

*88th Meeting of the Society for American Archaeology*

# CASE STUDIES IN ARCHAEOLOGICAL ETHICS

*for the Eighteenth Annual Intercollegiate  
Ethics Bowl Competition  
March 30, 2023*



PREPARED BY

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# SCHEDULE OF EVENTS\*

THURSDAY, MARCH 30

\*Note: Winner will be determined at the end of the third round with cumulative scoring.



## **FIRST ROUND (8:00-9:30 AM)**

*Willamette 6 (Hyatt)*

*University of Idaho vs. Indiana University of Pennsylvania*



## **SECOND ROUND (10:00-11:30 AM)**

*Willamette 6 (Hyatt)*

*University of Idaho vs. Indiana University of Pennsylvania*



## **THIRD ROUND (1:00-3:00 PM)**

*Ballroom 201 (Oregon Convention Center)*

*University of Idaho vs. Indiana University of Pennsylvania*

# CASE 1



Atlas Blakely is a PhD student at North Lawn University who recently advanced to candidacy after defending his dissertation prospectus. Motivated by the enthusiasm he received from his committee for his research plan, Atlas travels to the country of Inisherin to conduct his summer fieldwork as part of a project organized by well-known archaeologist Dr. Drake Jameson, chair of the Department of Archaeology at the National University of Inisherin. As a prominent and connected figure in Inisherin, Dr. Jameson is considered the "gatekeeper" to the storied archaeological sites of the Mercator Isles where he has conducted research for over 20 years. Atlas considers himself lucky to be granted the opportunity to excavate under Dr. Jameson's permit in a country where access is often restricted and political. Foreign archaeologists, in particular, find themselves having to navigate complicated (and often changing) power structures.

A few weeks into the project, Atlas is excavating in a 2 x 3-m unit atop Georgian Mound when staff archaeologist Jobu Tupaki comes running. "Atlas!," she shouts. "You won't believe what has happened! That idiot John Weaver has really done it now. Come look at this mess!"

Atlas and Jobu run down the mound to the edge of the site. As they near the area in question, artifacts come into view, including an intact cistern with fresh damage. Apparently, John, a longtime resident and independent farmer who lives next to the Georgian Mound, had been plowing at the base of the mound near the main road to prepare the ground for growing fruit trees. In Inisherin, by law, archaeological sites cannot be privately owned and are considered property of the state. In practice, however, locals, particularly in rural areas such as the economically impoverished Mercator Isles where enforcement is limited, often skirt these laws and will encroach on land immediately adjacent to their properties and public roads.

After receiving a call from Jobu, Dr. Jameson moves to act. Incensed, he returns early the next day with a group made up of, among others, the Inisherin National Police, the Deputy Chief of Antiquities, and a CNA channel news crew. As a crowd of locals gathers to witness the commotion, Dr. Jameson heads to the Georgian Mound with armed personnel, bureaucrats, and cameras in tow to confront John. "You people are so uneducated!," he says sternly to John after John opens his front door, adding "you have no idea what you have just done. You destroyed a piece of our history! We will never get it back!" Atlas and his field assistants watch from a distance atop the Georgian Mound as the crowd grows larger and shouting matches ensue. At one point, a local resident turns and looks up at Atlas' team. He shouts, "Looters! You're all looters! We don't want you here! Get out!"

Atlas feels extremely uneasy about the way things have been handled. On one hand, destruction of the archaeological record is problematic; after all, one of his principal responsibilities as an archaeologist is to work toward the preservation of the past. Nevertheless, in a country where looting is rampant and archaeologists and locals are set up to be odds with one another due to the fear of private land being "stolen" by the government upon discovery of archaeological material, conflicts such as these only exacerbate existing tensions. Feeling frustrated, Atlas wonders whether there is any hope of generating goodwill with the community through his research.

## CASE 2



Sam Gilmore is a consultant for 3rd Way International, a US-based non-profit. The organization creates opportunities for growth in developing countries, and Sam's job is to formulate projects, secure the necessary funding, and oversee execution. Last year, Sam designed an exciting heritage management training project based in the small African country of Equatorial Kundu. This training will help locals market their heritage in rural communities away from the capital.

In the process of putting together this project, Sam's team visited Equatorial Kundu to network with officials from the National Cultural Authority and Museum, and to travel out of the capital to meet potential participants and stakeholders. The visit was highly successful. In fact, Sam was able to garner the support of Brahim Dawda Jallow, the Director of the National Cultural Authority and Museum (NCAM). Brahim Dawda Jallow connected Sam to the right people and even provided a driver and the Museum's off-road SUV to help cover Sam's ground transportation needs.

Having secured funding from the US Ambassador to Equatorial Kundu's Fund for Cultural Preservation, Sam moves into the project implementation phase and is ready to spend the funds. The project requires a local coordinator who will have to be a subcontractor; it is difficult, after all for 3rd Way International to set up a new company incorporated in Equatorial Kundu. Sam wants Brahim Dawda Jallow, who was instrumental in project development, to step into this role. Since Brahim works for NCAM (a governmental entity), the situation is complicated.

Firstly, there are specific funder requirements: grant recipients, for example, must have an agreement with—and approval from—NCAM for their project. This assures the Ambassador's Fund that there is sufficient oversight. Secondly, local (Equatorial Kunduan) organizations can be subcontractors; if NCAM staff are working on the project, however, they will have to submit their salary information and the amount they receive cannot exceed that number. Even though Brahim Dawda Jallow is a senior civil servant (NCAM Director) his salary is very low in comparison with the amounts that the American researchers and trainers will be paid to work on the project.

The project has budget headings for travel and subsistence, staff costs (payment for 3rd Way International employees), subcontract costs, and "indirect costs" defined as "costs that cannot be linked directly to the program activities, e.g., overhead costs to keep the organization operating."

Soon after hearing about the funding decision, Sam's line manager Redmond Kennedy, Founder and CEO of 3rd Way International, reviews the project documentation. Redmond is clearly impressed by the proposal, and is delighted that funding has been secured. One issue, however, draws his ire. "Things can go wrong in situations like this," he says. "We can't pay this guy Brahim Dawda Jallow so little! He is in a very senior position—it would be rude and a bad look for us. Please move some money around within the budget. Pay him more somehow, he'll be grateful. It will help grease the wheels and ensure that nothing goes wrong with the project. I don't care how you do it, and I don't need to know. Just be smart about it."

## CASE 3



Joanne Wu is an assistant professor at Jordan College who works on archaeological sites in the Ember Islands. As an active member of the Society for Emberian Archaeology (SEA), Joanne chairs the SEA Ethics Committee which advises the SEA Board of Directors on ethical misconduct cases.

One day, an email sent to the SEA listserv arrives in her inbox. The member who sent the message expresses concern about a new publication in the journal *Global Archaeologies* by historian Francois Montblanc on Emberian ritual practices. As Joanne continues reading, her jaw drops. Francois reached out to her years ago while she was still a doctoral student working on sacred Emberian figurines. The article is extremely familiar. In fact, it is identical to a manuscript that Joanne reviewed a year prior that was submitted to the very same journal—*Global Archaeologies*.

Joanne recommended rejection for several reasons: (1) Francois plagiarized portions of her dissertation, (2) the manuscript was rife with basic factual errors, and (3) many relevant sources on Emberian archaeology were missing. The Editor agreed and rejected the manuscript. She knows that a lightly modified version of the manuscript was then submitted to SEA's flagship journal *Insula Archaeologia* where it was also rejected. Somehow, *Global Archaeologies* accepted a resubmission of this problematic article with a different set of reviewers.

Over the next few days, the SEA listserv erupts in chaos. Names of Indigenous Emberians were misspelled and several outdated, erroneous, and offensive beliefs were stated as fact. In addition to expressing outrage on social media, members email SEA leadership and demand an official statement condemning Francois' article. As Ethics Committee Chair, Joanne is tasked by the Board to assess the situation and recommend best practice. To garner feedback from the membership, Joanne distributes a survey soliciting opinions on how to address the matter.

The responses she receives are varied. Some members criticize Joanne and SEA for even taking the time to attend to this ordeal, citing the importance of academic freedom and the out-of-control nature of "cancel culture." Others demand that SEA release a strong statement on the inaccuracies in the text, pointing to the potential damage that the article could have on relationships with descendant communities. Ultimately, Joanne feels that action is warranted. Joanne and the Ethics Committee draft a letter to *Global Archaeologies* urging them to correct factual inaccuracies or retract the article entirely. Upon review of the letter, however, the SEA Board decides against releasing it out of fear that this unprecedented move would establish expectations that the organization will monitor publications from society members in the future.

A few months later, Joanne hears through the grapevine that *Global Archaeologies* has a practice of sending manuscripts to scholars who are not established experts in the subject area. She also learned that from *Global Archaeologies'* perspectives, fact-checking is not their responsibility. Feeling frustrated, Joanne is at her wits' end concerning what she can do.

## CASE 4



Loretta Lakani is an undergraduate student majoring in anthropology at Highgarden University. Now in her final year of her studies, she applies for, and is accepted into, the National Institute for Archaeological Studies (NIAS) internship program which will immerse students in collections management, laboratory analyses, and field research. Ecstatic about the prospect of gaining hands-on experience with such a prestigious institution, she shows up to NIAS at the start of the program and quickly gels with the other student interns (all undergraduates or recent BAs), staff in their early to late 20s, and her direct supervisor, Brandon Westerfield, who runs the internship program and is in his late 30s. Although the internship program technically falls under the purview of curator Dr. Jason Shakur, the day-to-day running of the program is left in Brandon's hands.

After several weeks working in the NIAS facilities, Loretta and the other students have the opportunity to help with survey and excavations in the country of Dennari. Loretta is super excited. Not only are her airfare and room and board covered, she will be getting paid \$10 USD per hour for 8 hours a day. Moreover, because this project is taking place on private land and funded by generous donations from a museum benefactor, the interns will be staying in comfortable cabanas and will have access to a fully furnished communal kitchen. Accustomed to unpaid internships in archaeology and less-than-ideal living conditions in the field, the coming trip seems like a dream.

Upon arrival to Dennari, the team, led by Brandon who is overseeing the project in Dr. Shakur's stead, visit markets in Tigia Nemar, the capital, to stock up. Because the site is so remote, they will need to make weekly trips to Tigia Nemar to purchase food and supplies. As they travel in the pickup truck to visit various vendors, Loretta is stunned at the sheer amount of alcohol that has been purchased—cases upon cases of beer. In fact, half of the truck bed is taken up by beer.

Once work at the site begins, the days seem endless. Loretta soon learns that a strong "work hard, play hard" mentality is upheld. Every morning, everyone is expected to be ready to hop into the truck by 7 AM. Work then generally ends around 5 PM. After showering, Loretta and the other student interns and staff take turns preparing dinner and cleaning up. Then, the partying starts.

Although Loretta has certainly been around drinking before, she has never witnessed the amount of alcohol consumption that is taking place on this project. Every night, goaded along by Brandon, team members play a variety of competitive drinking games well past midnight. Sometimes, in their heavily inebriated state, staff members will drive the truck with student interns on board around the private roads surrounding the site or encourage them to wrestle for entertainment.

Midway through the season, Loretta is spent. One night around 10 PM, she announces to everyone that she will be going to bed. "You can't," Brandon says. "That's lame as heck." Loretta shrugs her shoulders and leaves anyway. A few hours later, around 3 AM, Brandon drunkenly enters her cabana, shakes her awake, and orders her to clean the communal kitchen since she "wussed out" and left early. Loretta arrives and sees cans, cups, and other garbage strewn everywhere.

Feeling humiliated and unable to keep up with it all, Loretta wonders if archaeology is even right for her.

## CASE 5



Michael Mazor is a recent BA archaeology graduate from the University of the Central Valley in the southwestern United States. He is about to embark on his first heritage management experience as an archaeology technician—a sizeable solar infrastructure panel farm project on Bureau of Land Management land. Michael comes with a background in collections management which he amassed through an applied archaeology program at UCV. Through his coursework, he learned about the importance of federal and local preservation legislation and the need to facilitate the long-term curation of archaeological materials.

Eager to get his feet wet, Michael dives into his first job as a professional archaeologist. The project area of potential effect is 12.5 square miles which includes over 100 prehistoric sites and over 40 historic archaeological resources. All the prehistoric sites are protected by law, but not all of the historic resources are/will be preserved. Only two sites have been put forward for federal nomination and preservation.

The project team consists of 30 archaeologists, 20 Native American monitors, 40 biologists, 40 engineers, 400 workers, 20 topographers, 15 geologists, 40 heavy machine operators, and 50 maintenance personnel. A lot of movement is happening all at once, and the area where the team is working is highly sensitive to cultural and natural resources. Given the frenzy, pace, and scale of the work, Michael feels like he is overextended and cannot monitor everything.

During a lunch break, Jack Dawson, one of the workers, comes up to Michael and tells him that he saw another worker, James Hunt, pick up a complete glass bottle (Embossed Hutchinson Bottle) and heard him talk about the online market for antique glass bottles. He remembers that all the workers sat through an introductory talk about the type of resources found in the project area, the protection required for those materials, and the archaeologist's job on the project. Michael is very concerned by this account and decides to investigate.

Michael approaches James to get his version of the events so he can relay the information to his supervisor Cathy Jimenez. James states, "I've seen those glass bottles fetch a great price online. I also happen to know a lot of people who can make money from selling complete bottles." He goes on to mention that he has worked on other projects where he has seen people pick up similar items to sell them online through forums and auction sites. In his defense, James adds that while he picked up the bottle, he only looked at it and passed it around the workers; he did not take it home and returned it to the location where he found it.

After gathering more information, Michael calls Cathy and tells her what happened. Cathy recommends that he visit the location tied to James' account to ensure the object is still in situ and to confirm which site it's associated with. They visit the site, locate the glass bottle, and observe that the historic site will not be protected; in fact, it will definitely be impacted by construction. Michael realizes that James' actions could get him fired. He feels confused and is not sure if he regrets reporting to Cathy, especially considering that he has potentially threatened James' employment over archaeological resources that would have been destroyed by development regardless.



## CASE 6



Beginning in the early 20th century, archaeological expeditions related to the Bistec culture of South Basan led to the unexpected discovery of monumental architecture (e.g., temples and storage silos) and smaller artifacts (e.g., turquoise jewelry and copper vessels). Although several university and museum institutions from around the world were involved with the Bistec archaeological investigations, Dr. Fernando Guzmán, archaeologist and head curator of the Afar University Museum in South Basan, became the foremost scholar in the region. Over the course of working in South Basan over two decades, Fernando amassed a sizable collection of artifacts which were ultimately housed at the Afar University Museum in the neighboring country of Ustana.

Around the time of his retirement, Fernando sought to ensure the preservation of the Bistec artifacts. He placed the entire collection under the auspices of Dr. Ignacio Vallera, his former mentee and head curator of archaeology at the Stepworth University Museum in the country of New Whayles. Although the Bistec collection was legally under the care of the Afar University Museum, Fernando, with permission from the South Basan Antiquities Department (according to collections records) transferred the Bistec collection to the Stepworth University Museum. He did so without the knowledge of the Afar University administration, fearing that they might consider repatriating the collection to South Basan due to growing protests from Indigenous Bistec communities over the loss of their cultural heritage. In a letter addressed to the Stepworth University Museum, Fernando stated that the Bistec collection was to be held indefinitely at Stepworth and would fall directly under the care of Ignacio at the Stepworth University Museum.

Over 10 years after the arrival of the Bistec collection at Stepworth University, Dr. Sergio Rodriguez, a newly hired assistant curator of archaeology at Stepworth, discovers paperwork related to the Bistec collection. The paperwork found by Sergio includes (1) the original letter written by Fernando addressed to the Stepworth University Museum and (2) a list of illicitly purchased antiquities with problematic provenience. Some of these artifacts were housed within the Bistec collection and were likely obtained through looting and trafficking in violation of South Basanian and international laws and treaties. Troubled by his new findings, Sergio approaches Ignacio and asks for an explanation.

"Are you serious, Sergio?" Ignacio mutters angrily under his breath. "Do you know how much of the museum exhibition space and storage facilities are made up of items from the Bistec collection? Do you? You're looking to open up Pandora's Box here. You never saw anything. Leave this matter alone if you know what's good for you."

Uncertain how to proceed, Sergio wants to address the nebulous status of the Bistec collection at Stepworth as well as the illicitly purchased antiquities within the collection. He is especially worried about a potential looming crisis in the face of mounting concern expressed by both the Indigenous peoples of Basan and the Afar University Museum. At the same time, he has a family to feed and can't afford to lose the job he has worked so hard for and his standing in the museum community.