

Report to the Board of Directors of the Society for American Archaeology

Task Force on Revisions of the SAA Principles of Archaeological Ethics: Stage One

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Task Force Members

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Background

At the Spring 2018 Society for American Archaeology (SAA) Board meeting, this Task Force (TF) was created and charged with the following task:

Task Force Charge:

140-28.1 [D] Motion 140-28.1 –The Board establishes the Task Force on Revisions of the SAA Principles of Archaeological Ethics: Stage One. The Board charges the Task Force with recommending a process to revise and update the current SAA Principles of Archaeological Ethics that will engage, gather input from, and inform the membership. The Task Force will be comprised of four members and a chair. The Task Force will produce a final report for the Board by the Fall 2018 meeting.*

Co-chairs Douglass and Rakita, upon receiving their appointments as co-chairs and the TF charge, selected and invited TF members to ensure that different stakeholders and geographic diversities within SAA membership were included. Luckily, everyone who was invited agreed to serve. TF members' employment sectors include academia (in the US and abroad), public outreach, government agency, and the private sector. TF members reside and work in three countries in the Americas (Argentina, Canada, and the United States). In addition, TF members belong to a wide range of other archaeological and anthropological organizations and networks. This diversity helped ensure that there were conscious inclusions of a wide variety of stakeholders in considering the implementation of the TF charge.

TF Data Gathering

At the initial TF conference call on May 7, 2018, TF members engaged in some initial brainstorming, discussed possible processes, and agreed upon a strategy for data collection to implement the TF charge. TF members reached out to their networks across the Americas to determine which organizations they knew had undertaken either establishment or revision of ethical principles. For those they identified, TF members agreed to reach out to leadership and find out what those experiences were like. Questions included the following:

- What was the general process undertaken by the organization?
- What forms of stakeholder feedback did the organization receive and use?
- How was stakeholder feedback collected? What forms of media were used?
- What were the pitfalls that the organization encountered?
- What were the most efficient choices that the organization made during the process?
- Did the organization use one TF/committee for the entire process, or was it phased, with different participants in each phase?
- How long did the process take from start to finish?
- How might the organization have proceeded differently, with 20/20 hindsight?

After this initial TF meeting, co-chairs Douglass and Rakita collected information from TF members regarding organizations that had gone through this process in recent years. These organizations included

- American Anthropological Association (AAA)
- Linguistic Society of America (LSA)
- National Association for the Practice of Anthropology (NAPA)
- Society for Historical Archaeology (SHA)
- Canadian Archaeological Association (CAA)

Co-chairs Douglass and Rakita, along with TF members, followed up with members of these organizations who were a part of establishing or revising ethical principles. In addition, they spoke with individuals from the SAA who have been a part of collecting such data from other organizations over the years. In a series of individual phone calls, conference calls, and e-mails between June and August, co-chairs Douglass and Rakita and TF members spoke with the following people:

- Alex Barker (University of Missouri, President of AAA, AAA Ethics Committee revisions co-chair, and SAA member)
- Meg Conkey (UC Berkeley, SAA Committee on Ethics member)
- Lise Dobrin (University of Virginia, AAA and LSA member, helped revise both organizations' ethical principles)
- Ray Hayes (Retired physician, SHA Gender and Minority Affairs Committee member)
- Scott Hutson (University of Kentucky, former AAA Ethics Committee member, and SAA member)
- Chad Morris (Roanoke College, AAA Ethics Committee revisions co-chair, also NAPA Ethics Committee chair)
- Dena Plemmons (University of California Riverside, AAA Ethics Committee revisions co-chair)
- Niel Tashima (LTG Associates, NAPA Sub-Committee on Ethics revisions chair)
- Della Scott-Ireton (FPAN and Advisory Council of Underwater Archaeology)
- Barbara Clark (FPAN and currently enrolled in Public Administration MA program with emphasis on ethics)
- Emily Jane Murray (FPAN and Florida Anthropological Society [FAS] Board)
- Florie Bugaren (Howard University, SHA Gender and Minority Affairs Committee chair)
- Michael Deal (CAA President) and Gary Warrick (CAA Vice President)

Task Force members held another conference call on August 23 to review the results of data collection over the summer and discuss general recommendations. Co-chairs Douglass and Rakita developed a draft report and TF members provided feedback, ideas, and edits on the draft. The cumulative result of these efforts constitutes this report.

At the request of President Chandler, the Task Force co-chairs organized the President's Forum for Wednesday night, April 10, at the 2019 Annual Meeting in Albuquerque, New Mexico. The forum, entitled *Learning from the Past, Looking Towards the Future: Archaeological Ethics and the SAA*, will be chaired by Alex Barker, past SAA Board member and current President of AAA. Invited discussants include Meg Conkey, Bonnie Pitblado, Joe Watkins, Luis Jaime Castillo Butters, and Arlen Chase. This forum will provide an opportunity for the Society's members to engage in a discourse on which ethical concerns the membership wishes to consider as part of the process of evaluating and revising its ethical principles.

Summary of Findings

Speaking to members and chairs of TFs and committees from other organizations, as well as members of particular committees within the SAA, has been very helpful in thinking about the process for the SAA. Experiences of and thoughts on these numerous conversations include the following:

- Twice in the past decade, the AAA has updated its ethical principles, in part as a reaction to a crisis within the organization. The SAA was commended on being proactive in considering revising its principles. That said, on multiple occasions, TF members were cautioned that a static statement of principles is vulnerable to becoming less useful and perhaps even divisive in the face of new, unexpected ethical crises. It was recommended that the SAA consider a "living document" that includes statements of ethical principles that are embedded within contextualizing materials, examples, dialogue, and historical background. For example, some organization websites have ongoing and regularly updated scenarios and practical applications of ethical principles to help guide and educate membership. In addition, some organizations publish regular columns that are focused on real-life examples of ethical dilemmas, how they are considered, and how they were resolved. While core ethical principles may in some ways be viewed as timeless, perspectives and situations sometimes change with time. A living document approach seeks to avoid these problems in the future, as "timeless" is hard to do well.
- One key for future TFs is to determine what sort of philosophy of ethical principles the SAA and its membership want to undertake, i.e., specific prescriptions/prohibitions or overarching principles. There are positives and negatives to each. With prohibitions, anything not listed is implicitly permissible. Future TFs must think about this early on in the process. Currently, the SAA has overarching principles, while the RPA (Register of Professional Archaeologists)—of which the SAA is a sponsoring organization—has specific prohibitions and also accountability. How will revised SAA ethical principles complement/align/connect with the RPA? The members of this Task Force believe that it is still appropriate (especially given the Society's relationship with the RPA) to maintain "aspirational" rather than "prescriptive" ethical principles. In addition, it is clear that there should be decisive and purposeful dialogue between the RPA and the SAA in thinking about revising the SAA's Principles of Archaeological Ethics.
- Providing sequential and regular communications to SAA members throughout the process of considering and revising its Principles of Archaeological Ethics is critical, as is an initial "setting the stage" so that membership and stakeholders feel that they are engaged in the process.

- Stakeholder input was collected by organizations using various media, including face-to-face forums at annual and regional meetings, surveys, and organization website interfaces, such as a blog. Networking between TF and committee members from other organizations was critical, as was ensuring diversity of the TF and committees to ensure accurate stakeholder representation. Sustained and consistent opportunities for members to comment throughout the process were viewed as essential. Forums and panels at both regional and annual meetings, social media, blogs, an SAA YouTube channel, massive open online courses (MOOCs), and other media were all recommended.
- The concept of stakeholder, given the international nature of the SAA, is important to fully consider. Reaching out to tribes (THPOs in the US), descendant communities, interest groups, and international anthropological institutes (traditionally in Latin America) is vital to a successful strategy. Defining the stakeholders is a difficult undertaking, as in some ways it may categorize people in ways they wish not to be. Based on discussions, these are some aspects of stakeholder diversity to consider:
 - Descendant community members
 - SAA members from different generations who hold different attitudes and opinions
 - SAA committees and interest groups
 - People who have had a variety of experiences, interests, and specialties in archaeology, including avocational archaeologists and the public
 - Individuals of/from different countries and cultures
 - Members from a wide variety of employment backgrounds
 - Those who are engaged in and confronted with issues of ethics on a regular basis
- The process to be undertaken by the SAA, based on other similar organizations, will take several years and several rounds of back-and-forth with membership at key stages/milestones. This will allow the TFs to have an iterative, interactive way to work with membership step by step.
- While input from membership and stakeholders throughout the process ought to be incorporated, input from standing SAA committees has recently been received by the Committee on Ethics. This input should be considered as part of the process, although we acknowledge that committee membership may have changed since that input was originally solicited and thoughts may have changed in the interim. Reaching out again to standing committees to gather input may be appropriate.
- As subsequent TF work proceeds, review of similar national and international archaeological and anthropological organizations' ethical principles and their presentation to the public may be useful to understand the range of possibilities for the SAA.
- Once a new set of ethical principles is in place, it will be important for the Board of Directors to contemplate how to keep membership engaged in implementing and living/practicing them. How, in the everyday life of archaeologists, can the SAA prompt members to consider the implementation of these principles? Some organizations saw their role in ethics as educational and thus set up specific processes to keep ethics at the forefront of members' attention. The following ideas were suggested:
 - Create a prompt when renewing membership to acknowledge the ethical principles, much like that for submitting abstracts for the Annual Meeting.

- Feature a regular column in *The SAA Archaeological Record* on practical applications of the ethical principles through case studies of ethical dilemmas, how the SAA Principles of Archaeological Ethics may apply, and how these situations were resolved.
 - Send semiregular e-mail blasts on ethics and different viewpoints and perspectives based on different stakeholders (similar to the Government Affairs Committee regular e-mail blasts).
 - Create a blog or other informational and interactive online resource to allow regular and easily facilitated interaction with membership on issues of ethics. The Committee on Ethics may be able to coordinate and run this.
 - Engage Board members more regularly in pondering ethical dilemmas. As part of this, have several members of the Board on the Ethics Bowl panel each year to heighten awareness of this important event at the Annual Meeting.
- Should there be regular review of ethical principles by the Board or Society? If so, what would be the schedule and process for this? Some organizations viewed their principles as living documents, which may help in aiding this potential process.

Recommendations for a Process to Revise and Update the SAA Principles of Archaeological Ethics

General Process Structure

Per the co-chairs' discussion with the Board and President Chandler, and based on our TF's investigations, we recommend two sequential Task Forces that will follow ours.

Task Force – Stage Two (TF-2) is envisioned as gathering input and feedback from the membership and stakeholder groups on the existing ethical principles. We expect the volume of this feedback to be considerable, thus this group will also distill and synthesize this feedback and provide both their raw data and their summary to the next Task Force.

Task Force – Stage Three (TF-3) will be guided by the summary of TF-2 and on that basis will complete the revisions of the principles. They will present a draft revision to the Board for consideration and if acceptable, will disseminate the draft to the membership for a comment period, subsequent revision, and a vote.

Given our discussions and recommendations from those non-SAA groups we spoke with, our TF recommends that the timeline for the subsequent two Task Forces be considerable.

Task Force – Stage Two

Charge: TF-2 should be charged with gathering feedback, comments, and ideas from the membership, standing committees, interest groups, and stakeholders, and synthesizing those materials.

Composition: TF-2 needs to be large (12–15 members), with a diverse group of representatives and experts on ethical issues. TF-2 need not have a member from all possible stakeholder groups, but members need to be open, inclusive, and aware of all these groups. It should include experts in surveys and ethnographic data collection (both qualitative and quantitative data). Expertise in ethics may be demonstrated in a variety of ways (publishing, service, job setting), but however demonstrated, TF-2 should include people who have been actively grappling with the practical

application of ethical principles. We recommend identifying individuals who have demonstrated the capacity to compromise and to show flexibility. TF-2 membership should include representatives from a range of generations with some skew towards younger members, as they are the next generation of the SAA. The SAA Committee on Ethics could be asked for recommendations of possible members. At least one member of TF-2 should be a former member of TF-1 to maintain continuity and transfer of history/knowledge.

Tasks: Develop and deploy a survey to the Society membership soliciting their feedback on the current ethical principles and their suggestions for revision. Organize and hold forums/listening sessions, regional town-hall-style meetings, calls for comments, interactive blogs, and/or other efforts to collect public comments on the revision of the Society's ethical principles. Actively engage the membership in discussions regarding ethics. Collaborate with the Society's Committee on Ethics as appropriate on the revision efforts as well as efforts to develop materials and methods to make the statement a living document.

Funding & Support: We recommend funding to support a graduate student or similar assistant to aid in the processing of survey results, etc.

Annual Meeting Milestones and Timing: It would be advantageous to have the TF-2 chair identified at the Fall 2018 Board meeting, subsequent to this report being received, and TF-2 members identified well prior to the 2019 Albuquerque Annual Meeting to begin their initial work. The topic for the President's Forum at that Annual Meeting will be the revision of the Society's ethical principles. It would be advantageous to enable the TF-2 members and chair to attend, observe, and listen to feedback from membership during the forum. Between the 2019 and 2020 Annual Meetings, it is expected that a survey and online media will be implemented by TF-2 to receive public comments on the current Principles of Archaeological Ethics. The 2020 Austin Annual Meeting would be an ideal setting for a forum or series of forums to receive face-to-face input from membership and also to provide an update on progress. Given the timing, it is unclear to us if the Fall 2020 or Spring 2021 board meeting would be an appropriate deadline for the TF-2 report.

Although the TF suggests a lengthy incubation period for TF-2 to do its work, this is in part because of logistical concerns. As one example, creating a survey on ethics, having it approved by the Board, submitting it to membership, receiving responses, and reviewing and incorporating responses all will take considerable time. The survey creation alone could take months. In addition, the timing of a face-to-face forum hosted by TF-2 at an Annual Meeting is constricted by timing. The 2019 Annual Meeting will likely be premature given that TF-2 may be created only months before that meeting; as a result, the 2020 Annual Meeting would be the best venue for such an event. Receiving those responses and incorporating them, again, will take time. As a result, while there may be some Board members who wish to see a more streamlined, one-year period for TF-2 to conduct its important work, the logistics of a survey and a face-to-face forum will require a longer time span than might otherwise be desired.

Duration: We recommend TF-2 be given a minimum of a year (and likely two years) to gather input and synthesize their findings. To expedite their efforts, the Board should prioritize the review of their proposed survey instrument.

Deliverables:

1. Brief account of activities and efforts to engage the membership on the Society's Principles of Archaeological Ethics
2. Raw data of membership discourse on principles (e.g., survey methods and results, notes from forums, recommendations from other SAA committees and interest groups)
3. Synthesis of key and overarching themes from discourse, including ideas on both the content and structure of the revised principles
4. Recommendations to TF-3 regarding the advisability of a revision of the existing Principles of Archaeological Ethics or a wholesale rewriting of them
5. Recommendations (in conjunction with the Committee on Ethics) for specific ways that the Society can develop the new principles statement into a living document with historical context, case studies, and venues for ongoing dialogue between members (e.g., a series of articles in *Advances in Archaeological Practice* or a regular column in *The SAA Archaeological Record*, a series of blog posts, handouts/flyers, curricula, etc.). Members need to be continually (re-) engaged on ethical quandaries.
6. Recommendations to the Board regarding TF-3 composition and charge

Task Force – Stage Three

Charge: TF-3 should be charged with implementing the revision or rewriting of the Society's ethical principles statement. The Task Force should take serious consideration of and heed the recommendations, data, ideas, and themes provided to them by TF-2.

Composition: TF-3 needs to be small (approximately 5 people). We recommend well-respected and above-reproach members who will garner trust and buy-in from the membership. These individuals should have some experience with ethical dilemmas, but need not be ethical "experts." They will need to be able to devote considerable and focused time to this project. They should be able to take the deliverables of TF-2 and craft from them a workable draft statement of ethical principles. At least one member of TF-3 (perhaps two) should be a former member of TF-2 to maintain continuity and transfer of history/knowledge.

Tasks: Accept the information provided by TF-2 and craft a new Statement of Principles of Archaeological Ethics for the Society. Upon Board approval, disseminate the draft statement to the membership for feedback, edit accordingly, and submit the final draft for a vote to the membership.

Funding & Support: Should TF-3 deem it advisable, funding and support should be provided for one or two retreat events. These retreats can be used to hammer out details of the principles and the writing process and to facilitate a final writing push.

Annual Meeting Milestones and Timing: We expect that the TF-2 report will be ready for the Board by the Fall 2020 or the Spring 2021 Board meeting. At that point, the TF-3 chair could be identified and the small number of TF-3 members convened. A draft statement and report may be ready for the Board at their Spring 2022 meeting, with a rollout by the President and the Board soon afterwards to membership for response. Subsequent to a membership comment and revisions period, TF-3 may be able to submit the final revised Principles on Archaeological Ethics to the Board, for subsequent vote by membership, by the Spring 2023 meeting.

Duration: We recommend TF-3 be given at least a year for writing a draft statement of ethical principles and another year for the subsequent Board review, membership comment period, and revisions based on that feedback, submission of final statement, and subsequent final vote.

Deliverables:

1. Brief account of activities
2. A draft statement of ethical principles for Board review
3. Recommendations to the Board on a method for gathering member feedback on the draft
4. Gathering of member feedback on the draft
5. A final draft (i.e., revisions to the draft statement in response to member feedback)

Additional Recommendations

The Society's Committee on Ethics already has a considerable workload. It previously provided the Board with feedback on the SAA Principles, which spurred Board action on them. The Committee on Ethics represents a dedicated, energetic, and engaged group of members for whom archaeological ethics are not simply an interest but a passion.

We recommend that the Board consider incorporating the expertise of the Committee on Ethics in this future work of the Society. Over the last several years, the Committee on Ethics received comments and feedback from a number of standing committees on the ethical principles, and those comments ought to be leveraged and used along with any new comments that would be collected. One or more members from the Committee on Ethics may be assigned to TF-2 and TF-3. The Committee on Ethics may act as an important sounding board for these Task Forces as they go about their business. The natural continuity of the Committee on Ethics membership will be one source of continuity for the sequential Task Forces. We recommend the Committee on Ethics be asked to review raw data collected by TF-2 and provide feedback and comments (thus helping with the distillation process). TF-2 could also coordinate with the Committee on Ethics on events, forums, and sessions at the meetings. For example, we see considerable potential in using the annual Ethics Bowl during the revision process. Perhaps certain topics or issues that TF-2 are learning about and starting to consider (i.e., 3-D printing of artifacts, remote sensing) could be selected as topics for the Ethics Bowl. Additionally, it might be possible to encourage university groups to work on ethical problems outside of the Annual Meeting and publish them in *The SAA Archaeological Record*. The Committee on Ethics should be prepared to implement some of the action items developed by TF-2 regarding the development of an ongoing dialogue within the membership on ethical issues. TF-3 could use the Committee on Ethics as a sounding board and source of commentary on draft principles statements as they are prepared.

Final Points

- The Society needs to take this opportunity to not only consider how to revise the principles but also to use this as leverage to structurally keep ethical principles in the forefront of members' minds into the future.
- Revision of our statement of ethical principles will take considerable time and should not be rushed.
- It is critical that both member and nonmember stakeholders have a chance to participate in the dialogue surrounding the revision and that their voices are heard (and that they feel their voices are heard).

Suggested Resources for TF-2 and TF-3

- CAA ethics page , with links: <https://canadianarchaeology.com/caa/about/ethics>
- NAPA ethics page, with links: <http://practicinganthropology.org/practicing-anthro/ethics/>
- SHA Ethics Committee webpage, with links : <https://sha.org/committees/ethics-committee/>
- AAA blog post on thinking about its new ethics principles in practice: <http://ethics.americananthro.org/do-some-good-and-other-lessons-from-practice-for-a-new-aaa-code-of-ethics/>
- AAA ethics resources page, with links: <http://www.americananthro.org/ParticipateAndAdvocate/Content.aspx?ItemNumber=1895>
- LSA ethics webpage, with links: <https://www.linguisticsociety.org/resource/ethics>
- Advisory Council on Underwater Archaeologists (ACUA) blog post with link to press kit: <https://acuaonline.org/deep-thoughts/a-matter-of-ethics-by-della-scott-ireton/>
- Florida Anthropological Society (FAS) code of ethics: http://fasweb.org/wp-content/uploads/2016/04/FAS_Ethics.pdf
- HMS Florida application requires adherence to FAS code of ethics: https://docs.google.com/forms/d/e/1FAIpQLScRHH6JLVppkwVLi6z5_kWjbdXK-Ba_w1eVrC3If82VOBXpw/viewform?c=0&w=1
- Southeastern Archaeological Conference (SEAC) links to SAA’s code of ethics for membership requirement <https://www.southeasternarchaeology.org/membership/membership-options/>
- SEAC also has page with links dedicated to sexual harassment policies, posters, and papers: <https://www.southeasternarchaeology.org/sexual-harassment-task-force/>
- RPA’s Archaeological Ethics Database—codes, papers, journal articles—an in-depth resource: <http://archaeologicaethics.org/>
- Recent article in AAP “The Context and Consequences of Sexual Harassment in Southeastern Archaeology”: <https://www.cambridge.org/core/journals/advances-in-archaeological-practice/article/context-and-consequences-of-sexual-harassment-in-southeastern-archaeology/9FF373F0E76DAC09419F6B57C8616327/core-reader>
- Terry L. Cooper, 2012, *The Responsible Administrator: An Approach to Ethics for the Administrative Role* (6th Edition). Jossey-Bass, San Francisco, California.
- Dean Gueras and Charles Garofalo, 2011, *Practical Ethics in Public Administration* (3rd Edition). Management Concepts, Vienna, Virginia.
- Dena Plemmons and Alex Barker, editors, 2016, *Anthropological Ethics in Context: An Ongoing Dialogue*. Routledge, New York. (Volume that came out of the AAA revisions on ethics)