

Case studies for the

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Note: Although some of these case studies were inspired by actual events, the scenarios are intended to be educational and hypothetical. Ethics Bowl participants should only consider the information provided in the scenarios below.

Case 1

The Springfield History Museum is in trouble. The museum's mission is to preserve the artifacts and historical documents related to the history of the region and to use these materials to provide educational opportunities for all ages. But the museum is no longer able to meet this goal. Funding has dwindled over the last decade and the exhibits are woefully out of date. To further add to the problem, the building that houses the museum is crumbling. The historic building, which was constructed in 1830 to serve as a town hall, is the only remaining example of colonial architecture in the county. As such, it lacks the modern features necessary to preserve the artifacts and historical documents it houses.

During a particularly cold storm a water pipe breaks in the basement and the museum staff are forced to move the artifacts housed in two rooms to temporary storage. For the past three decades, these rooms have been almost untouched, except for serving as the catch-all storage for artifacts that did not fit in with the rest of the collections. During the move, the staff discovers that the majority of the artifacts in the rooms have nothing to do with local history; most are textiles and pottery from all around the world.

The curator, John, can't believe that a museum devoted to local history is housing all of this superfluous material. John sees the solution to all of the museum's problems in these "extraneous" materials – they will sell them, using the proceeds to improve the structure and curatorial facilities.

Not long after the museum announces its plans through the local media, showcasing some of its oldest and most impressive Bronze Age artifacts, John receives two phone calls. The first is from the curator of a small ancient history museum a few hours away, who is hoping to beef up his collections. The small museum offers to purchase the entire collection for a reasonable sum, but John calculates this will only cover structural repairs. A few hours later, John finds himself speaking to the president of Cecily's, a renowned (and some would say infamous) international auction house that caters to private collectors with deep pockets. Cecily's will pay a lump sum for the collection, plus a percentage of the final auction price for each artifact. After doing a little internet research, John works out that, working with Cecily's, the museum could make enough money to fully renovate and stabilize the building, install climate controlled artifact storage, and update half of the exhibits.

Case 2

Bre, an archaeologist for the Bureau of Land Management (BLM), annually consults with the Native American tribes that are culturally affiliated with the heritage sites that she manages. This year, the BLM is proposing to conduct a 20,000 acre vegetation management project that would include thinning trees, commercial sale of timber, and meadow restoration. The project is located in a mountainous area that is used by native peoples for traditional and ceremonial purposes. Survey within the project area has identified prehistoric and historic cultural resources that are affiliated with multiple Indigenous and non-Indigenous peoples.

During consultation with the Pueblo of Acoma, several tribal members express concern with the project, citing traditional cultural properties within the 20,000 acre area, as well as disruptions in their traditional use of the land. They ask the BLM to conduct a public meeting for all of the Acoma people during the early phases of the Environmental Impact Statement. They also specifically ask Bre to bring maps of the archaeological sites within the project area so that the tribal members can describe the relationship between those sites and traditional uses of the area.

Bre explains that the BLM would be happy to organize a public meeting for the Pueblo but that she is hesitant to bring site location maps to a public meeting. She reminds the governing tribal members that site location is protected by federal law and cannot be disclosed to the general public. The governor appears visibly upset and says “But these are our sites. We are the descendants of the people who lived in them and our people have a right to know where they are.”

Case 3

Ian is a district archaeologist for the Forest Service in southern Arizona. The desert environment and topography of Ian's district closely mirrors that of Afghanistan and the U.S. Military likes to use the area to conduct training exercises. In the past, the military has been given a special use permit and an archaeological clearance before conducting their training exercises.

During the weekly staff meeting, Ian learns that the Army will be conducting a training exercise on a part of the district that has a high archaeological site density. He asks the district ranger when he needs to have the clearance report completed by and is informed that this is a routine exercise that will not cause any undue disturbance to the area. The district will not be giving the Army a special use permit or a doing any archaeological survey. Ian is concerned, but the district ranger assures him that it is merely an on foot exercise.

Over the next couple of days Ian hears that the Army is planning to do more than a routine foot exercise. Instead, they are planning a "night ops" drill that includes driving large vehicles cross country and landing helicopters to deploy troops. Ian has seen what cross country driving with Hummers can do to a landscape and is worried about the archaeological sites – some of which are structural pueblo sites.

He approaches the district ranger with his concerns one more time but is told not to worry about it. The district ranger states "According to my understanding and what the Army is telling me, the training exercise is a matter of homeland security and the Army is exempt from all environmental regulations, including the National Historic Preservation Act."

Case 4

Teagan can hardly believe her luck – she has just finished up the summer of a lifetime excavating in Turkey with her advisor and fellow graduate students. The field season was meant to be a preliminary study of an ancient Greek coastal city but it turned into a spectacular find. Late in the excavations the crew began to uncover layers of charcoal. As the excavation progressed it became clear that the city had burned violently several times. Teagan’s advisor thinks that the city was sacked over a period of several decades and has taken multiple charcoal samples to verify the dates.

As she is packing to leave her advisor stops by with a small bag. He tells her that he really needs to get the charcoal samples back to the states for processing but has a small problem. The permit process for taking samples out of Turkey is extremely lengthy, sometimes taking as long as four months. He had not planned to take any samples home this year since it was only a pilot study and he only expected to find sherds, which would be analyzed on-site. He adds that the samples will be essential for obtaining a second grant to return to the site next year. And of course, the grant will include funding for graduate student research.

Teagan’s advisor asks her if she would be willing to pack some of the samples in her luggage. “These things happen all the time. It is really not a big deal,” he assures her. “It is just that customs is less likely to look through your luggage. Plus, you only have to carry a few samples, the other students will carry the rest,” he concludes.

Teagan realizes that receiving the grant would secure both her and her advisor’s careers. He is up for tenure next year and the discoveries at the site and a large grant would ensure that he receives tenure. With the grant, she would have a fully funded dissertation project with numerous opportunities for publication. But, Teagan also remembers seeing the signs in the airport warning people about removing antiquities from the country. She supposes that charcoal is not really an antiquity, but sneaking it out of the country doesn’t seem right either.

Case 5

Anastasia is an archaeologist dedicated to public education through outreach and community-oriented research. In the past, she has included local teachers and avocational archaeologists as part of her research projects. Her goal is to teach these individuals the various stages in the archaeological process, including survey, test excavation, and excavation, while emphasizing the value of research design, context, and provenience.

Anastasia is getting ready to begin a new archaeology project and has a new idea for getting volunteers: she plans to bring on to the project people who are known to actively collect archaeological artifacts and even some who have been previously charged with violating the ARPA, in hopes of encouraging them to change their practices. Anastasia gets 10 volunteers for her project and proceeds with her fieldwork. The volunteers were able to experience pedestrian survey, digging shovel-test pits, and participating in full-scale archaeological excavation. At the end of the project, Anastasia returns to the university to begin cataloging artifacts and writing up her conclusions. She feels the program went well and, even though there were some drop-outs and missed connections, she was able to teach her volunteers a great deal about appropriate use of the archaeological record. One former artifact collector even noted to Anastasia, “You really opened my eyes to value of archaeological research.”

Not long after the end of her field work, Anastasia gets bad news from the leader of a local historic preservation group who is very upset. “You better get down here, Anastasia! There are holes everywhere!” There have been several reported looting episodes in the area. Anastasia goes down to the area to check out the damage. Though she can’t be certain if the looting was done by people on her crew, the timing does make it seem like too much of a coincidence, and many of the sites looted relate directly to the research she has been conducting in her program.

Anastasia is now fielding questions from news reporters about the looting and her controversial program. Between that, and the damage done to the very sites crucial for understanding her work, she is wondering whether she should continue the program next year.

Case 6

Marcel is a doctoral student who studies an ancient culture in the United States not currently affiliated with any federally recognized U.S. tribe. He has performed numerous excavations at his key research site and has been analyzing the collections for his dissertation. Part of Marcel's research involves working with skeletal materials previously excavated from the site in the 1950s and performing destructive analyses on ceramics. Marcel secured all the appropriate state permits for his project, but did not consult with any of the Native American tribes in his state about his work, thinking that he was not required to do so.

Marcel schedules his dissertation defense, which is publicly announced by his university. When Marcel arrives for his defense, he is surprised to meet several leaders of local Native American tribes, who are upset that this is the first they have heard about his archaeological research in their state. Marcel's defense goes fine and he is awarded his degree, but he is concerned that he has ruined his reputation with local Native American groups.

A few rounds into his celebratory soiree at the local watering hole, Marcel finds himself discussing the matter with fellow graduate students. "It was painful!" he says. "There I was, with pictures of human remains up on the screen, right in front of people who might be descended from my samples!" Pat, an experienced colleague from a different advisor's lab, fires off the following remark before settling up his tab: "Yeah. Who would have thought these samples might mean something to someone?" Marcel can't help but notice the bitter note in his voice. Alex, his labmate, tells him to shrug it off: "You did make every reasonable effort to consult, right?"

At home, later that night, Marcel finds that he is having trouble sleeping. His colleagues' comments keep running through his head. Did he make a mistake? And why didn't any of his advisors see this coming?

Case 7

In recent weeks, there have been protests in the country of X against a president that has been in office for more than 40 years. The people in country X want change and want the opportunity to speak their voices and be heard. In the past, government opposition has not been welcome in country X, and the military has become involved in quieting opposition rallies. Due to the recent protests, order has deteriorated as the turmoil has escalated and numerous archaeological museums and sites have been looted. Some of the people in country X have been actively protecting the material record of their important cultural pasts, but others have been participating in the looting, hoping to take advantage of a bad situation.

Witnessing this from across international lines, archaeological organizations around the world are crafting a joint statement about the looting. The organizations all agree that they should call for a stop to the looting and for nations around the world to help protect these cultural properties by following the terms of the 1970 UNESCO Convention. The statement jointly-written by the organizations explicitly urges border officials “to be vigilant at their borders to avoid participating in the trafficking of illicitly obtained antiquities from X.”

One archaeological organization (Y) also wants to include a sentence in this joint statement that supports the people of X in their efforts to exercise their civil rights and overthrow what they argue is an unjust regime in favor of establishing a more democratic order. The other organizations protest, maintaining that their role is really to support the protection of *cultural properties* and *heritage* and not to make political statements. Organization Y responds to the other organizations, “Aren’t we making a political statement by supporting the preservation of archaeological sites and cultural properties in the first place?”

Case 8

Tyler is an archaeologist working in the village of Zorania. He is studying highly decorated pre-contact pottery for their symbolic meanings. One day, a local teacher visits the site where Tyler is excavating and tells Tyler about his school's collections of pre-contact artifacts. Most of the children in Zorania live on large farms and it is a tradition for local people to walk the fields after rains in the spring and to collect ancient local artifacts from the surface. Children have been bringing in artifacts for "show-and-tell" since the 1950s at least and the school has an incredible collection of decorated pottery. Tyler decides to include many of the pieces in an article he hopes to have published.

When the reviews come back for Tyler's article, he finds that the article has been rejected because it utilized unprovenienced artifacts and, therefore, may encourage looting. Tyler is very disappointed, as he had written explicitly about the school's collection practices. Clearly, these artifacts were collected with no malice and only with interest in learning about the past. Besides, Tyler reasons, these artifacts were already disturbed through agriculture and were collected with care and labeled according to the family farm in which they were found. He considers placing a call to the journal editor, but suddenly realizes he is not sure what he would say.

Case 9

Angelita discovers human remains while excavating a site on tribally owned lands. She immediately contacts the appropriate tribe and begins a dialogue with their tribal representative. The tribal member visits the site to inspect the remains and concludes, based on affiliated artifacts, that the human remains are not affiliated with his tribe. The tribal representative gives Angelita permission to excavate, retain control of, and conduct destructive analyses of the remains.

Angelita proceeds with her research and finds that, indeed, the remains in question date to a period much earlier than that known to coincide with the occupation of the tribe affiliated with the land. Excited about her discovery, Angelita begins to publish her findings in scholarly journals and popular magazines.

A representative from a neighboring tribe steps forward, claiming cultural affiliation with the remains. He explains that members of the tribe are disturbed by her analyses and her publications, and requests a halt to destructive analysis. Angelita thinks she has already gained permission and is resistant to stopping the excavation or analysis. The neighboring tribe redoubles their efforts and claims of cultural affiliation. Protesters from diverse backgrounds and affiliations start arriving at the site demanding the repatriation of the remains.

Case 10

Formerly a European colony, the Atlantic island archipelago of Argueil has been the site of a recent historical archaeology project aimed at exploring the colonial-period occupations and the social impacts thereof. J. L. Costain, a famous and renowned scholar has been leading the project, and has published extensively on the themes of colonial oppression and native resistance at major colonial sites. The Argueillian government has been supportive of Costain's research, as it has been instrumental in securing a formal apology from the former colonial power, along with significant sums in reparations and investments in national tourism. A good deal of this money is set aside annually to support projects like Costain's.

Nadir, a junior scholar working the small villages of the outer Argueil islands has uncovered a more nuanced narrative. According to oral histories collected in these subsistence-farming and fishing communities, Argueil had a deep history of maritime involvement in European, Mediterranean, and African trade networks. Nadir's work has uncovered evidence that support the controversial idea that some powerful native elites initially worked alongside foreign “colonial” powers, and that some of the present inequalities thought to result from the colonial era were in fact already present in the powerful and hierarchically-structured polity before the arrival of foreign colonists. Furthermore, oral histories suggest that these elite lineages remain in power today.

Costain, a well-connected archaeologist, has heard of Nadir's findings, and advised him to be careful about publishing his results. Not only could this alternative narrative jeopardize future funding opportunities for archaeologists working in Argueil, but it may result in governmental rejection of foreign participation in any kind of research on the archipelago. Nadir is suddenly aware of the potentially subversive power of his findings, but is loath to silence the voices of the people of the outer islands.