
Trafficking in Nigerian Cultural Antiquities: A Criminological Perspective

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Abstract:

Antiquity trafficking has over time remained at the margin of criminological discourse in Nigeria. This silence from the criminological lens is, however, not an indication that the country is immune from the criminal activities of antiquity traffickers, but rather, it is a reflection of the common belief that this form of criminality is less rampant in Nigeria. This paper therefore examines the nature, causes, consequences and the control of the problem of illicit trafficking in the Nigerian cultural antiquities. Author adopts Cohen and Felson's (1979) routine activity theory of crime to explain indices that formed the interplay of antiquity trafficking in the country. The author contends that factors promoting this form of crime are multidimensional, and this criminal practice has long-term negative effect on the Nigerian cultural history. A comprehensive plan of action is advocated as a practical step to effectively tackle this problem.

Key Words: Antiquity, Trafficking, Cultural, Criminological, Nigeria

Introduction

In Nigeria, criminological literature on transnational organized crimes of trafficking have predominantly focused on drug, arms and human (Olateru-olagbegi, 2006; Agbu, 2003; Adewale, 1998), with no attention given to illicit trafficking in cultural antiquity. This silence, however, is not an indication that the country is immune from the criminal activities of antiquity smugglers and treasure hunters, but rather, it is a reflection of the common belief that this form of crime is less rampant in Nigeria. The prevailing situation in the country indicates that the nation's cultural antiquities have over time been subjected to systematic trafficking by illicit antique dealers and treasure hunters (Shyllon, 2011; Bowman, 2008a; Eluyemi, 2002; Ajekigbe, 1997). Several important Nigerian cultural property, such as masks, bronze sculptures, ivory pieces, ancestral drums, Esie soap-stones, Oron monoliths, Igbo Ukwu artefacts, Benin bronze, Nok terracotta pieces, Awka traditional door posts, Ife sculptures, amongst others have been stolen and smuggled out of the country (Agbedeh, 2011). The International Criminal Police Organization (INTERPOL) has just recently announced that Nigeria and the rest of the world lose about \$6 billion (about ₦900 billion) to trafficking of cultural goods on an annual basis (Agbedeh, 2011).

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The central objective of this paper, therefore, is to examine the problem of cultural antiquity trafficking in Nigeria from a criminological viewpoint. Criminology is the study of crime and criminals, with some elements of law making included (Williams and McShane, 1999). It has also been defined as the use of scientific method in the study and analysis of the regularities, patterns and causal relationships with regard to three critical components: one, the making of laws which include the process, content and operation of laws; two, the breaking of laws, which include crime, criminals, victims and the circumstances under which the crime occurs; and three, the reaction to the violation of laws, both from formal and informal agencies (Iwarimie-Jaja, 2003). Thus, it therefore follows from the foregoing that an examination of cultural antiquity trafficking in Nigeria from criminological perspective is not only desirable, but can also go a long way in helping to develop necessary institutional framework for tackling the problem.

According to Akinade (1999), illicit traffic in cultural property (antiquity) is an unauthorized possession of ethnographic and archaeological objects and the illegal trading in them for commercial purposes through the connivance of syndicates of diverse nationalities at undisclosed international art markets. Adler and Polk (2005) describe trafficking in antiquities as a crime of transnational proportion, because it involves the illegal removal and export of cultural materials from source countries, which supplies the demand generated for developed, rich, market economies. Illicit antiquities are illicit in that they have been illegally removed from somewhere or looted from some place (Mackenzie, 2005), smuggled, and laundered (Tijhuis, 2006).

Lane et al. (2008) assert that the last half century has witnessed the emergence of a major transnational market in illicit art and antiquity objects. This form of trafficking, according to them, appears to have reached unprecedented levels of size and long-term cultural impact, because the modern day looting is greater in scale than any carried out in the past, with results that are beyond repair. Hicks (2001), however, laments that this massive plundering of cultural heritage around the world in the form of art and antiquities theft is one of the least recognized and analyzed forms of criminality.

Bowman (2008a) submits that trafficking in cultural antiquities is most acute in Africa, Southeast Asia, China, Latin America, the Middle East and the Himalaya region. The Red List recently compiled by the International Council of Museums (ICOM), according to Bowman (2008a), also indicate a widespread damage to archaeological sites throughout Nigeria, Mali, Niger, Burkina Faso, Ghana, Mexico, amongst others. Most looting occurs in economically dependent, developing nations whose rich archaeological heritage is sold off to satiate demand generated in wealthier market nations (Adler and Polk, 2005). In spite of attempts at tighter control from law enforcement agencies around the globe, the illegal trade persists; it is fuelled by the ever developing technological and market advancements (Tijhuis, 2006; Adler and Polk, 2005).

Askerud and Clement (1997) submit that international traffic in cultural property has become a big business, worth, in excess of one billion dollars a year, which makes it second to narcotics in monetary value. Atwood (2004) similarly puts the annual estimates of the illegal trade between the ranges of \$300 million to \$6 billion. This drastic increase in the current market values of antiquities has precipitated an infiltration and monopoly of the black markets by organized criminal syndicates, whose presence in the business makes plunder of cultural antiquities a particular threat to both cultural heritage and national security (Bowman, 2008b).

The illegal acts of trafficking in cultural antiquities have also been linked to the drug trade. The upwardly spiraling value of cultural property provides a means for laundering or otherwise concealing, the large cash profits acquired from trafficking in narcotics (Hawley, 2007; McManamon and Morton, 2000; Askerud and Clement, 1997).

Fisman and Wei (2009) contend that all countries impose restrictions on the export of various classes of cultural property and antiques, ranging from archeological objects, to coins, to older art works. However, in spite of such measures, there is more than a lively trafficking of cultural property across international borders, and once the property leaves its country of origin, the options for recovery are rather limited (Gerstenblith, 2008; Tijhuis, 2006).

Antiquity trafficking has the potential of stripping a country of its cultural heritage, because looted goods that are smuggled across borders usually change hands many times, thereby, making their origins murky before they reach their final destination (Bowman, 2008b). Smuggling of cultural antiquities requires extra legal activities that may abet corruption, impose a strain on international relations, and potentially dampen the gains from legitimate international trade (Fisman and Wei, 2009).

Cultural Antiquity Trafficking: the Nigerian Situation

In his discussion of cultural antiquity trafficking in Nigeria, Eluyemi (2002) traced the origin of the problem to the 1897 sacking of Benin Monarch, which led to an unprecedented scale in the transfer of Nigerian artefacts to Europe. In that year, Benin kingdom was invaded by the British army, and the King's palace, where some tens of thousands of works of art in wood, ivory and bronze were kept, was looted and eventually burnt down (Shyllon, 2010). Though, the actual number of works stolen is unknown, an estimated 4000 pieces may have been removed (Layiwola, 2010); these Benin arts and crafts now adorn the museums in Britain and other Western European countries (Edo, 2010). This particular incident brings about the continuous demand for the Nigerian cultural property by treasure dealers in the west, which consequently lead to a sustained assault on the Nigerian cultural heritage (Eluyemi, 2002). The period between 1986 and

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1996 alone witnessed the looting of 24 museums and communities in Nigeria, with a total loss of 382 artefacts recorded (Eluyemi, 2002; Akinade, 1999).

While discussing the reaction of some key government officials to the spate of cultural antiquity looting in Nigeria, Shyllon (2011:135) states that:

“In 1971, the Director of the then Antiquities Department of Nigeria warned that “unless the theft of Nigerian collections was arrested, nothing will be left of Nigerian antiquities in about ten years”. Also, in 1996, while inaugurating an international Ministerial Committee on the looting of Nigerian antiquities, the Minister of Culture said “we are losing our cultural heritage at such an alarming rate that unless the trend is arrested soon, we may have no cultural artefacts to bequeath to our progeny”.

NgorNgor (2000) notes that valuable Nigerian works of art found their ways into international galleries of the world through illegal routes which remained shrouded in secrecy as international syndicates in collaboration with their local counterparts gradually plunder the nation’s cultural heritage. The Nigerian government, according to NgorNgor (2000), recognises this illicit trade as a serious problem, because this criminal act of international pillage continuously denies Nigeria the expected foreign earning.

Filane (2003) similarly submits that various syndicated thieves, who usually gained access to museum galleries, have stolen priceless objects from virtually all important museums in Nigeria. Filane (2003) further points out that most of the local shrines, royal palaces, as well as many universities’ museums have been completely depleted. There are also reported cases of the destruction of monuments, city walls, gates, parks, community shrine and forest reserves in abandoned archaeological sites and ancient cities (Akinade, 1999; Ajekigbe, 1997).

In 1995, a terracotta pot from the Igbo-Ukwu culture kept in the museum of the Department of Archaeology at the University of Ibadan was stolen (Layiwola, 2010). Also, in 1999, three Nok and Sokoto terracotta from Nigeria, which were initially on The International Council of Museum (ICOM)’s Red List of African Cultural Objects at Risk, surfaced in France, but the French government after much pressure later acknowledged the Nigerian ownership of these antiquities (Shyllon, 2011). In his report of this particular theft, Agbedeh (2011) claims the stolen terracotta, valued between US\$25,000 and US\$30,000, comprised two monoliths stone that have been traced to the Bakar people of Cross Rivers State.

Similarly, in the month of March, 2000, five Nok objects from Nigeria turned up for sale at Tetaf Exhibition in Maastricht, Netherlands, but the Nigerian Embassy in that country promptly alerted the nation and went further to retain a lawyer who succeeded in obtaining court injunction stopping their sales (Eluyemi,

2002). Similarly, in 2009, the Canadian Conservation Institute, CCI, was reported to have returned three recovered artefacts to the Nigerian government. These artefacts were said to have been impounded from smugglers by the Canadian Border Services Agency; two of the terracotta carvings are believed to be between 700 to 1,300 years old, while the third one, which is a wooden carving, is aged between 200 and 300 years old (Agbedeh, 2011). Eluyemi (2002) laments that Nigeria is steadily losing her cultural objects to the illegal traffickers, who have established networks that include museum personnel, in order to facilitate their trade and evade detection. The culprits, according to Eluyemi (2002), cut across antique dealers, tourists, diplomats, foreign workers and museum staff.

Theoretical Background

The complexities and intricacies relating to the crime of illicit trafficking in cultural antiquities in Nigeria is best explained within the framework of routine activity theory of Larry Cohen and Marcus Felson (1979). Routine activity theory basically states that the volume of criminal offence is related to the nature of everyday patterns of social interaction. As the pattern of social interaction changes, so does the number of crimes (McShane and Williams III, 1999). The core assumption of this theory is that criminal activity is organized around routine activities of a population, and that crime is likely to occur as a result of the interplay of these three principal elements- motivated offender, a suitable target and the absence of a capable guardian (when a motivated offender and suitable target come together in the absence of a capable guardian, criminal opportunity occurs). Target suitability refers to qualities such as the value of a person or property, access to them, and resistance capability. Motivation of offender refers to both criminal inclinations and the ability to carry out those inclinations, while capable guardians may either be formal or informal third parties with a capacity for intervention (Cohen and Felson, 1979). Routine activities serve to bring offenders and victims into contact and create a convergence in time and space of motivated offenders, suitable targets and absence of capable guardians.

The unique nature of the Nigerian cultural antiquities in terms of their quality and the ingenuity of their creators make them suitable targets for criminally-minded individuals who are highly motivated by the potential monetary value their sale could generate at the international markets for illicit antiquities. These objects of high cultural and historical significance are often kept under inadequate and/or non-existent capable guardian. Thus, they become easy prey to motivated offenders who are courageous enough to pillage, smuggle and subsequently sell them to equally corrupt international arts and antique dealers at exorbitant prices. The popular Benin bronze artefacts, the terracotta figurines from the Nok culture, Igbo-Ukwu/Ife bronze works, Esie soap-stones among

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others, are groups of Nigerian cultural objects that have been consistently subjected to systematic trafficking by treasure hunters and antique dealers.

Factors Promoting the Illicit Trafficking in Nigerian Cultural Antiquities

Multiple factors account for the perennial problem of illicit trafficking in Nigerian cultural antiquities. An important contributory factor to this problem is the pervasive culture of corruption that has eaten deep into the social fabric of the Nigerian nation. Corruption has been defined as the perversion of integrity of state of affairs through bribery, favour or moral depravity (Otite, 1986). International illicit art dealers usually collaborate with some corrupt Nigerians to burgle museums, royal palaces, shrines and sacred groves in some rural communities. Illicit antiquity dealers engage in the theft and trafficking of cultural antiquities purely for financial reasons; the continuous increase in the monetary value of priceless cultural antiquities at the international antiquity markets continues to make them suitable targets for criminally-minded individuals, who desire to make money through extra-legal means. According to INTERPOL (2007), the annual trade in illicit antiquities is estimated to be around US\$7.8 billion, ranking behind drugs (US\$160 billion) and arms (US\$100 billion) as the most profitable black market. The value of bronze and terracotta figurines stolen from a museum at Ife has been estimated at US\$ 250 million (Shyllon, 1999). Kingi (1996) describes this 1993 theft at the Ife Museum as the most scandalous of the losses of cultural property in Nigeria. This high potential monetary gain accruable from the sale of illicit antiquities serves as one of the strong motivating factors which usually encourage criminally-minded individuals to engage in their theft and smuggling for onward sale at the international art/antiquity markets.

Similarly, the absence of effective laws governing the crime of illicit trafficking in the Nigerian cultural antiquities is another potent factor promoting the incidence of theft and smuggling of valuable cultural properties in the country. Extant legislations, specifically, those relating to the protection of cultural antiquities in Nigeria are the Antiquities (Prohibited Transfers) Decree No.9, 1974 and Decree 77 of 1979 (Odubayo, 1994; Eluyemi, 2002). These two decrees are geared toward safeguarding Nigerian cultural antiquities by prohibiting their buying and selling except by accredited agents. These decrees are however not sufficiently sophisticated enough to effectively deal with this problem. Shyllon (1999) has rightly observed that the sanctions and protective measures enshrined in the Act are hopelessly inadequate.

Also, since crime and criminality feed on opportunity, therefore, antiquity traffickers and treasure hunters usually find it easy to gain access to Nigerian cultural antiquities by capitalizing on the low level or shoddy security arrangements that exist where cultural antiquities are stored. Important national museums, including those located within some university campuses in Nigeria do not enjoy adequate security arrangement, which is at par with invaluable cultural properties they housed, thus, they are not adequately protected from the criminal activities of traffickers. They are usually manned by some old men who know

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little or nothing about the intricacies of modern day high-powered security provisions. Similarly, the same situation obtains at some other recognised cultural sites across the country, where security guards are ill-equipped to effectively protect cultural antiquities. Hence, illicit traffickers often find it easy to gain access to them. According to Akinade (1999), such marauders' acts have been reported in some important community museums and shrines in the south-western part of Nigeria. Some of the museums that had been pillaged in Nigeria in recent past include Owo, Ife, Benin, Lagos, University of Ibadan and University of Ife museums, among others (Eluyemi, 2002).

Implications of Antiquities Trafficking for Nigeria

Trafficking in the Nigeria cultural properties has long-term negative impacts on the Nigerian nation, socially, culturally and economically. This criminal act is capable of impairing the nations' strategic development plans, both in socio-cultural and economic terms. The looting of cultural, archaeological and ethnological property is tantamount to a crime against human heritage, as it destroys evidence from the past and thereby deprives future generations of the fundamental components of their cultural heritage and will inevitably erase the memory of ancient civilizations (Brent, 1994). A sustained trafficking in valuable Nigerian cultural antiquities will inevitably lead to the total loss of objects of historical and cultural identity of the Nigerian people in no distant future. Cultural antiquities represent the testimony of cultural and technological achievements of the past generations, and some of these artefacts equally serve as important objects of unity and religious symbols among various ethnic groups in Nigeria. Therefore, their continued illegal trafficking is capable of creating a vacuum in the country's historical antecedents, which will definitely lead to severe negative impacts on the Nigerian future generations, because they will no doubt be lacking in a sense of history. This submission is adequately captured in Ogundele (2004)'s assertion that the negative attitude (antiquity trafficking) would continue to increase the number of lacunae in our knowledge of the African past, thereby, making sustainable development actions posterity-unfriendly.

Further, the crime of trafficking in cultural antiquities in Nigeria can result into grave physical assaults or outright loss of lives. Antiquity traffickers are highly determined individuals, who usually stop at nothing in their quest to lay hands on any desired cultural objects, which they believe could earn them large sum of money at the international antiquity market. These criminals are capable of inflicting severe physical harms on people, whom they believe could constitute impediments to the successful perpetration of their criminal acts. Museum officials and local people in the communities where cultural antiquities are kept are the most vulnerable to the risk of violent attacks of these syndicated criminals interested in the Nigerian cultural antiquity. Eluyemi (2002) has established cases of attacks on some people in some rural communities in Nigeria, where the community members were harmed because they resisted traffickers' attempts to

pillage their cultural heritage. Similarly, a burglary incident at the Owo museum in 1992, according to Akinade (1999), led to the death of a night-watchman.

In addition, Nigeria continues to lose huge sum of revenue to the activities of traffickers. Nigerian cultural antiquities, like other cultural patrimony around the world, are exotic man-made objects created by the past population, and are foreign exchange driven, in the form of tourism. Hence, their continued depletion by the antiquity traffickers and treasure hunters is regrettably depriving the nation access to rapid economic growth and development that is accruable from her tourist attraction potentials. For instance, Layiwola (2010) observes that countries with holdings of Benin works of art continue to attract huge revenues from tourists who visit their museums. These museums, according to Layiwola (2010), receive revenue on copyright for photographs of these works and also make publications on them in form of catalogue and postcards.

Combating Illicit Trafficking in Nigerian Cultural Antiquities

The problem of illicit trafficking in Nigerian cultural antiquity is multidimensional in nature. Therefore, to effectively combat it, a comprehensive plan of action that is both proactive and holistic in nature must be put in place. Firstly, there is a need for adequate collaboration among key players charged with the responsibilities of protecting and preserving the nation's cultural heritage. Officials of the National Commission of Museums and Monuments (NCMM) should actively involve professional archaeologists, anthropologists, sociologists, and personnel of the Nigeria Customs Services, and other related security agencies, such as the Nigeria Immigration Services, and the Nigeria Police in the development of strategies aimed at tackling this problem. This collaborative effort will go a long way in helping to achieve the desired goal of safeguarding Nigerian cultural antiquities from the criminal activities of traffickers.

Secondly, an adequate provision of tight security arrangements at all the national museums and all other recognised archaeological sites that are spread across the Nigerian geographical territory is desirable. This step should be taken as a way of reducing the situational opportunity that could facilitate crime perpetration in these identified locations. Situational crime prevention is a strategy which tries to reduce the opportunity for crime by increasing the risks and decreasing the rewards of committing crime (Clarke 1995). This recommendation is predicated on the fact that crime perpetration is usually low in locations where the chance for criminal accomplishment is limited. This situational crime prevention should be brought to bear here, by installing functional closed-circuit television (CCTV), security cameras and other modern day crime prevention gadgets in the various national museums across the country.

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Similarly, there is also the need for more serious collaborative efforts between National Commission for Museums and Monuments in Nigeria and the International Council of Museums (ICOM) on the one hand, and the maintenance of sustained relations between the Nigerian security agencies and other International security bodies, particularly the INTERPOL on the other hand. This should be done with the aim of exploring the possibility of tracking down and ensuring a subsequent recovery of stolen Nigerian cultural properties. Eluyemi (2002) has observed that the National Commission for Museums and Monuments, with the support of the federal government of Nigeria, has been pursuing with zeal the issue of returning to Nigeria, the identified Nigerian cultural objects smuggled out of the country.

Also, the formulation and consistent implementation of effective laws and proactive policies that will be essentially geared toward deterring criminally-minded individuals from engaging in pillaging and trafficking of the Nigerian cultural antiquities should be taken seriously. This could be done by putting in place, sanctions and severe punishments that will be punitive enough to deter this criminal act. There is also the need to properly review extant laws (Decree 9 of 1974 and Decree 77 of 1974) that border on the protection of cultural antiquities to reflect the present day challenges.

In addition, the information dissemination powers of various print and electronic media in the country can also be harnessed by making them veritable tools, through which illicit trafficking in Nigerian cultural antiquities can be effectively controlled. This could be made realistic by ensuring a sustained enlightenment of the general populace on the cultural significance of these antiquities, as well as the potential negative effects, their loss can pose to the socio-cultural survival and historical re-engineering of the Nigerian people.

Summary and Conclusion

In this article, I advocated a more criminological attention in the direction of illicit cultural antiquities trafficking in Nigeria, because the country's cultural properties have over time been subjected to systematic trafficking by illicit antique dealers and treasure hunters. I adopted routine activity theory of crime to explain the phenomenon of illicit trafficking in Nigerian cultural antiquities by bringing to bear, the existing interplay between these three principal elements—the motivated offenders, Nigerian cultural antiquities, and the absence of capable guardian.

Factors promoting this form of crime in Nigeria were identified as huge financial gain accruable from the sale of cultural properties at the international art markets, the absence of adequate deterrent laws, as well as low security arrangement at the museums and identified sites of cultural significance. I equally argued that the continued trafficking in the Nigerian cultural antiquities

has long term negative implications on both the socio-cultural and economic development of the country.

To effectively control this problem, I advocated an extensive collaboration between relevant stakeholders, especially the NCMM and various national security agencies. Also, the strengthening of the existing security arrangements at the various national museums and important archaeological sites was discussed as a way of discouraging criminal optimism of the antiquity traffickers. Similarly, laws relating to antiquity theft and trafficking should be reviewed and made more punitive to deter prospective offenders' criminal courage.

This paper concludes by stressing the fact that Nigerian cultural antiquities are important 'photos' of ancient civilization that help in providing significant insight into the enviable cultural development and rich historical past of the Nigerian people. Cultural antiquities remain an integral part of oral traditions, which act as an umbilical cord that tie Nigerians to the threshold of their rich cultural history and traditions. They are important vehicles for social engineering that have the potential for pivoting Nigeria towards achieving her desired developmental plans. Therefore, their protection from the criminal activities of antiquity traffickers cannot be wished away.

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