafficking are not easy to ascertain (Copes et al., 2016 p.121; Alder et al., 2009 p.120). As a result, statistical analyses are severely limited not only in number, but also in scope (see Brodie, 1999). Nonetheless, qualitative methods of inquiry like criminological interviewing and participant observation have seen some success. These methods are particularly important when focusing on the market as the cultural property world, much like the fine art world, is notoriously insular and opaque for those looking in from outside (Yates, 2016 p.173). Criminology tends to frame research on market activity according to white collar crime or crimes of the powerful concepts, particularly as market actors are generally understood as elite buyers,

often in positions of power (Brodie and Proulx, 2014; Mackenzie, 2011; Mackenzie and Green, 2008). When it comes to researching the motivations and justifications for collection, market actors engaging in techniques of neutralisation as a method of negating criminality is well-studied (see Mackenzie, 2011; Mackenzie, 2006/7; Mackenzie and Yates, 2015). Thompson, too, has written on collectors' belief systems and how it legitimises there involvement in the trade (2015). There also seems to be increased interest in studying motivations, like the concept of cultural property ownership as a way to convert economic capital into cultural capital (see Brodie and Luke, 2006; Yates et al., 2017).

Though some studies do discuss market actors less as selfish, megalomaniac caricatures and more as complex individuals and institutions with varying motivations and justifying beliefs (see Mackenzie and Yates, 2015; Thompson, 2015), there continues to be a general reliance on tropes and categorisations that do not adequately encompass the nuances of market activity. Moreover, when it comes to Southeast Asia, if it is studied at all, its composite countries generally fall into the category of being a rich source nation that has been exploited by the machinations of the West (see Mackenzie and Davis, 2014). However, rather than being a powerless region of victims, Southeast Asia is in fact home to a network of individuals and institutions that make up a noteworthy part of the cultural property market. For instance, though conventional criminological wisdom categorises Singapore as a minor player in cultural property trade and trafficking networks, other than as a duty-free transit port, interview participants constantly refer to the country as an important marketplace for cultural property sales due to its reputation as a safe and easily accessible hunting ground for cultural property from around the region (AH1, D1, D2). This thesis is not questioning the voracity of cultural property trafficking into Western countries; rather, it seeks to understand the internal market within the region, and the influence of history in creating the systems and structures that justify and make attractive the trade in cultural property. The modern cultural property trade has emerged out of a specific historical context, but is conventionally understood according to a dominant narrative that does not take this context into account. The challenge, then, is to be able to reflect upon and confront these assumptions, with the aim of

opening criminology to take into account the distinctive characteristics of the cultural property trade in order to build a reliable regulatory framework for crime prevention (Alder and Polk, 2009 p.3). In the interest of embracing complexity and nuance, and grappling with the effects of history upon the contemporary, postcolonialism is an ideal theoretical framework for criminology to adopt in order to access and understand social contexts and worlds according to the qualitative bent of this kind of research.

A Postcolonial Criminology?

Postcolonialism is conceptually intent on emphasising the importance of history, particularly colonial and imperial history, in understanding contemporary practices and ideas (Cunneen, 2011 p.251; Onyeozili, 2004). While historical context is, to some extent, examined in conventional criminology, this does not extend to the way that past history continues to have relevance in contemporary times and has created systems, norms and assumptions that are still in place today. As Gramsci wrote, the present is both a product of and receptacle for key phases of history, and postcolonialism seeks to critically evaluate the 'infinity of traces' that historical processes have left behind (1999, pp.628, 754). The postcolonial canon, shaped by the work of seminal authors such as Frantz Fanon (1952), Edward Said (1978), Homi K. Bhabha (1994) and Gayatri Chakravorty Spivak (1988), demonstrates a distinct preoccupation with the intersections between race, class and the aftereffects of the colonial project, and with resistance against unequal distributions of power and perceptions of the Other. Colonialism is not merely understood as a synonym of imperialism, connoting a simple extension of power and control. Rather, colonialism requires an imposition of one state's infrastructure over another – it is an institutional occupation and restructuring of space that is affected by, and cyclically has repercussions for, the attitudes and behaviours not only of the coloniser, but also the colonised (Parsons and Harding, 2011 p.2; Jobes, 2004 p.51). Postcolonialism is highly critical, and driven by a socio-political urgency to reveal the narratives, frames and modes of representation that underpin the relationships between power and politics in post-

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colonial society. It is normative and emancipatory, and seeks an iteration of criminology that is applicable to the lives of everyone everywhere, rather than speaking for or privileging a select few. In that sense, postcolonialism is not exclusively for specifically post-colonial societies, but is instead engaged with humanity (Oriola, 2006 pp.121-123,125). There is a distinct opposition to singular dominant discourses that are assumed to be universally applicable, and acknowledges that multiple, if sometimes conflicting, narratives can occur simultaneously — particularly when the assumptions of a hegemonic West infringe upon the agency of, and silence, the Spivakian subaltern (McCormack, 2014 p.122).

Despite having gained traction in related fields like sociology, law and international relations due to its capacity for grappling with the complexities of social worlds, postcolonialism remains significantly absent from mainstream criminology (Cunneen, 2011 p.249; Loader and Sparks, 2012 p.23). There is, however, a small bastion of postcolonial criminologists who engage in counter-colonial narratives to subvert conventional discourse and fill gaps in current knowledge on issues that the discipline seeks to study and prevent. Biko Agozino, for instance, has been an important voice in dissecting criminology as a product of imperialism and colonialism, and in critiquing criminology's assumptions of its own universality (2003). Chris Cunneen, too, has advocated the inclusion of postcolonialism as a method of expanding criminology beyond west-centric assumptions of crime and punishment by recognising the impact of colonial history (2011). Kitossa critiques criminology as a 'handmaid of colonialism' and explores the mainstream refusal to meaningfully examine its relationships with race and state power (Kitossa, 2012 p.204; 2014). In a similar vein, Jobes examines the relationship between colonialism and crime, and how the former continues to impact the latter (2004). This is not to say, however, that the tenets of postcolonialism were completely alien to criminology before the counter-colonial critiques emerged. Complimentary concepts already exist in the discipline, with some starting to be accepted in the mainstream (Cohen, 1998); however, they would be made all the richer for the application of postcolonialism and its emphasis on the colonial context. This is particularly apparent when looking at an

issue like cultural property trafficking, and in a region like Southeast Asia, where colonial history and its power politics continue to have repercussions.

One major postcolonial critique of criminology is its fixation with emulating the natural sciences' rationality, empiricism, and positivist pursuit of the objective truth (Young, 2004 p.20). Postcolonialism questions this premise, and seeks to probe and confront the assumptions and social constructions that underpin criminological knowledge production and circulation (Kitossa, 2014 p.65; Onyeozili, 2004). By operating under the guise of impartial scientism, and insisting on the discipline's ability to capture objective truth, mainstream criminology obscures the subjectivity of the social science research process and the impact of the researcher upon the researched (Hammersley and Gomm, 2000 p. 155). As Kitossa argues, the tenets that uphold the study of the natural sciences are untenable in the social sciences as the latter's research is based upon human complexity (2014 pp.73, 82). Focus on pure scientific empiricism dismisses and excludes other ways of knowing that are not in line with criminology's 'obsession with proper methods and/or mesmerising statistical numeration', and also does not critically engage with the socially constructed nature of criminality (Walker and Boyeskie, 2001 p.109). Like other postmodern ideologies, postcolonialism rejects criminological gearing towards the attainment of pure scientific empiricism as it indicates the assumption that there can only be a singular, objective social reality (Cheek and Gough, 2005 p.302). Instead, postcolonialism argues that there are multiple realities, which should be reflected in criminology through a concern about the subjective interactions and contexts of inequality that influence societies and actors (Oriola, 2006 p.112). This extends to mainstream criminology's presumption of the immutability and singularity of central concepts in the discipline (Kitossa, 2012 p.208). The notion of crime, for instance, or justice, cannot be described as intrinsic constants (Carrabine et al., 2004 p.4). What constitutes as a crime in any given society is dictated by man-made laws passed during a particular moment in that society's history, and understandings of what is just and unjust, or ethically acceptable and not, are equally affected by the contexts from which that society has developed (Sumner, 1982 p.10). If the very nucleus of criminological enquiry is subjectively created, then how can the

specificity of the discipline's worldview be universally applicable? Postcolonialism's strength is in moving beyond the notion that individuals or groups choose to do wrong as a result of risk factors; in highlighting the intersections between history, society and power, postcolonial theory makes space to study actors as products of the systems they reside and act within.

Another criticism of criminology is the discipline's traditional alignment with those in power, such as the state, which is further problematised by postcolonial researchers due to criminology's roots in and perpetuation of the colonial project (Cribb, 2011 p.39; Cunneen, 2011 p.249). In his pioneering work on white collar crime, Edwin Sutherland laid the groundwork for shifting up the downward gaze of criminology from individuals in the lower strata of society as perpetrators or victims of crime (1949; Mackenzie, 2011 p.136). By pointing out the similarities between these perpetrators' mechanisms of behaviour and harmful elite corporate activity, and arguing that the latter should be classified as crime, Sutherland indicated that harm is not synonymous with the label of being criminal, opening up the boundaries of the discipline (1949; Kitossa, 2012 p.206). Since then, research on crimes of the powerful, which includes previously untouchable entities like states, have been accepted into the criminological fold — even with chapters on the subject making appearances in course textbooks (McCulloch and Stanley, 2013). Nonetheless, the study of crimes of the powerful, including white collar crime, continues to be underdeveloped and pushed to the periphery as an interesting subject, but not one that could be counted as part of the fundamental work of criminology (Whyte, 2009 pp.1-2). As Coleman underscores, though the harm inflicted by the powerful far exceeds that of the common criminals of the world, the latter continue to be the main focus of the discipline, and are perceived to be 'the heart of the crime problem' (2006, p.1). Part of the issue is that legality and crime are necessarily defined by the state, resulting in the tacit assumption that the state, as creator of law, is above being criminal (Jobes, 2004 p.52; Kitossa, 2012 p.206). In this way, criminology has, since its inception, been positioned alongside the ruling class as 'administrators of power' (Kitossa, 2014 p.67). The discipline's discomfort with probing the crimes perpetrated by the powerful can be seen in the dearth of conventional criminological research on crimes against

humanity, including slavery, state crime and the current 'war on terror' (Oriola, 2006 p.108; Nakajima, 2004 p.740). For postcolonialism, criminology's alignment with power extends to its role in ideologically legitimising colonial power through law and order (Kolsky, 2010 p.232).

By not critically engaging with its origins as a tool of colonial control, and considering conventional criminology's continued downward gaze and hesitance in studying the crimes of the powerful, the discipline perpetuates the power dynamics of the colonial context, extending them into the post-colonial era (Agozino, 2003 p.228). In the context of cultural property trafficking, the concept of preserving heritage and culture on its own merit, as something of a human right, is apparent in much of the research and policy on the issue and is recognisably Western in its origins (Alderman, 2011; Gruber, 2015). According to this understanding, cultural property is not ordinary property; it is representative of a specific set of people, whether culturally, politically or territorially bound, and links them to a certain past history (Carducci, 2006 p.68). However, by insisting on the universal internalisation of this particular understanding of cultural property's role in society, criminology works towards a globally applicable style of policy that seeks to preserve what is culturally distinct without, ironically, considering the distinct perspective of those cultures (Kreps, 2005 p.4). Southeast Asia serves as an appropriate example, where the uncritical privileging of these principles pushes aside regional values and priorities, like concern for the socio-economic wellbeing of the community (Li, 1996 pp.18-20). In persisting with this viewpoint, and yet refusing to examine the discipline's historical and Western frame of reference, conventional criminology continues to perpetuate an undue hegemony of thought. Granted, power structures should not be understood solely and reductively in terms of racial coloniser-colonised boundaries, particularly as the politics of dominance and marginalisation extend beyond the confines of race or culture. However, in the study of cultural property trafficking, an issue so deeply embroiled in colonially influenced power politics and Saidian binaries, the racialised beginnings of who is dominant and who is marginalised in modern iterations of power dynamics should be recognised (Loader and Sparks, 2012 p.24; Kolsky, 2010 p.14; Mills, 2007 p.25). Power is, after all, relational – it must, by

definition, be had over another, and is linked inextricably with how actors, as well as commentators, understand the Self and the Other (Whyte, 2009 p.3; Said,). Understandings of the Other as being, one way or another, on a 'lower ontological and moral rung' to the Self continue to manifest in the way that conventional criminology insists on highlighting the failings of source communities in protecting their own cultural heritage (Mills, 2007 p.26; Bowman, 2008 pp.234-235). By foisting the onus and the blame, so to speak, on the source, conventional criminology obscures the role of colonial history in creating the systems and demand that modern cultural property trafficking emerged from, and removes the agency of source individuals and communities in making their own decisions, rather than be externally disciplined (Agozino, 2003 p.6). In so doing, conventional criminology plays a role in advancing the colonial project by implicitly sustaining the colonial naturalisation of European superiority over the non-white Other, though in a way that is couched in and camouflaged by academic language (Kitossa, 2012 pp.205, 208).

In challenging the authority of scientific epistemologies, and engaging with the politics of power, postcolonialism reveals that criminology often relies on dominant discourses and singular narrative tropes to make sense of the world, rather than recognising the multiplicity of narratives that can and do occur simultaneously. Reliance on grand, overarching theories and metanarratives to entirely explain the world's workings leads to an oversimplification of narrative. This is captured perfectly by the dominant and recurring frame where goods flow from the poor communities of the East, or the Global South, to the wealthy collections of the West, or the Global North, the overall message being that 'wealthier industrialised nations exploit poorer, dependant nations' (Burr, 2003 p. 12; Bowman, 2008 p.244; Lane et al., 2008). Perpetuating this trope removes the agency of the people involved at the source, reifying the problematic notion of the non-Western Other as helpless victims who require external aid. This is further emphasised by the framing of those from source countries as being 'lost in a broader web of global commercial forces, transnational criminal activities, and economic hardship', which again suggests at a homogeneously vulnerable society who is as yet unable to contend with the confusion of the modern world

(Bowman, 2008 p.244). Additionally, this blinkered approach dismisses and disqualifies what does not agree with the dominant discourse, and renders invisible the domestic and regional actors who play significant parts in reiterating the systems and cycles of looting (Walker and Boyeskie, 2001 p.118). In this way, discourse and knowledge production are intimately related to power; if narrative is organisational, in that facts and experiences must be processed, then true knowledge must be political in its manipulation of the boundaries of inclusion and exclusion (Foucault, 1971; Nordstrom, 1997 p.22). Postcolonialism attempts to mitigate this by favouring contextual truth, with the aim of emancipating the groups that are contained and defined by the dominant discourse. It attempts to create new space for different viewpoints, narratives and ways of knowing to emerge (Parsons and Harding, 2011 p.2). In framing narrative production along cultural and racial lines due to the impact of colonial history, postcolonialism seeks to subvert and reexamine the perpetuated narratives and mythologies that lend legitimacy to colonial constructs of superior-inferior identities, and mask harm (Mills, 2007 p.27; Dunn, 2003 pp.5, 7; Galtung, 1990 p.292). The combination of preserving dominant narrative without self-critique, and seeking to speak for the Other according to simplistic tropes, is seen as being little better than colonial discourse reshaped for the postmodern world (Spivak, 1988). In this way, criminology reifies and naturalises the boundaries and inequalities of colonial rule, which in turn impact the ways in which criminological issues are written about (Kolsky, 2010 p.14).

Nevertheless, no matter how potent and legitimate the ethical, political and historical issues involved are, polemical postcolonial writing that shakes its fist against the trope of the evil Western coloniser must be avoided. It is one thing to recognise the continuation of contexts and constructions in modern societies, but it is quite another to blame all the ills of the post-colonial world on once-colonising nations (Oriola, 2006 p.124). Postcolonialism cannot fall into the trap of condemning everything with a 'colonial' label, nor can it seek to shift blame by labelling any undesirable aspects of society as 'colonial', speciously implying that such characteristics would never have existed if colonisation ha never occurred (Barra, 2016 p.168). It is all too easy to lambast the behaviour of the coloniser

without recognising the roles of the colonised, but in so doing, the simplistic narrative of the strong and terrible Western coloniser oppressing the weak and exploited colonised victim is ironically allowed to be perpetuated through irresponsible grandstanding on the subject (Ravi et al., 2004 p.83). As pointed out by Noor, the colonial project could not have been successful without the contributors of what he terms 'local collaborators', particularly considering that European settlement sizes in Southeast Asia were negligible compared to other settler colonies like the New World (2014, p.58). These collaborators in turn benefitted greatly and identified more with their supposed overlords than their own compatriots, resulting in the creation of a shared symbolic system of cohesive belonging to their elite class[3] (Holmberg, 2009 pp.1-6). This also highlights the importance of avoiding monocontextualism (Sen, 2004). While they may share some similarities, not all experiences of colonialism are exactly the same (Thompson, 2012 p.70), and to assume so conceals the negotiated complexity of colonial reality where shared experiences can be, to borrow the words of Nordstrom, 'both unique and resonating with the human condition' (1997, p.6). In this vein, postcolonialism should be more meaningfully implemented as a nuanced perspective that can reveal the relationships between practices, peoples and objects when it comes to issues in criminology like cultural property trafficking.

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[3] This suggests that some of the colonially influenced world views and ideas that are referred to today actually originate from this created bourgeois identity, which separated itself not only from the local masses, but also from "poor whites" and those of mixed lineage (Ravi et al., 2004 p.84).

Framing Justifications

Considering that illegal behaviour is not a sought-after association for most people and institutions, it seems counterintuitive for market actors to participate in an industry marred by a shadow of criminality. How, then, can actors justify their involvement in the cultural property world despite this association with potentially illicit activity? The answer lies in the historical context of the cultural property trade; not only does it create complexity in the industry, obfuscating the line between licit and illicit, but it also provides opportunities for framing and narration that legitimise the actions of market actors. Contemporary Southeast Asian actors' justifications[4] for participating in the cultural property world echo the narrative of protection, preservation and education that late colonial actors used to legitimise their activities. Potential criminality, then, is offset by this ethically based discourse that draws upon perpetuated and internalised storylines; after all, justifications, defensive or not, cannot be accepted if the premise does not already resonate within that socio-cultural context (Schoultz and Flyghed, 2016 p. 184). As Shavell notes, the 'push and pull of the moral forces' amount to a significant influence on behaviour; as such, it is an important aspect to take into consideration, particularly in an industry so embroiled in discussions of ethics (2002, p.228; A2). Rather than being a simple case of techniques of neutralisation based on calculated reasoning, this chapter argues that the practices and practicalities of cultural property collection in Southeast Asia are derived from a specific and complex history, from which justifications for involvement in the industry emerge.

The Need for Justification

In order to delve into the morals and beliefs that drive market actors' justification for involvement, we must first understand why there is a need for justification at

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[4] Though it can be difficult to extricate justification from motivation, for this thesis, the former is understood as requiring a moral bent to the argument, where it is framed as right, or reasonable (Brodie and Luke, 2006 p.303).

all. For actors, the fundamental concern, and the main pejorative term to contend with, is looting. This is exemplified by D1's statement that he 'shudder[s] at the usage of "looting" in the title because it is so negative and politically charged' for those involved in the cultural property world. While the term has an obvious association with the wartime theft of objects for gain, in the context of colonialism, it has become a primarily moral issue complicated by the wider ambit and structures of colonial power that created links between robbery, dominance and collection (Dalrymple, 2015). In the interviews, participants shared the assumption that looting requires something to be stolen, most often for monetary gain (EC2, C3, A1). However, participants were also quick to describe the practice as unfair, with ethically bound language like 'wrongfully' (A1), 'immorally' (C3) and 'condemn' (D2). AH1 also described looting as the taking of something 'without consent', which implies an insidious removal of objects by an actor with power, regardless of objection or refusal. These loaded associations are directly correlated with the history of colonial looting from subjugated nations and cultures, from the sacking of the Kraton in Yogyakarta, Indonesia to the collecting practices of East India Company employees (Dalrymple, 2015). Rather than being legitimised by the right of the victor to take from the vanquished, the removal of cultural property was couched in the language of superior-inferior binaries (Noor, 2014 p.81). It is an understanding that is amplified in Southeast Asia, where the memory and history of looting as a product of colonial conquest is still felt today, and looting is still connected to the idea of using one's 'position of advantage' (A1) in sourcing cultural property (AH1, EC2, C4). Relatedly, looting also has connotations with destruction, be it of context, where the removal of objects eliminates 'site-specific…understanding' (M1) and information, or of cultural property objects themselves (D2, A1). Considering this staunch disapproval across the board, it is no wonder that market actors feel the need to separate their own activities from illicit associations with looting. The issue, however, is that both colonial and modern looting have created complications for the cultural property world, which have been further exacerbated by the lack of clear legislation.

The root of the problem is that while the transnational movement of cultural property objects may be illegal depending on the circumstance, the actual sale of

those objects tend to technically be legally sound, creating a gaping ambiguous space in assessing criminality (Adler et al., 2009 p.126; Bowman, 2008 p.226). The result is an intertwining of both the licit and illicit trade, creating difficulties in separating the two as the structures of one are used for the other, and vice versa, for a singular market (McNair and Hill, 2008 p.201). Despite their outward and enthusiastic insistence on the contrary, namely that illicit and immoral looting is not related to their own industry, interviewed market actors nevertheless seem markedly aware, and cautious, of the difficulty in extricating the licit from the illicit[5]. A common factor in avoiding overly controversial objects for dealers and auction houses is the filtering out of items that had emerged in the market after 1970 — the date of the UNESCO Convention. Arbitrary as the date is, it marked a significant fundamental change in the behaviour of the market, despite the Convention not explicitly stating 1970 as the cut-off date from when potentially illegal antiquities may emerge (Fincham, 2013 p.215). In any case, the point of this exercise in refusing to deal in these objects is to 'cover' and protect the dealer or auction house from backlash, just in case the item does happen to have been looted in modern times (AH1). In the same vein, items that have been excavated are avoided by some dealers because of the high potential association with looting (D1). This cautiousness was also apparent in the three potential participants who had initially agreed to be interviewed for this thesis, before changing their minds. In one way or another, all three sought to protect and remove themselves from possible association with questionable activities, and in fact, two of them had to turn down the opportunity to participate because the institutions they work at had recently experienced public backlash for cultural property provenance issues. Interestingly, though they were unwilling to speak on the record, all three explicitly stated that they were more than happy to speak with me off the record. This suggests at an interest in contributing to the discourse and moving towards a better understanding and plan of operation for the industry, though it was unfortunately overridden by the fear of being associated with the grey area, and overstepping the boundaries between legality and illegality.

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[5] While this thesis does not dismiss the fact that many existing market actors are complicit in cultural property trafficking, it should be recognised that most actors tend towards preferring to operate within the limits of the law (AH1, D1).

To complicate the matter further, the cultural property market does not only consist of fresh objects that move into the market directly from the source, but also objects that have been in circulation since the late colonial period, or even earlier. The trade in these objects, while ostensibly a separate issue to modern trade and trafficking, actually continue to add to the complexity of the market when they resurface due to the impossibility of gaining a strict a clear and linearly comprehensive provenance (A2, D1). The confusion about legislation and the right way forward for the market is clear from stories told by participants, where assumptions of criminality overlap with what is licit, created issues for objects that fall under the latter category. C3, for instance, spoke about an auction house washing their hands of legitimately bought cultural property objects for fear of suddenly finding themselves on the wrong side of morality. Similarly, D1 told the story of a Dutch colonial family he knew who struggled to sell an antique Balinese wooden statue because they could not provide a customs manifest for the object, nor a person who was present at the time of sale — during the nineteenth century (D1).

Though they may operate together to control behaviour, morality and law can be understood as two separate concepts, and the difficulties in shrinking the space between the two is undeniably apparent in the cultural property world (Shavell, 2002 p.228). Put simply, while law can be understood as a system of regulations that must be codified and enforced, with permissions and proscriptions, morality, or ethics, is more concerned with what society ought and ought not to do, usually in our treatment of each other (Alderman, 2010 p.93). However, both concepts may overlap in regulation, which is optimal when it comes to criminal legislation, where proscribed but potentially gainful behaviour is deemed to also be immoral. Despite this confluence, a gap can, and often does exist between the two, particularly if the legislation demands behaviour that diverts from the direction that morality points in, or if the legislation is as yet unable to provide guidance in a particular situation, but morality can (Shavell, 2002 pp.247-249; Cribb, 2011 p. 32). In the meantime, the lack of clear legislation regarding the cultural property market, and the issues surrounding source and movement, means that regulation of the cultural property trade continues to be understood as a primarily normative

and moral exercise (Polk and Chappell, 2015 p.4; Fincham, 2013 pp.209-211). For instance, in the opening address of the 2001 Protection of Cultural Heritage in Southeast Asia workshop organised by the International Council of Museums, the focus on why the 'illicit trade in cultural property' should be prevented was its status as an 'unethical' activity (ICOM, 2010 p.8). If, then, cultural property trafficking issues are framed in terms of morals and ethics, and debates on regulation between interest groups routinely occur on moral grounds with one group claiming superiority over another, then it stands to reason that market actors will also rely on moral justifications to legitimise the cultural property world (Bauer, 2007 p.690).

Inherited Colonial Rhetorics

The moral justifications of market actors rely upon overarching narratives about perceived moral purpose that offset the negative associations of the cultural property trade. Though these narratives are deeply ingrained and internalised today, they are rooted in the rhetorics used in past justifications for removing cultural property from source countries (Mackenzie, 2007 p.114). Consider the familiar theme of safekeeping and preserving cultural property for posterity, for instance, which features heavily in interviews with participants (Gruber, 2013 p. 342). As D1 articulated, the main moral priority, the goal, is to 'protect and preserve the art'. It may seem foolish to question the narrative of custodianship, and subsequently access and education, when these principles are so deeply entrenched that they even recur in the language of those who vilify the trade (Meskell, 2002 p.564; ICOM, 2010 p.13). However, it must be recognised that the use of this narrative as a justification for collection is historically bound, and is couched in language and reasoning that resonates and is recognisable according to the inherited values of the market (Brodie and Luke, 2006 p.317). The issue, however, is that the rhetoric of protection is shaped by a historical master narrative that relies upon the colonial constructs and binaries that allowed one culture to claim superiority over another (Schoultz and Flyghed, 2016 p.193; Hatt and Klonk, 2006 pp.230-231). In this way, the legitimising narrative relies upon

the colonial language-game and frames societal norms and expectations in such a way that institutionalised harms like racism or elitism in cultural property protection are felt to be, if not right, then 'not wrong' (Noor, 2014 p.195; Galtung, 1990 p.291). Thus, the colonial cultural violence of the past, with the entitlement to act according to purportedly legitimate values, continues to be repeated in the present.

In this way, the cultural humanitarianism that market actors frame their activities as being can be understood as a modern transmutation of the white man's burden trope, where colonisers depicted themselves, amongst other things, as benevolent protectors of local heritage (McEvilley, 2003 p.398; Noor, 2014 p.81). In the history of collection, the shift from the Cabinet of Curiosities concept, where exotica from far-flung lands were showcased to shock and amaze, to the gentlemanly pursuit of focused collection and curation evolved slowly during the late colonial era (Andaya, 1997 pp.394-395; Mackenzie and Yates, 2015 p.5). Objects taken from far-flung corners of the empire would make their way to the private homes of settled colonial elites, and more often than not, those same objects would eventually travel to the museums and homes of the colonising motherland. Justifications of this sometimes violent extraction of cultural property were framed according to the dual ideas that not only is cultural property, especially of the Other, worth appreciating on their own merit as expressions of art and culture, but the native population were unable or unwilling to properly protect and value their artisanal achievements, and that of their predecessors (Noor, 2014 p.81; Mackenzie and Yates, 2015 p.12). This was in turn reliant upon the ideology of the moral obligation of the superior white race, who had completed the linear progression towards modernity, to guide and encourage the inferior other races towards further development and civilisation in terms of ideas and infrastructures (Andaya, 1997 p.393; Dalrymple, 2015). In this way, colonial officials like Sir Stamford Raffles, credited with the founding of Singapore amongst other things, was able to frame himself as the protector-preserver of Java's cultural patrimony with the implicit suggestion that without him and others of his ilk, old Javanese temples and other examples of cultural property would be lost and fall into ruin (Noor, 2014 p.81).

While the highly racialised roots of this colonial narrative are not as applicable to the context of modern collecting in Southeast Asia, a similar sentiment of safekeeping on behalf of the imagined Other continues to be reified. This is evident in the interviews, where participants generally agree that the role of custodian can only be played by those with the capability to safeguard those objects — namely, the public and private institutions and individuals who understand that these objects are 'treasures' to be 'looked after' (EC1). This can be seen as an extension of colonial influence in ideology, where those who collect and curate according to the civilised Western tradition in Southeast Asia are the appropriate inheritors of the mandate to protect and preserve (Holmberg, 2009 p. 9). To put this in context, out of all the interview participants, the only participant to whole-heartedly argue that cultural property should unquestionably stay wherever the object is from, or was found, was A1. Some participants argue that museums are the safest places for cultural property, where they will be secure and well-maintained (AH1, C1, C4, EC1, EC2). Admittedly, the collectors who support this idea also include the private lending or donation of objects to museums under this viewpoint, but nevertheless, proponents of this approach share an enthusiasm for the notion that cultural property should be in 'the public domain…to be appreciated' and learnt from (C4). At the same time, participants like D1, D2 and, interestingly, M1 suggest that in some cases, cultural property objects might be 'better left in private collectors' hands' (M1). What these rhetorics reveal is the repeated trope that source communities cannot be entrusted with their own cultural property, lest they are, as participants condescendingly suggested, stolen once again (EC1), destroyed in wartime (D2) or simply left to rot 'in some roundabout polluted by traffic' (C4).

Another significant justification for the legitimacy of the market, particularly for private collectors and dealers, is the appreciation and reverence such actors have for the cultural property objects they encounter and own. The division between what is justified, then, and what is not, lies in the framing of purported intent: those who acquired cultural property out of, simply put, love, are justified in their actions, while those who acquire for monetary gain are not. Arguably, this

distinction is informed by Enlightenment values, where artistic appreciation was framed as a moral quality (Brodie and Luke, 2006 p.304). Along those lines, a 'proper collector', or 'true collector', is one that does not buy cultural property as an investment, or to sell in the future (AH1), but is instead deeply, personally invested in the objects (EC2). C3, for instance, refers to his collection as a 'family', suggesting that these objects not only belong together in his collection, but also that they should not and cannot be separated and sold. In fact, he recounted the one singular instance of having sold an item from his collection, and his regret at having made that 'mistake' was so great that he immediately bought the item back. Similarly, C1 and C2 spoke about the 'big regret' of their only sale in the last 30 years of collection, due to the fact that they 'will never get [the object] back again'. These examples demonstrate what C2 calls the 'fanatic' quality of a legitimate collector — 'you need to be', she explains, to spend money on something that you cannot use and you will not sell, just for the richness of being able to interact with that object on a personal level, and ensure its safety. This notion relates back to the idea of preservation — in this framing, collectors become the saviours of objects deserving of care and reverence, and in so doing, collectors devotedly contribute to the cause of protecting humanity's past (D1; Mackenzie and Yates, 2015 pp.8-9). Here, private indulgences, though framed as moral behaviour, have very real public benefits (Brinkman, 2006 p.64).

Justifications For A Post-Colonial Southeast Asia

While market actors continue to rely upon and reify familiar tropes and narratives of past colonial justification, the interviews also show that actors rely upon justifications for collection, both moral and practical, that take into consideration the post-colonial contexts of Southeast Asia. This embodies the continued struggle in the region with tensions in an identity that is both influenced by, yet seeks to move beyond, colonialism (Parsons and Harding, 2011 p.2). In terms of moral justification, the retrospective narrative of colonial exploitation is key, as is the established understanding that the people of each source location have a right to their own cultural patrimony (ICOM, 2010 p.3). With this combination of

narratives, market actors can invoke the justification of reclaiming objects from external markets as part of the post-colonial agenda, thus 'righting the wrong' (A1). Here, market actors are able to stimulate sympathy by manipulating and capitalising on the trope of the colonised victim for their own personal benefit, thus engaging in a heritisation of cultural property (Dignan, 2004 p.35; Yates et al., 2017 p.248). This mode of justification is particularly relevant considering that the secondary market in cultural property is much stronger in terms of quality and quantity than the primary market; for the latter, as D1 says, 'there's very little around' in terms of good examples of cultural property.

Related to the justification of reclaiming cultural property is the narrative of Southeast Asia as a cohesive region of 'next-door neighbours' (D2) with a shared heritage (ASEAN, 2000 p.2). Though the notion of Southeast Asia is a constructed narrative in itself, partially due to the literal colonial creation of entirely new countries, the emphasis on internal solidarity and closeness in identity suggests that the aim of bringing cultural property back home can legitimately include the entire region (Noor, 2014 p.17; Hensengarth, 2011 pp.57-59l; M1). While there are certainly actors invest in the idea of wanting to 'bring things back to Southeast Asia', like C4, who does in fact donate large sections of his collection to the relevant national and public institutions, the narrative of justified reclamation is actually easily manipulated by opportunistic actors who collect selfishly. As C4 notes, one can only claim that cultural property has been 'reclaimed if, in a sense, it's returned' to the community; if the object in question 'ends up in your living room', particularly that room is in a different country to the object's origins, then the justifying narrative used rings hollow. Ironically, this practice only serves to confirm the status of cultural property as a commodity to be bought and sold, undermining the rhetoric of return. However, it is possible for a collector to both return a cultural property object to the place of origin and still own it personally, as in the case of a Peranakan collector in Singapore who wanted to reclaim an object that was 'part of their history' (M1).

Moral justifications aside, one example of a practical justification is rooted in the understanding that the Western-oriented notion of cultural property protection

and preservation is not, and implicitly does not have to be, a primary concern for all, especially not source communities themselves. As Meskell points out, the uncritical belief that cultural heritage is fundamentally worth preserving and safekeeping is, in a way, born from 'the luxury of affluence' that many, particularly in this region, do not have. Consequently, as she puts it, 'preservation privileges the construct of historical respect rather than the needs of the present' (2002, pp. 558, 571). In this vein, the most recurrent reference was to the practicality and prioritisation of economy that permeates post-colonial Southeast Asia, resulting in a mindset where art is often perceived to be 'a "good to have", but not "necessary"' (AH1). For individuals at the source, this understanding of cultural property coupled with the newfound economic value of these objects results in a situation where local or personal needs can supersede the desire to have their cultural property in close proximity for use or for symbolism (Adams, 2008 p.76; Bauer, 2007 p.713).

Cultural property, then, can represent a way of gaining necessities like food, medicine, education and security. Several participants referenced stories of people selling cultural property in order to pay for other priorities: D2, for instance, spoke about the sale of 'one old Buddha' in Thailand, where the profits went towards repairing the local temple's leaking roof. D1, too, joked that he had become something of a 'social non-profit organisation', where people who know him and his profession routinely offer him cultural property objects in exchange for money to go towards 'an electric bill, or…their children's schooling'. Similarly, M1 commented on the practice of melting down old gold ornaments in certain areas of Indonesia, where the monetary value of the new gold object to be made overrides the cultural significance of the old. Despite some discussions, like the last example, being tinged with disapproval due to the irreversible loss of cultural property, the common understanding is that those at the source have the agency to decide how their cultural property is distributed, and practical priorities may take precedence over idealistic values. Here, too, there was a recognition that for some, the prioritisation of basic needs is far more necessary and immediate a concern than loftier goals of cultural property preservation (Meskell, 2002 p.563). In a sense, the market 'does a service' (C4) in providing individuals and communities

with the opportunity to capitalise on the value of cultural property objects, and consequently, market actors are justified in buying, selling and collecting those objects.

Related to this notion of providing a service is D2's insistence that the sales of certain types of religious objects are justified. She argued that a 'Buddha with the hand broken, or something broken' was best sold on to collectors or institutions that would 'put [it] in air con…clean…[and] preserve it'. Her reasoning was that not only did the people Burma leave the Buddha 'lying on [sic] the corridor of the temple', but they 'wouldn't worship any more'. This refers to the notion, similarly shared across other religions like Catholicism, that once a religious statue or figure is broken it can no longer hold religious meaning as an object of worship. In that state, it is a liminal object, at once not-sacred and not-ordinary by virtue of its past meaning (Ravi, 2004 p.137; Kendall et al., 2013 p.72). Thus, by selling on the broken Buddha, D2 is giving the people invested in the temple an opportunity to dispose of an object for money to fund their community, while also providing the promise that it will be bought by a collector or institution that will treasure it. If preservation and scholarship about the object itself is indeed the fundamental driving factor for protecting cultural property, as Coggins attests, then as long as all information about the object is recorded, including its movements and contexts, it makes little difference where the object is situated as long as it is cared for (1995, pp.73-74, 76).

Social Relationships and Cultural Capital

Collection in the Western tradition is a relatively new popular phenomenon in Southeast Asia (C2, AH1, D1; Yates et al., 2017 p.247), and this chapter argues that this rise in popularity over the last few decades is driven by social motivations, particularly in the context of the rise of the affluent middle class in Southeast Asia (Byrne, 2016 p.346). The cultural property world is, fundamentally, a social one, and requires social norms and etiquette to function. It is comprised of a web of social networks that operate according to established values and rules of etiquette, and in Southeast Asia, this is only strengthened by the cultural necessity of cultivating close business relationships (Coles, 2001 p.581). Though the interests and agendas of individuals in this world may diverge, they are nevertheless brought together by their interest in cultural property objects. However, this world is deeply insular and reliant on building and maintaining relationships; though archaeologists, for instance, should theoretically be a part of the same social group due to their fascination with cultural property, they have a tendency to publicly reject the legitimacy of the trade — and have consequently been shut out (Brodie and Luke, 2006 pp.315-317). Not only should the structure of the cultural property world be understood, but its relationship to identity formation and projection through cultural capital should be examined, as the social advantages of being a part of the cultural property world is a major motivation for involvement in the market. Ultimately, if the impetus for collection can be understood, then future regulation on the market is more likely to be followed by actors who understand and recognise the logic behind them.

The Nature of the Cultural Property World

The extraordinarily social nature of the small but highly connected cultural property world, with its deep reliance on relationships and trust, must be understood in order to comprehend its structure and workings. To highlight the interconnectedness of these social networks, participants would sometimes happen to reference each other during the course of the interviews — despite having no

knowledge of who the other participants were, or thus who would be relevant to me. Arguably, no other industry is as reliant on social networks; the relationships and reputations that one has can impact all aspects of the business, including the types of objects that actors might be exposed to in the first place. AH1, for instance, spoke about his dealings with dealers, and how he required that those dealers had 'gained enough reputation [sic]' by 'being able to sell' to highly regarded museums and auction houses, partially because of the difficulties of provenance verification. Conversely, AH1 also pointed out that the dealers he knew would only share their best pieces with auction specialists, museum curators and collectors that he knew personally or by reputation. In the context of Southeast Asia, the facilitation of business through social relationships is even more pronounced due to the cultural importance placed on fostering a network of support and cooperation between parties who have done, are doing or will do business with each other. Collectors, for instance, will continue to maintain connections with the gallery owners, dealers and auction house specialists that they have bought something from before, even if they have not acquired anything from them in recent years or if they had only bought something once (C2). A good relationship is, after all, built on trust (D2), and there is an inclination in the market towards relying only on 'known contacts' for purchases (AH1). Trust in one's business contacts can even extend to 'reliance…by [sic] the words of the galleries themselves [sic]' when it came to verifying the legitimacy of purchases (AH1); perhaps, then, the importance of trust is partially born from necessity due to the legal issues that the culture property world faces.

An important dimension of the cultural property world is the common conflation of business and personal social lives, which results in even stronger bonds between market actors. C4, for example, spoke at length about the friendships he currently enjoys with people who were, initially, merely dealers he had met in pursuit of potential acquisitions. The nature of the industry as a 'way rather than an aspect of life', and the proliferation of social events that underpin its business like gala dinners, exhibition openings and symposiums, naturally create a blurring of relationship boundaries (Pearce, 1994 p.210). In this way, friendships can and do frequently bloom out of business relationships (D2). C3 corroborates this point in

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his statement that there 'is a social circle' that market actors in Southeast Asia are generally a part of, although he also admits that not every market actor is a part of that circle. While a friendship based on the arbitrary mutual attendance of events may be superficial, there is also a precedent for market actors to develop these initial personal relationships through informal social engagements (D1). As exemplified by D2's declaration that many of her buyers are '[her] close friend now [sic]', deep personal relationships may be forged between market actors even beyond the limits of the business relationship — in D2's case, she continues to visit and stay with these friends all around the world, despite having already retired as a dealer. A social world as highly interconnected as this one, and the public arenas through which impression management can occur, provide actors with the opportunity to project and frame the self through involvement in the industry.

Identity Formation: Associations With The Cultural Property World

In Southeast Asia, as with elsewhere, the cultural property world is perceived to be the playground of 'wealthy, high-society people', and is associated with the prestige, glamour and privilege of a certain lifestyle (Alderman, 2014 p.1). Looking at the types of people who are involved in the industry, this perception is no surprise. D2 alone cites her buyers as including 'movie stars' to CEOs of major companies, and from ambassadors to the then-president of a Southeast Asian country. Moreover, the events that market actors may attend, such as gala dinners or exclusive exhibition openings, perpetuate the perception of high society. An affiliation with the arts, already perceived as the domain of the elite, suggests sophistication, intellectualism and cultivation (D1), while the steep prices that accompany good examples of cultural property act as a natural cull for those who cannot afford to spend that money (C4). With these associations and perceptions, inclusion in the cultural property world is desirable, and is attainable only through ownership, whether permanent in the case of collectors or temporary in the case of dealers, of cultural property (Mackenzie, 2011 p.139; D2). However, it is not enough to simply own cultural property; there must be a public imitation of the behaviours and associations of the elite according to the socially- and culturally

constructed system of values that have been integrated into the cultural property world. What this means is that ownership cannot be understood as the ultimate end that collectors seek; instead, it must be understood as the means to an entirely different end — in this case, social advancement (Brodie and Luke, 2006 p.305).

Because cultural property objects are the defining and shared interest in the cultural property world, those who wish to be included in that world and its associations are able to gain access to that collective identity through the performance of ownership and interaction with those objects. What the cultural property world represents is an opportunity for social advancement, particularly considering the industry's associations with prestige, status and class (D2; Byrne, 2016 p.346). This is especially relevant in the modern context of Southeast Asia, considering the exponential growth of the middle class and of self-made high net worth individuals. This class, the nouveau riche, surfaced out of the post-colonial economic boom in the region (D2). Like the colonial capitalists of the late colonial period, they built their fortunes overnight with the support of state patronage during a time when the world view in their region had shifted to an interest in commerce and profit (Ravi, 2004 p.91). As a result of their newfound wealth, they seek to adopt the behaviours and patina of respectability that were the domain of the old elite (Noor, 2014 p.30; Byrne, 1999 p.148; Holmberg, 2009 p.9). In doing so, they endeavoured to veil the mercantile and sometimes dubious nature of their wealth accumulation, and break away from the associated vulgarity of new money (Dalrymple, 2015).

The parallels between the new middle- and upper-middle class in Southeast Asia and the colonial capitalists of the nineteenth century are clear, and it is this context that sets the precedent for the former to seek a vain identification with high society values like class and respectability, thus becoming a kind of petite bourgeoisie[6] (Hensengarth, 2011 p.60). The aim, then, is the conversion of economic capital into a form of cultural capital (Bourdieu, 1986); as C1 put it,

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[6] This thesis is not claiming that all market actors in the cultural property world are motivated by this promise of outward prestige and respectability, but it must be recognised that this represents a significant draw for many of the new middle class.

once 'you got money [sic]…you have to build the class [sic]' in order to show that the substance of one's identity is more than just financial profit (Byrne, 1999 p. 149). Though the monetary value of cultural property objects is a consideration, most market actors do not solely buy cultural property as 'trade item[s]' for investment (EC2). If the ultimate aim acquisition of capital, then there are other and perhaps simpler methods of achieving this; as C4 argues, 'just open up a palm oil plantation. You'll get cash into your bank account.' The main aim, then, can be understood as an acquiring of 'prestige and patina' through accumulation of culture, as well as the sense of group position that comes with sharing similar forms of cultural capital with the elites of the cultural property world (C4; Bourdieu, 1986 p.51). This movement from deculturalisation in favour of economic progression and modernity to a kind of reculturalisation in recent years has manifested in collection being 'in fashion' (C1), so to speak, due to its popularity amongst those with or aspiring towards a certain middle-class sensibility. Due to this, a general movement of objects has been noted, particularly of 'big-ticket items' moving from the West to the East (AH1; Dalrymple, 2015). Though the number of people involved in the industry is still relatively small in terms of percentage of the population, the fact remains that many of them are able, if they were so inclined, to purchase 'a lot…[f]or entire house', even despite the high price tags many cultural property objects carry (D2).

Through the public social arenas of the cultural property world, those who literally buy membership into the metaphorical club are able to perform and reify the identities they seek to project. While cultural property collections are already 'signs of education…sophistication, and a display of wealth' (D1), there is also the need to display these associations through the social sphere of the cultural property world. This notion is magnified in Southeast Asia, where there is a societal necessity of maintaining 'face', or outward projections of respectability and reputation. The most significant expression of public identity as an elite is the lending or donating of cultural property to institutions like museums (C1; Alder and Polk, 2007 p.351). Granted, this exercise in projected altruism may mask practical incentives like tax breaks (EC2). Also, it is common practice to lend objects with the ulterior motive of establishing or 'creating provenance — good

provenance' (AH1). As M1 states, if a collector can 'secure [their] collection in a museum' for a certain period of time, the legitimacy of that object increases, which in turn can increase its value. However, it is important to remember that it is common industry practice to display the name of the lender or donator alongside the exhibited object. What this does is confirm the collector's participation in the 'refined lifestyle' of the culture property world in a public forum (C1), while also validating the taste and knowledge of collectors in acquiring objects with aesthetic and cultural value (D2). Similarly, consider C4's example of a Malaysian collector he knows who, like other market actors, has been featured in luxury society magazines like Tatler and Prestige, where the glossy photographs of his tastefully decorated home prominently features antiquities from around the region. Both M1 and C3, too, spoke of collectors they know who 'adorn all these cultural artefacts as part of their jewellery [sic]' (M1) when attending functions and events, again visually drawing connections between themselves and the patina of culture and opulence lent by the ownership of cultural property. The key in understanding the socially motivated appeal of collection, then, is in examining the meanings and values assigned to types of cultural property objects, and how those values reflect on their owners.

Identity Formation: Associations With The Cultural Property Object

What the interviews reveal is an inherited belief, seemingly genuinely held, that antiquities are the bearers of cultural capital; thus, ownership of these items symbolically confer valued characteristics on actors, and serve to confirm their projected identities (Kaneff and King, 2004 p.15). Though alternative and indigenous modes of cultural property collection and curation do exist in Southeast Asia, the hegemony of the Western model of collection is apparent here through the reproduction and rehashing of borrowed scripts and tropes that mirror the value systems of the colonial upper class (Meskell, 2002 p.564; Kreps, 2005 p.4). The role that cultural capital plays in cultural property collection is generally framed according to European Enlightenment ideals of connoisseurship and taste, and the prestige and pedigree associated with those prerogatives (Fyfe,

2004 p.49; Holmberg, 2009 p.30). However, Bourdieu's idea of the 'hereditary transmission of cultural capital' coupled with the Southeast Asian context of the newly-emerging middle class introduces a new element into this narrative, where cultural property can determine a historically grounded identity and give the illusion of class transmitted through generations (1986 p.48).

A collection of cultural property objects that are examples of good taste not only confer class and respectability upon the collector, but also serve as physical embodiments of the latter's projected status as both cultured and educated. The key here is that according to the shared knowledge of participants, the mark of a 'genuine collector' or other market actor (C2) is their 'studiousness' (D1) and 'passion' (D2) for the objects they collect. Thus, legitimate market actors must be 'educated' (EC1), and must be driven to 'do [their] homework' on the cultural property they take an interest in (C1). In this way, they will be able to recognise and appreciate what is of aesthetic and cultural value (C4), proving their integration with the other elites who share the same values and taste (Holmberg, 2009 p.9). The notion of taste and artistic appreciation as a measure of good breeding has its foundations in eighteenth-century Europe (Brodie and Luke, 2006 p.34; Shiner, 2001 pp.131-139). While this is not an idea unique to the West, the particular combination of taste, deep appreciation of art and historical accuracy can be said to inform modern understandings of what true cultural property collection should look like (Mackenzie, 2011 p.140). Taste, however, is not something intrinsic to a person but is instead dependent upon and developed within the culture of the time (Bourdieu, 1984 p.231). Considering that collection is an inherently constructed activity, where objects are valued and grouped according to external subjectivity, those who are able to compose collections of objects of a good quality, strong historical relevance and high aesthetic standard indirectly indicate their intellectualism and appropriate knowledge, which in turn confirms elite social status (Pearce, 1994 p.157; Shiner, 2001 p.139). Though the lack of education and appreciation in matters of cultural property are framed by interviewees as being deplorable and 'terrible' (C1), the illusion of class and prestige can still be bought. This is often done by members of the newly moneyed middle class who can afford to turn economic capital into a sort of mimicked

cultural capital, where the embodied cultural capital cannot be not transferred through physical ownership (Bourdieu, 1986 p.50). C4, for example, has been approached multiple times by would-be collectors with blank cheques, all asking him to sell his entire batik collection or antique book and manuscript collection — solely because they 'want it in [their] living room' for the 'nice' aesthetic.

Continuing with the theme of nouveau riche ambitions when collecting cultural property, it is important to examine the mythology of origins created by Southeast Asian market actors who seek to anchor their claims to prestige and class in the cultural property they collect. As previously discussed, the new generation of Southeast Asian middle class emerged out of the region's post-colonial economic boom. As recounted by many of the participants, that period was characterised by an intense focus on modernisation and economy, and a deprioritisation of culture and tradition. For example, C4 told stories about the price of now sought-after krises from Malaysia and Indonesia from the 1960s to the 1980s, where in the post-colonial period of frantic modernisation people 'saw no value' in their heritage. At that time, it was possible to buy 'a whole suitcase of krises for $40, because…people wanted Rolex watches' and other trappings of modernity instead (C4). Similarly, D1 spoke about his experience in the provisional villages of Sumba, Indonesia, where he saw the replacement of old sites with 'tacky, ugly, horrible' new buildings that were backed by the government in a bid to move away from the perceived 'old-fashioned…and primitive' nature of traditional architecture.

For the middle class who built their fortunes during that period and emerged, unanchored in history, the collection of antique cultural property with a patina of historicity provides an avenue for side-stepping the vulgarity of new wealth, simultaneously legitimising their projected gentility and erasing their origins (C4; Byrne, 1999 p.149). One way that this preoccupation with historical grounding manifests itself is in the collection of cultural property to showcase an appreciation for and pride in the triumphs of one's cultural forefathers. To this end, an Indonesian collector might focus on acquiring the best examples of Islamic gold (M1), or a Peranakan Singaporean might collect nineteenth- and

twentieth-century Peranakan furniture and artefacts (EC1). In this way, collectors can claim a form of connection to the past through a tangible object, thus applying some of that historical patina to themselves (C4; Yates, 2015 pp.74-75). However, some actors are more concerned about personal anchoring, where bought cultural property like a nineteenth-century Cirebon batik from Indonesia might be framed as an heirloom (C4). In this way, the historical connection of the cultural property object suggests that the projected elements of class and respectability have always been present and have been passed down through the generations.

The social motivations outlined in this chapter by no means encompass the entire spectrum of motivations that market actors might have for collecting and dealing in cultural property. However, the nature of this significant impetus for involvement as well as the tightly knit social networks of the cultural property world have one thing in common — they revolve around society and the relationships and reputations gained and lost within social worlds. This consideration of structures and motivations should be taken into account and utilised for future regulatory tactics that move beyond traditional legislation.

Authenticity of the Object

An examination of the motivations and justifications for collection are particularly useful in order to formulate an understanding of the cultural property market. However, it is also necessary to understand the concept of authenticity. This is the fixative that connects actors' justifications and motivations back to the object, inherently linking collecting and dealing to the very activities that anti-trafficking regulations attempt to address. It is a recurring factor in participant interviews, and is an integral part of the narratives that drive the market. This chapter seeks to explore the notion of authenticity in the context of cultural property, and the ways in which understandings of the authentic influence the types of objects that are sought on the market. Here, unlike in, for instance, the fashion industry, authenticity does not simply denote that an object has been created by the label it claims to be from. Instead, actors' understandings of what it means for an object to be authentic is socially constructed from assumptions about culture, and this understanding in turn has repercussions for the object's value as an example of art as well as culture[7] (Brodie and Mackenzie, 2014 p.422). In essence, authenticity relies upon preconceived understandings of what objects are worthy of appreciation and collection, and understanding the relevance of this concept in the cultural property market can only help improve the legislation that ultimately works towards the protection of cultural property objects (Brodie and Luke, 2006 p.312).

The Concept of Authenticity

In order to understand the ways in which authenticity affects the value of cultural property objects for market actors, we must first examine the concept of the authentic. Particularly in the context of the cultural property world, the property of authenticity has traditionally been defined as being a pure expression, or

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[7] While it is also true that authenticity can be crucial in determining the monetary value of a cultural property object, that consideration will be taken as a given and not be discussed here (Yates, 2015 pp.73-74).

unmediated representation, of a culture's individual essence (Handler, 1986 p.4). However, the reality is that authenticity is not a fixed value, and assuming so obscures its synthetic, socially constructed nature, in turn undermining the impact that this has in framing the narrative of cultures and their histories (Geurds and van Broekhoven, 2013 pp.39-40). As Bauer notes, all viewpoints must rely on assumptions of what an authentic cultural property is, in nature (2007 p.700). What criteria, then, would constitute authenticity in an object? While objectively rooted criteria do exist, such as being hand made, the key criteria to examine is subjective, where certain qualities are imagined and valorised (Appadurai, 1988 p. 221-222; Grazian, 2010 p.192). Indigenous authenticity, for instance, might be the ideal, where the most authentic items are the oldest, most ancient, most indigenous examples of cultural property from that particular culture's deepest traditional history (Ahmad, 2000 p.296). In Southeast Asia, this framing can be applied to the megaliths of Sulawesi, Indonesia, or the sandstone Cham sculptures of what is now southern Vietnam (A1). Another option for classification would designate objects from the relevant culture's Golden Age as most authentic, thus subjectively prioritising temporal periods based on preferred artistic and cultural characteristics. The reverence displayed in the market for cultural property dating from the Majapahit empire, widely regarded as the cultural apex of Java, is an excellent example (D1, EC1). It also, however, exemplifies the controversy in such a construction of authenticity, particularly in a region that has been as susceptible and open to change as Southeast Asia (Andaya, 1997 p.393). In this case, while Majapahit antiquities are upheld as authentic examples of Javanese culture, the Hindu-Buddhist foundations of the former are at odds with the contemporary reality of Java's Muslim majority. While the contemporary authenticity of an object is another potential criterion for describing authenticity, truly contemporary pieces do not seem to hold much interest for market actors, perhaps because of the expectation that authentic cultural property must be antique, and thus more than a century old (C4; EC1; Geurds and van Broekhoven, 2013 p.74). What this discussion shows is the ironically mythical and fabricated nature of authenticity, where purportedly authentic cultural property that fits set temporal standards and styles does not necessarily align with the modern iteration of the culture it supposedly represents. It is a concept created about the past in the present, rather

than an intrinsic quality that is imbued at the moment of creation (Geurds and van Broekhoven, 2013 p.54).

Authenticity is an integral part of the narratives that drive cultural property collection; without this concept, the visual beauty and appeal of a replica as a representative of cultural property would be enough for market actors (A1). Considering the hegemony of Western traditions of museology and collection, it is no wonder that the authenticity of cultural property objects is most often discussed according to a perspective that has its roots in white, colonially influenced understandings of other 'primitive' cultures (Kreps, 2005 p.4; Errington, 1998 p. 170). The nineteenth century in particular saw an opportunity for the Occidental to redefine themselves according to these distinctions, justified by the coming together of science, technology and military might in Europe at the time (Noor, 2014 p.61). Historically, understandings of authenticity in other cultures was bound in the us-and-them negative identities of Orientalism, where Western civilisation is framed as one of familiar, civilised modernity marked by a progression of change through history, while the reverse was true of the native Other. In this way, the synthetic framing of authenticity in non-Western cultures relied upon an underlying internalisation of the Other as exotic, barbarous and timeless in its inability to achieve progress (Nochlin, 1991 pp.35-36). An authentic object, then, is a physical representation of the artificial 'ethnographic present' of a culture, meaning the ageless cultural essence of a society (Antliff and Leighton, 1996 p.170). It must have been used in the culture and have some kind of exotic cultural significance, and signs of that usage should preferably be discernible in the state of the object (Sharfstein, 2009 p.101). It is also considered to be an expression of art in the cultural property world, to be analysed according to Western standards of aesthetics and beauty (Errington, 1994 pp.215-218). This combination of factors are the identifiers for authenticity in cultural property, which make them worthy of appreciation.

Authenticity In The Region

However pervasive this conception of authenticity is, however, there is a sense that it has evolved in the context of Southeast Asia to better match the world views of the market. When asked explicitly what market actors, in his experience, seek in the objects they collect, EC1 was quick to outline the following: 'it should be old, it should have been used in the culture itself, and it would be what they consider to be a beautiful example'. While this clearly parallels the generically Western-influenced conception of authenticity, the very fact that the Southeast Asian market actors discussed in this thesis are regional collectors of regional objects necessarily alters the type of authenticity sought. For example, rather than focusing on the exoticism of an artefact, the primary preoccupation for market actors in gauging authenticity is the age of the object (C4). As AH1 points out, because of the nature of cultural property creation in Southeast Asia, the identity of the artist or maker as an individual as a marker of time period is 'not a practice in the communities', and the methods of artistic creation are, again, not an adequate indicator of temporal origins due to the often continued creation of similarly styled objects. In order to placate the worries of potential buyers, AH1 would commonly 'use carbon dating just to give the ease of mind of the purchaser [sic]'. Most weighty, however, would be the provenance, where the pedigree of the previous owner or owners would be used as a guarantee that the cultural property object in question was the right and authentic age. Not only that, but items from old collections that existed before the boom in cultural property collection, and the subsequent rise in prices, are less likely to have been forged than newly emerged items (Geurds and van Broekhoven, 2013 p.41).

On the other hand, rather than accepting all examples of appropriately-aged and purportedly significant cultural property as being legitimately authentic, there seems to be a wariness of objects that do not agree with local historical knowledge. One example would be C3's misgivings about the 'discovery of the history of Fort Canning' in Singapore, where buried ceramic artefacts were discovered by a leading local archaeologist. In fact, both he and C1 expressed concern that not only was the assigned ancient historical relevance of the artefacts questionable, but

the artefacts found were also 'broken bits and pieces' (C3) and 'not complete' in form (C1). What this reveals is that market actors require collected cultural property objects to be something whole, in some sense, in order to be treasured and displayed — perhaps because in these cases, the value of the object in terms of culture as well as money is lost (D2; Geurds and van Broekhoven, 2013 p.74).

While the discussed Western-inherited conception of authenticity in the region is dominant, participants also recognised that that understanding of authenticity is by no means shared by all market actors. The prevailing contestant to the dominant concept is classified as an Asian iteration of collection[8]. Rather than the central concern being age and history of the object, cultural property collection according to this understanding of authenticity focuses on connoisseurship and continuation of traditional artistic form. In this way, for those who create and buy them, modern iterations of antique cultural property pieces like Sumbanese gold mamuli are not inauthentic or fake, even if they copy old designs. Essentially, there is no precondition of age; an example of cultural property may be both authentic and recently created (Geurds and van Broekhoven, 2013 p.97). EC1 gave the example of a Singaporean collector friend who has a large collection of ceramics, most of them Chinese teapots. However, as EC1 puts it, 'he's not buying antiques…he's not so much interested in their age; he's interested in how good they are'. Similarly, C2 noted that some of the Peranakan collectors she knows prefer to buy new Peranakan furniture that is created in the same style, and with the same materials, as the antique versions, thus prioritising stylistic quality over preservation of age. D2 also pointed out that in Southeast Asia, the instinct for restoration, particularly of architecture, results in what he thinks are 'prettified parodies of the old tradition'. However, what someone who has internalised the Asian-influenced idea of authenticity would see it as a perfectly legitimate reiteration of the same forms and culture — a notion that is supported by the fact that restoration in the Western sense of preserving the old is uncommon in Asia, where the recycling of materials to create new versions is a conventional practice

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[8] This is not to say that the appreciation of antiquities is not compatible with Asian traditions of collection, or that this mode of collecting can only have been learned from elsewhere; for instance, the Chinese have long had an avid interest in antiquity (Alder and Polk, 2007 p.356).

(Ravi, 2004 p.137). This recognition of other typifications of authenticity implies a self-consciousness about the notion of authenticity as a selective truth and an accepted illusion, and reveals the notion that authenticity is a 'cultural choice' (Appadurai, 1988 p.223).

The Place of the Object

What, then, is the place of the object in all of this? The value of authenticity, and its required construction, has the function of placing the object in the narratives told by market actors. In this way, cultural property objects serve as tokens or props in a storyline, where their authenticity determines what can and cannot be included in a collection, and what narratives can be engaged in through ownership of the object (Byrne, 1999 p.145). After all, the cultural property object is central to our understandings of the past, one way or another (Brodie and Luke, 2006 p.316). Justifications and motivations aside, authenticity of object is key in the creation of good stories to sell, and without it, the object becomes value-less and loses its meaning (D2; Yates, 2015 p.72). C3, for instance, spoke at great length about the stories behind a few of his favourite pieces, not only in terms of the history behind them but also the story of acquisition. In one tale, he spoke about his hunt through a Bornean marketplace that resulted in his seeing some 'really decayed, tremendous' masks that he bought because they 'looked to have a certain historical value'. For him, part of the appeal of collecting, and the value of an object, lies in the tales that can be told about it. Similarly, EC2 recounted the story of an battered antique rosewood cabinet that he bought, where the 'real value', and the thing that was 'really beautiful to [him]', was the imagined tale he had constructed about 'some little girl [who] went off to marry into a horrible, wicked mother-in-law's house with [the cabinet] carried by some coolies behind her'. These examples show that market actors habitually engage in the reconstruction of social context to fit their narrative needs, especially when there is a paucity of information about the object (Appadurai, 1988 p.199). For dealers, too, there is great importance in being able to create a story that emphasises the 'extraordinary' (D1) nature of particular cultural property objects by situating

their authenticity in marketable phases of history (D2; Bauer, 2007 p.711). Similarly, they must be able to understand the constructed narrative of potential buyers' collections, so that they are able to promote certain objects to collectors or institutions as key pieces that would fill gaps in their collections (A1, D1). Thus, cultural property objects can go through the process of resocialisation and resettlement according to the authenticity-dependent narratives constructed by market actors (A2; Fisher, 1991 pp.3-5).

Authenticity in the dominant sense is not only an intellectually constructed notion for cultural property market actors; in order to contribute to narrative, it is also something that requires tactility, and sensory evidence that the object is actually imbued with the qualities that are part of authenticity. It is something 'real', where an object that feels and 'look[s] old' has a sense of depth, as well as 'added value' in terms of the stories that can be told about and around it (C3). In this way, something that feels authentic is perceived to be more authentic than something that does not (Grazian, 2010 p.194). There is a shared sentiment that some objects, as part of their authentic value, are 'meant to be deteriorated' (M1). While this is reminiscent of problematically colonial understandings of authenticity, it also highlights the importance of the feeling of age and significance. There is an 'actual joy of touching', and thus experiencing, cultural property objects, where one can metaphorically 'feel the hand of the master…and you somehow sense the effort and the labour that went into it' (C4). C4 went on to say that the power of an object can only be 'sensed when you have it in your hand', which corroborates with Thompson's finding that for market actors, part of the knowledge and meaning that cultural property objects can impart is tied up in the ability to touch, care for and share the same space with the object. It is this necessity that gives market actors 'the right to own them' (2015 p.63).

Conclusion

To conclude, the aim of this thesis was to examine and understand the ways in which colonially influenced narratives, frameworks and structures continue to inform the attitudes and practices of modern Southeast Asian regional market actors in cultural property collection. Though the pool of participants was small, with an in-depth, thick description approach, this thesis sought to provide an insight into the outlook of market actors in the region, including their priorities and concerns, and the effect that it has on their activities in the market. Not only that, but the situation of this study in a postcolonial framework was intended to reveal the specific history that both cultural property trade and trafficking have emerged from, and the difficulties in extricating the two. In this way, this thesis embodies a critical approach of inquiry that seeks to change the way that the cultural property market is understood in criminological research, while also showing the applicability of postcolonialism to complex issues in the discipline. A key conclusion of this thesis is that contrary to conventional criminological belief, there is an active regional market for cultural property in Southeast Asia, if a relatively new one in the grand scheme of collecting. While this market may function along similar lines to the Western model, having internalised much of the frameworks of understanding situated in that world view, there is a strong sense that these systems have been translated for the regional context — in keeping with the friction in post-colonial identities between the impact of, and the differentiation from, colonialism.

It was found that the prevalent justification for actors' involvement in the market stems from an internalised, historically bound narrative that plays the colonial language-game by emphasising the moral necessity of cultural property preservation and protection, as well as the importance of scholarship, appreciation and historical-cultural knowledge. The post-colonial context of Southeast Asia also provides another potential justification — the right to reclaim cultural property. However, market actors not only framed their justifications according to what is just, but also what is justified. Here, there is a strong recognition that source actors may not value cultural property according to the dictations of the

hegemonic view that heritage is a priority and a value, and that these actors may have other practical considerations to take into account. What this reveals is the hypocrisy of the global cultural heritage movement in pressurising source actors through law to become the unwilling safeguarders of their own cultural property. An emphasis on understanding the market, and moving towards creating policy and legislation that focuses on market regulation, may help relieve the onus of responsibility placed on source actors.

It was also found that a significant part of the motivation to collect is connected to the ostensibly sophisticated, cultivated and respectable nature of elite actors in the cultural property world. This is a particularly pertinent point in Southeast Asia, where the newly-created wealthy, but socially and historically unanchored, middle class seeks those qualities associated with the old elites of society, whose symbolism is steeped in the power and status of the colonial bourgeois. What the cultural property world represents, then, is an avenue for social advancement, where its highly social structures and opportunities for the performance of identity allow those with economic capital to buy objectified cultural capital and mimic the desired visual and cultural tropes of class, historical grounding and refinement. This emphasis on social relationships and impression management may provide a way forward for a regulatory framework that does not simply rely on traditional legislation, as it has thus far, but instead takes into account the nature of the cultural property world and engages with new potential methods of private policing or socially based deterrences. This may be a particularly relevant point for future regulation, particularly considering the difficulties that pre-legislation looted cultural property objects present.

The most original contribution of this thesis, however, is the consideration of authenticity as a factor in collection — not simply as a concept that gives cultural property monetary value, but as a crucial and defining quality with a historical backing in colonialism that determines the place of the object in collecting practices. Focusing on more traditionally criminological concepts like motivation and justification can provide deep insight into the reasons why actors might engage in a problematic industry like the cultural property market, but in ignoring

a concept so entrenched in the values of collection, or framing it simplistically in terms of money and profit, criminology misses the chance to examine the connection between collection and the objects that the legislation seek to protect.

Ultimately, this thesis argues for a restructuring and revision of the Western premises that underpin understandings of the cultural property market, including within the field of criminology. Granted, the scope of this thesis is highly specific to the regional market in Southeast Asia. Moreover, the number of research participants is relatively small, so the conclusions drawn in this thesis cannot be said to be an all-encompassing examination of market attitudes and practices in Southeast Asia. However, this is the point — what a postcolonial framework brings to criminology is the consideration that in all issues, there is complexity and nuance, and multiple narratives to be heard. Thus, a generally prescriptive formula for future regulation that must rely upon oversimplified narratives that are taken out of context cannot be the answer. While the findings in this thesis are, intentionally, specific, the methodology and its application is relevant elsewhere, and can be used in criminology to move towards a more comprehensive and systematic study of cultural property trade and trafficking. The research here also reveals that there is a need for regional analyses that chart new systems and flows of cultural property, thus updating and reexamining criminological knowledge to suit the contemporary reality. It is hoped that by stimulating inquiry into the nature of current trends and developments in the cultural property market, rather than seeking to immediately prescribe specific rules to implement, criminology can move towards informing a regulatory framework that resonates with and is relevant to the actors and activities it seeks to target.

Future Research Directions

Due to the limitation of the small number of participants in this study, many of the future research directions possible for this thesis would include a larger-scale study with more participants that could reveal further intricacies and complexities in the issue, while also providing more validation and corroboration of

information. For example, in terms of the motivation to collect, this thesis focused solely on social drivers, primarily in the context of Southeast Asia's new and wealthy middle class. However, it might also be prudent to examine the collecting practices and attitudes of those whose lineage extends to the original bourgeois society of local collaborating elites, or the traditionally institutionalised elite class like royalty. This could be done according to research on crimes of the powerful. In addition, an examination of market activity according to case studies by country can provide further insight into the contexts of collection, particularly considering that not all experiences of colonialism, and indeed history, are the same across the region.

Considering the post-colonial context of Southeast Asia, and the contradictions and complexities in identity formation that have arisen out of the new construction of nation-states, research could be conducted on the ways in which museums and other national institutions justify collecting practices as part of the post-colonial agenda of rewriting narrative. This could expand upon the manipulation of victimhood in narratives of reclamation and return touched upon in this thesis, but with a focus on a national-level desire to control the narrative of identity — and the associated resources.

As mentioned, the methodology of this thesis is applicable elsewhere, and not only to previously colonised societies. In this vein, similar contextualised explorations of markets that diverge from the conventional narrative of Western collection of Eastern objects should be focused upon. The Chinese market in cultural property, for instance, would be a good example, as would the market in India. Additionally, research into domestic cultural property markets, such as can be found in America or Australia, would be an important avenue to explore, particularly in the context of colonialism.

A deeper study of the value of authenticity could be highly relevant to the aims of cultural property trade regulation. This could be conducted according to regions, or types of actor in the market. Because this is the value that ultimately links collecting practices to the damage that anti-trafficking legislation seeks to mitigate,

this shared value may be the key in reconciling the different iterations of the market and its regulation globally.

Another area of further study would be the grey area of the market in terms of the origins of objects that are circulated. Research could go in the direction of further examining the gap between morality and legality, particularly in the context of secondary market objects that were removed from their source in colonial times. There may be a space for a qualitative study that examines objects from this secondary market, for instance, through the provenances of cultural property in private or public collections. While the difficulties of such an undertaking would be great, not least because of possible industry reluctance to share such information, it is hoped that such a study could shed some light on the proportion of objects in the market that are provenanced and unprovenanced, and the likelihood of their origins as being illegally trafficked or immorally looted pre-legislation.

In terms of postcolonialism's further integration into criminology, it would be pertinent to suggest that this theoretical framework can be applied to other transnational issues in the discipline, such as modern slavery, forced labour, and other human rights issues. The emphasis should be on the perspectives of the marginalised and the silenced. Additionally, further focus on state power and criminal state-level activities are an important way forward for criminology. With the aim of contributing towards the decolonisation of criminology, an examination of perceptions of crime in post-colonial societies is also key, particularly considering the push and pull between recently created national laws and the remnants of legal discipline from the colonial era.

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Appendices

Appendix 1: Coded interviewee list according to roles in the cultural property world

Appendix 2: Interview Questions

Appendix 3: Information Sheet for Participants

Appendix 4: Consent to Interview

Appendix 1: Coded interviewee list according to market roles

Collector

C1

C2

C3

C4

Dealer

D1

D2

Museum Personnel

M1

Auction House Personnel

AH1

Activist-Researcher

A1

A2

Expert Commentator

EC1

EC2

Appendix 2: Interview Questions

Background

• Where were you born, and how did you grow up?

• What is your current role and relationship with antiquities?

• Where is your work based now, and where are your clients/contacts based?

• When did you decide that Southeast Asian cultural heritage would be your focus?

• How did you begin in the field, and when?

Experiences of collecting

• What is your experience of collecting/dealing?

• Why do you collect/deal?

• Do you have a favourite story about collecting/dealing?

• What do you look for in the antiquities that you collect/deal in?

• Why collect/deal in/display Southeast Asian antiquities?

• How do you collect/find cultural property?

• What does the Southeast Asian antiquities market look like now? Who is interested, and how has the market changed since you first started?

• When dealing/displaying, can you treat the objects the same way in Asia as you would in the US or Europe?

• Are collectors people who are already in the business or world of art, or do they tend to have day jobs and private passions for art and antiquities?

Ethics of the market

• What does 'looting' mean to you? What historical or current cases do you know of?

• Is there a place for 'returning' objects from this region to the origin country?

• What are your views on differentiating between cultural property trafficking and cultural property trade?

• Have the legalities of cultural heritage protection affected you and your work?

• Do you know of any unethical practices in the field that blur the line between licit and illicit?

- Some academics in the field would argue that all people who work in museums are criminals. What do you think?
- What about your personal opinions? (For institution people)
- Is the idea of a 'National Collection' a legitimate one?
- If it is all about aesthetics, then what is the problem in collecting replicas?

Closing

- How would you summarise the key points of what you have said today?
- Is there anything else that you think would be helpful for me to know?
- Would it be alright to contact you again if I have any more questions?

Appendix 3: Information Sheet for Participants

INFORMATION SHEET FOR PARTICIPANTS

Thesis title: How does the legacy of colonialism in Southeast Asia manifest itself in contemporary regional attitudes and practices towards looting and collection of antiquities?

Thank you for your interest in this project. Please read this information before deciding whether or not to take part. If you decide to participate, thank you. If you decide not to take part, thank you for considering my request.

Who am I?
My name is Min Tse Chong and I am a Masters student in Criminology at Victoria University of Wellington. This research project is work towards my thesis.

What is the aim of the project?
My thesis will explore how colonial ideas and structures influence modern attitudes to looting and collection in Southeast Asia, not only in academic research but also for people in the industry like art collectors, museum personnel and dealers. I aim to look at how colonial frameworks are reflected in modern attitudes to looting and collecting, while also breaking down the idea of 'looting', which is a term that has been complicated by the aftereffects of colonialism. In the interest of embracing complexity and nuance, what is legal and illegal, and accepted and not accepted, must be sifted through and defined, or at least discussed fairly.

This research has been approved by the Victoria University of Wellington Human Ethics Committee, approval number 24703.

How can you help?
If you agree to take part I will interview you *[on Skype/in person]*. I will ask you questions about looting and collection of antiquities in Southeast Asia. The interview will take one hour. You can stop the interview at any time, and make comments off-record. You can withdraw from the study, without giving a reason, by contacting me at any point before the data is processed on *[date]*. If you withdraw, the information you provided will be destroyed.

What will happen to the information you give?
This research is confidential. This means that I will be aware of your identity, but your identity will not be disclosed in any reports, presentations, or public documentation. However, you should be aware that despite active anonymisation, your identity might be

obvious to others in your community. Only my supervisor and I will read the notes or transcript of the interview. Interview recordings will be destroyed immediately after transcription, while the summaries, notes and interview transcripts will be kept securely and destroyed 5 years after the research ends.

What will the project produce?
The information from my research will be used in my Masters thesis.

If you accept this invitation, what are your rights as a research participant?
You do not have to accept this invitation if you don't want to. If you do decide to participate, you have the right to:
• 	 choose not to answer any question;
• 	 ask for the recorder to be turned off at any time during the interview;
• 	 withdraw from the study before the data is processed on *[date]*;
• 	 ask any questions about the study at any time;
• 	 agree on another name for me to use rather than your real name;
• 	 request for a summary of the completed thesis.

If you have any questions or problems, who can you contact?
If you have any questions, either now or in the future, please feel free to contact Min Tse Chong at <u>mintse.chong@vuw.ac.nz</u> or Professor Simon Mackenzie at <u>simon.mackenzie@vuw.ac.nz</u>.

Human Ethics Committee information
If you have any concerns about the ethical conduct of the research you may contact the Victoria University HEC Convener: Associate Professor Susan Corbett. Email susan.corbett@vuw.ac.nz or telephone +64-4-463 5480.

Appendix 4: Consent to Interview

VICTORIA
UNIVERSITY OF WELLINGTON

CONSENT TO INTERVIEW

Thesis title: How does the legacy of colonialism in Southeast Asia manifest itself in contemporary regional attitudes and practices towards looting and collection of antiquities?

This consent form will be held for 5 years.

Researcher: Min Tse Chong, School of Social and Cultural Studies, Victoria University of Wellington

- I have read the Information Sheet and the project has been explained to me. My questions have been answered to my satisfaction. I understand that I can ask further questions at any time.

- I agree to take part in an audio-recorded interview.

I understand that:

- I may withdraw from this study at any point before the data is processed on 30/07/2017 without giving any reason, and any information that I have provided will be returned to me or destroyed.

- The information I have provided will be destroyed 5 years after the research is finished.

- I may request for a summary of the completed thesis.

- Any information I provide will be kept confidential to the researcher and the supervisor. I understand that the results will be used for a Masters thesis, and a summary of the results may be used in academic reports and/or presented at conferences.

- My name will not be used in reports, nor will any information that would identify me to the best ability of the researcher.

Signature of participant: _____

Name of participant: _____

Date: _____

Contact details: _____