Reading and Composition: Archaeological Ethics

Anthropology R5B P 003 LEC (Fall 2015). Tu/Th, 80 Barrows, 3:30-5:00 PM. Instructor: Katie Chiou Email: katie.chiou@berkeley.edu Office Hours: Thursdays, 1:30-3:30 PM and by appointment in 51 Barrows

Course Description

We all encounter dilemmas in our everyday lives. Oftentimes, these situations do not present a clear solution, forcing us to ponder the morals and codes we live by and the manner in which we attempt to present logical responses to ethical conundrums. The field of archaeology may, at first, seem like an odd candidate for discussion of ethics given that it studies past peoples. You will learn that archaeology is indeed heavily situated in the present and has many ties to such subjects as identity, notions of nationhood and nation-building, collective memory, and historical revision. This class will explore the legal and ethical dimensions of modern archaeology through a consideration of the archaeology as a profession, professional codes on archaeological ethics, the relationship between archaeology and others (the public, ethnic groups, collectors, etc.), international and national approaches to archaeological heritage management, the antiquities trade, maritime law, underwater archaeology, and treasure hunting, cultural resource management in the United States, and archaeological education.

Learning Goals

- 1. You will be able to identify the various stakeholders in contemporary archaeology and assess their values and interests in issues such as the treatment, ownership, and disposition of human remains, heritage sites, submerged cultural resources, and antiquities.
- 2. You will develop the critical thinking skills necessary to be able to formulate, discuss, and defend your own set of archaeological values through critical study and analysis of contemporary and past professional codes of ethics in the field.
- 3. You will develop the skills to be able to prepare an effective advocacy position in order to support and defend the preservation of archaeological heritage.
- 4. By the end of this course, you should be able to assess and evaluate contemporary issues of archaeological ethics and law in the context of the modern professional practice of archaeology.
- 5. You will gain confidence in your research, writing, and public speaking skills by learning how to develop an effective argument, participating in debates with your peers, working on presentations, and workshopping your ideas with classmates during group work sessions.

Required Books

None! Out of interest in keeping this course low-cost, all readings will be scanned and uploaded to the class's bCourses website. Please make sure to keep up with all the readings. You are expected to come to class having read the readings listed under that day.

Assignments

<u>Group PowerPoint Presentation</u> (Class will be split into groups and each group will present on a professional code of ethics)

<u>Group Debate</u> (4 groups will be presented with the same case study and will present their arguments in class)

Opinion Article (this will be written in the style of the *New York Times* or *Archaeology Magazine* and will discuss a current event dealing with one of the topics we have discussed in class) **Bi-Weekly Journal** (these entries will be thoughtful responses to the readings and are due at the end of every other week on Thursdays)

Case Analysis in Archaeological Ethics Paper (Students can choose a case from the Society for American Archaeology Ethics Bowl or a real-world case study reported in the media; proposals must be approved by the instructor and drafts will be workshopped in class).

Grading

- Class Participation (includes attendance, participation in discussion, and PowerPoint presentations)...25%
- In-Class Debate... 10%
- Opinion article (Op-Ed, 1,000 word limit)... 10%
- Bi-Weekly Journal (5 entries, 800 word limit/entry)... 15%
- Case Analysis in Archaeological Ethics (8-page paper)... 40%

Course Policies

Classroom Etiquette

In this course, you will have a chance to engage with your fellow classmates. Much of this course focuses on classroom discussion, group work, presentations, and debate. Please be respectful of your fellow classmates' opinions. Keep an open mind and above all, maintain mutual respect with your peers. During debate, maintain professional decorum.

Attendance Policy

Students are expected to attend class. You are allowed **one unexcused absence** during the course. Each additional unexcused absence will incur a 5% deduction on the participation grade. Lateness and poor classroom demeanor (e.g., sleeping in class, pulling out cell phone) will also negatively impact the participation grade.

Scheduling Conflicts

In accordance with university policies, if you know that you will be absent in advance (e.g., due to travel for a sport or club), please submit the dates, reasoning, and a plan for how to make up work to me during the first week of class.

Email Policy

For short questions, please feel free to email me. Allow 24 hours for me to respond before following up with another email. If have an in-depth question or would like input on writing or reading strategies, please see me in office hours.

Laptop/Cell Phone Policy

Please keep laptops and cell phones in your bags unless otherwise noted. At times, you may need to reference the assigned bCourses readings. During discussion, use of laptops will be allowed. When using laptops, please refrain from using social media, reading the news, or other non-class related activities.

Academic Dishonesty/Plagiarism

"As a member of the UC Berkeley community, I act with HONESTY, INTEGRITY, and RESPECT for others."

At Cal, academic dishonesty is a serious offense that is met with severe consequences. At our first meeting, we will discuss what academic honesty and plagiarism mean in an academic environment. We will cover how to properly cite others' work as well as the specific academic conventions within the field of archaeology. Basic expectations on academic integrity from the Center for Student Conduct are:

- 1. Any work submitted should be your own individual thoughts, and should not have been submitted for credit in another course unless you have prior written permission to re-use it in this course from this instructor.
- 2. All assignments must use "proper attribution," meaning that you have identified the original source and extent or words that you reproduce or use in your assignment. This includes drafts and homework assignments!
- 3. If you are unclear about expectations, please ask.
- 4. Do not collaborate or work with other students on assignments or projects unless you have been given permission or instruction to do so.

For details on UCB's stance on academic dishonesty, please visit: http://http://sa.berkeley.edu/code-of-conduct

Guidelines for Written Assignments

Written assignments will be typed in size 12, Times New Roman font, double-spaced on pages with 1" margins. Sources will be cited and included in a bibliography according to *American Anthropologist* (American Anthropological Association) style conventions.

Disability Accommodation

All students should have equal access to educational opportunities at Cal. If you require accommodation for a disability, please provide the instructor with a letter from the Disabled Students Program (DSP) with a description of the necessary accommodations. You can visit their website at: http://dsp.berkeley.edu

COURSE SCHEDULE

Welcome and Overview (August 27)

Welcome to Anthro R5B: Archaeological Ethics! We will go over the outline of the course and course policies.

Theme 1 (September 1)

Introduction: What is Archaeology's Value?

Today, we will conduct a survey of topics that will be covered in the course including the nature of ethics; professional ethics; archaeology as a profession; and the legal organization of archaeology. Why is archaeology important? What is the value of archaeology? We explore these issues by examining our own interests, background, and involvement in archaeology.

Readings:

- Wylie, A. 2003. On Ethics. In *Ethical Issues in Archaeology*. L.J. Zimmerman, K. Vitelli, and J.J. Hollowell-Zimmern, eds. Walnut Creek, CA: AltaMira Press, pp. 3-21.
- Colwell-Chanthaphonh, C., J.J. Hollwell, and D. McGill. 2008. Thinking through Ethics. In *Ethics in Action: Case Studies in Archaeological Dilemmas.* Washington, D.C.: Society for American Archaeology Press, pp. 29-52.
- Ramos, M. and D. Duganne. 2000. Exploring Public Perceptions and Attitudes about Archaeology. Harris Interactive, Inc. for the Society for American Archaeology.

In-Class Activities:

- Introduce Cal's library system and how to obtain source material while conducting research.
- Go over citation expectations

Theme 2 (September 3)

Stewardship: Archaeology as a Public Interest

Is archaeology only a specialized academic discipline or a profession working on behalf of the public trust? What is the public interest in archaeology? Is it a national or universal trust? Should archaeologists have a compelling claim on public policies and public resources?

Readings:

- Colwell-Chanthaphonh, C. and T.J. Ferguson. 2006. Trust and archaeological practice: Towards a framework of Virtue Ethics. In *The Ethics of Archaeology: Philosophical Perspectives on Archaeological Practice*. C. Scarre and G. Scarre, eds. New York: Cambridge University Press, pp. 115-130.
- McManamon, F.P. 1991. The Many Publics for Archaeology. *American Antiquity*: 56:121-130.
- Wylie, A. 2005. The Promise and Perils of an Ethic of Stewardship. In *Embedding Ethics*. L. Meskell and P. Pells, eds. New York: Berg.
- Kohl, P.L. 1998. Nationalism and Archaeology: On the Constructions of Nations and the Reconstructions of the Remote Past. *Annual Review of Anthropology*. 27:223-246.

Assignments Due:

• 1st Bi-Weekly Journal Entry Due September 3

In-Class Activities:

• Introduce Case Analysis paper

Theme 3 (September 8, 10)

Claiming the Past: Indigenous Peoples, Descendant and Local Communities, and Human Burials

Many different groups are stakeholders in the past. Some have religious and cultural perspectives that are often at odds with professional, scientific enterprises like archaeology, especially when it comes to human burials. Local populations, descendant communities, indigenous peoples, all have interests in archaeology and archaeological sites. These interests often erupt into controversy, especially when human burials are involved.

Readings:

- Riding In, J. 1992. Without Ethics and Morality: A Historical Overview of Imperial Archaeology and American Indian. *Arizona State Law Journal*. 22: 11-34.
- Watkins, J. Though Wary Eyes: Indigenous Perspectives on Archaeology. *Annual Review of Anthropology*. 34:429-449.
- Zimmerman, L.J. 1992. Archaeology, Reburial, and the Tactics of a Discipline's Self-Delusion. *American Indian Culture and Research Journal*. 16: 37-56.
- Lackey, D.P. 2006.Ethics and Native American reburials: A philosopher's view of two decades of NAGPRA. In *The Ethics of Archaeology: Philosophical Perspectives on Archaeological Practice*. C. Scarre and G. Scarre, eds. New York: Cambridge University Press, pp. 146-162.
- Bruning, S.B. 2006. Complex legal legacies: The Native American Graves Protection and Repatriation Act, scientific study, and Kennewick Man. *American Antiquity*. 71:501-521.

Theme 4 (September 15, 17)

Collecting the Past: Museums and Private Collectors

Several groups share a worldview in which archaeology plays an established role, but they often value the remains of the past not for their scientific or information value, but for commercial, aesthetic, or personal reasons. We consider why others who are passionate about the past hold values that are often diametrically opposed to archaeological values.

Readings

- White, S. 1998. A Collector's Odyssey. *International Journal of Cultural Property*. 7: 170–176.
- Lowry, G.D. 1998. Cultural Property: A Museum Director's Perspective. *International Journal of Cultural Property*. 7: 438–445. Mead, R. 2007. Den of Antiquity: The Met defends its Treasures. *New Yorker* (April 9, 2007).
- Elia, R.J. 1993. A Seductive and Troubling Work. *Archaeology Magazine*. January/February, pp. 64-69.
- Renfrew, C. 1993. Collectors are the Real Looters. May/June, pp. 16-17.

- American Association of Museums, "Code of Ethics for AAM": http://www.aamus.org/resources/ethics-standards-and-best-practices/code-of-ethics
- International Council of Museums, "Ethics for Museums. 2004 Edition": http://icom.museum/ethics.html

Assignments Due:

• 2nd Bi-Weekly Journal Entry Due September 17

In-Class Activities:

• Divide into groups of 4 and prepare for presentation on a professional organization's code of ethics (listed under next theme).

Theme 5 (September 22, 24) Professional Archaeological Ethics

What are the core values of archaeology as a profession? Here we contemplate the evolution of professional ethics in the field and appraise the principal contemporary ethical codes of the major archaeological organizations.

Readings:

- Lynott, M.J. 1997. Ethical Principles and Archaeological Practice: Development of an Ethics Policy. *American Antiquity*: 62: 589-599.
- 1991. Four Statements for Archaeology. *American Antiquity*. 27:137–138.
- Groarke, L. and G. Warrick. 2006. Stewardship gone astray? Ethics and the SAA. . In *The Ethics of Archaeology: Philosophical Perspectives on Archaeological Practice*. C. Scarre and G. Scarre, eds. New York: Cambridge University Press, pp. 164-177.

Review web sites of professional organizations and examine their ethical codes for in-class group presentations.

Archaeological Institute of America (AIA):

- https://www.archaeological.org/news/advocacy/130
- https://www.archaeological.org/news/advocacy/132

Register of Professional Archaeologists (RPA):

• http://rpanet.org/?page=CodesandStandards

Society for American Archaeology: (SAA):

 http://www.saa.org/AbouttheSociety/PrinciplesofArchaeologicalEthics/tabid/203/Default.asp x

Society for Historical Archaeology (SHA):

• http://www.sha.org/index.php/view/page/ethics

World Archaeological Congress (WAC):

• http://www.worldarchaeologicalcongress.org/site/about_ethi.php

In-Class Activities

• Group Presentations on September 24

Theme 6 (September 29, October 1) The Curation Crisis in Archaeology

Most archaeologists participate in the excavation of archaeological sites, amassing tons of artifacts, samples, paperwork, and data every field season. What happens to that "stuff"? Where is it stored and curated? How much does this cost? What happens when we inevitably run out of space?

Readings:

- Marquardt, W.H., A. Montet-White, and S.C. Scholtz. 1982. Resolving the Crisis in Archaeological Collections Curation. *American Antiquity*.47: 409-418.
- Childs, S.T. 2006. The Antiquities Act: Don't forget the collections! *SAA Archaeological Record*. 6: 38-41.
- Kintigh, K.W. and J.H. Altschul. 2011. Sustaining the Digital Archaeological Record. *Heritage Management*. 3: 264-274.
- Voss, B.L. 2012. Curation as research: A case study in orphaned and underreported archaeological collections. *Archaeological Dialogues*. 19: 145-169.
- The Archaeological Curation Crisis: An Integrated Action Plan for the SAA and Its Partners (March 2003).

Assignments Due:

• 3rd Bi-Weekly Journal Entry Due October 1

Theme 7 (October 6, 8)

Looting, Collecting, and the Antiquities Market

We will discuss fact and fiction concerning the antiquities market. We examine looting, collecting, and the market as components of an international economic system that combines legal and illicit aspects. The nature of this system, and its consequences, are discussed by archaeologists, collectors, and dealers.

Readings

- Bowman, B.A. 2008. Transnational Crimes against Culture: Looting at Archaeological Sites and the "Grey" Market in Antiquities. *Journal of Contemporary Criminal Justice*. 24: 225-242.
- Elia, R.J. 1997. Looting, Collecting, and the Destruction of Archaeological Resources. *Nonrenewable Resources* 6: 85-98.
- Marks, P. 1998. The Ethics of Art Dealing. International Journal of Cultural Property. 7: 116-127.
- Alexander, B. 1990. Archaeology and Looting Make a Volatile Mix. *Science*. 23: 1074-1075.
- Matsuda, D. 1998. The Ethics of Archaeology, Subsistence Digging, and Artifact Looting in Latin America: Point, Muted Counterpoint. *International Journal of Cultural Property*. 7: 87-97.

Theme 8 (October 13, 15) Archaeology and Popular Culture

This week, we examine the concept of archaeology as a brand and explore the numerous ways in which archaeology is represented in the public eye. We will go over such topics as television, Hollywood

movies, documentaries, video games, theme parks, pseudoarchaeology/fringe archaeology, and more. Is "truth" in the portrayal of archaeology a central concern? How involved should archaeologists be in the popular consumption of their field?

Readings

- Piccini, A. 2007. Faking It: Why Truth is So Important for TV Archaeology. In *Archaeology and the Media*. T. Clack and M. Brittain, eds. Walnut Creek, CA: Left Coast Press, pp. 221-236.
- Taylor, T. 2007. Screening Biases: Archaeology, Television, and the Banal. In *Archaeology and the Media*. T. Clack and M. Brittain, eds. Walnut Creek, CA: Left Coast Press, pp. 187-200.
- Holtorf, C. 2007. An Archaeological Fashion Show: How Archaeologists Dress and How they are Portrayed in the Media. In *Archaeology and the Media*. T. Clack and M. Brittain, eds. Walnut Creek, CA: Left Coast Press, pp. 70-88.
- Gardner, A. 2007. The Past as Playground: The Ancient World in Video Game Representation. In *Archaeology and the Media*. T. Clack and M. Brittain, eds. Walnut Creek, CA: Left Coast Press, pp. 255-272.
- Hiscock, P. 2012. Cinema, Supernatural Archaeology, and the Hidden Past. *Numen*. 59: 156-177.
- Holtorf, C. 2007. Learning from Las Vegas: Archaeology in the Experience Economy. *SAA Archaeological Record*. 7: 6-10.
- Thornhill T. R. Kisiel, and G. Walters. 2014. 'Nazi War Diggers' television show scrapped by National Geographic after furious viewers complain about insensitive historians excavating Second World War graves. *Daily Mail Online* (April 1, 2014).
- Joint Letter (SAA, SHA, AIA, AAA, EAA, EASA) Protesting National Geographic's "Nazi War Diggers."
- Carter, B. 2012. Spike's 'American Diggers' Draws Concerns from Scholars. *The New York Times* (March 20, 2012).

In-Class Activities:

• Introduce New York Times style Op-Ed piece.

Assignments Due:

- 4th Bi-Weekly Journal Entry Due October 15
- Proposal for Case Analysis Paper Due October 15

Theme 9 (October 20, 22) Debating Archaeological Ethics

Students will consider, debate, and discuss a series of archaeological dilemmas using case studies, law, and professional ethics.

In-Class Activities:

• **Group Debates:** Class will be divided into groups of 3-4. Two teams will be given the same case and will be allotted time to prepare a case argument followed by debate (rules will be discussed in class).

Theme 10 (October 27, 29) International Approaches to Archaeological Heritage Management I: Introduction and the Problem of Armed Conflict

Threats to archaeological heritage do not recognize national borders; preservation of that heritage is therefore amenable to international solutions. We explore how agreements are made among nations to protect the past. We then turn to the problem of protecting sites, monuments, and artifacts during times of armed conflict, from antiquity to the Iraq War.

Readings

- Dingli, M. 2006. A plea for responsibility towards the common heritage of mankind. In *The Ethics of Archaeology: Philosophical Perspectives on Archaeological Practice*. C. Scarre and G. Scarre, eds. New York: Cambridge University Press, pp. 219-241.
- Gibson, M. 2008. The Looting of the Iraq Museum in Context. In *Catastrophe! The Looting and Destruction of Iraq's Past.* G. Emberling and K. Hanson, eds. Chicago: Oriental Institute, pp. 13–18 [read this chapter in the *Catastrophe!* book pdf].
- George, D. 2008. The Looting of the Iraq Museum Complex. In Catastrophe! The Looting and Destruction of Iraq's Past. G. Emberling and K. Hanson, eds. Chicago: Oriental Institute, pp. 19–28 [read this chapter in the *Catastrophe!* book pdf].
- Bogdanos, M. 2005. Casualties of War: The Truth about the Iraq Museum. *American Journal of Anthropology*. 109: 477–526.
- Holtorf, C. 2006. Can less be more? Heritage in the age of terrorism. *Public Archaeology*. 5: 101-109.
- Text of the Hague Convention of 1954 ("Convention for the Protection of Cultural Property in the Event of Armed Conflict, with Regulations for the Execution of the Convention as well as the Protocol to the Convention and the Conference Resolutions, 14 May 1954.")

Assignments Due:

- 5th and Final Bi-Weekly Journal Entry Due October 29
- Op-Ed Piece Due October 29

Theme 11 (November 3, 5)

International Approaches to Archaeological Heritage Management II: Plunder and Preservation

The international community has endeavored to prevent looting since the 1960s and has developed several international instruments to do so. Yet the looting continues. Can an effective solution be found before everything is gone? And how do we preserve cultural sites of global importance?

Readings

• Omland, A. 2006. The ethics of the World Heritage concept. In *The Ethics of Archaeology: Philosophical Perspectives on Archaeological Practice*. C. Scarre and G. Scarre, eds. New York: Cambridge University Press, pp. 242-259.

- Text of the UNESCO Convention of 1970 ("Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 14 November 1970").
- Text of the UNIDROIT Convention of 1995 ("Unidroit Convention on Stolen or Illegally Exported Cultural Objects").
- Text of the World Heritage Convention of 1972 ("Convention concerning the Protection of the World Cultural and Natural Heritage, 16 November 1972").
- Text of the ICOMOS Charter of 1990 ("Charter for the Protection and Management of the Archaeological Heritage").

Assignments Due:

• First Draft of Case Analysis Paper Due November 5

In-Class Activities:

• Split into pairs and workshop first draft

Theme 12 (November 10, 12)

Maritime Law and Underwater Archaeology

Commercial treasure hunting of shipwrecks vs. underwater archaeology. Are archaeologists losing the public debate? Can archaeologists compromise with salvage companies without losing their souls? Are shipwrecks like Titanic significant archaeological resources worth fighting for?

Readings:

- Elia, R.J. 2000. U.S. Protection of Underwater Cultural Heritage beyond the Territorial Sea: Problems and Prospects. *International Journal of Nautical Archaeology.* 29: 43–56.
- Bryant, C.R. 2001. The Archaeological Duty of Care: The Legal, Professional, and Cultural Struggle over Salvaging Historic Shipwrecks. *Albany Law Review*. 65: 97-145.
- Elia, R.J. 1992. The Ethics of Collaboration: Archaeologists and the *Whydah* Project. *Historical Archaeology.* 26: 105-117.
- Forrest, C.J.S. and J. Gribble. 2002. The Illicit Movement of Underwater Cultural Heritage: The Case of the Dodgington Coins. *International Journal of Cultural Property*. 11: 267-293.
- Text of U.S. Abandoned Shipwreck Act (1988)
- Text of UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001)

Assignments Due:

• Second Draft of Case Analysis Paper Due November 12 (please meet with your writing partner to revise your draft)

In-Class Activities:

• Group work on revising second draft of Case Analysis paper

Theme 13 (November 17, 19) National Approaches to Archaeological Heritage Management: Cultural Resource Management in the United States

Throughout the 20th century a system of archaeological and cultural resource protection evolved in the United States that asserts a national interest in preservation while privileging private property rights. Today's system is known as cultural resource management, contract archaeology, public archaeology, or rescue archaeology. It's about identifying, evaluating, and managing sites threatened by development. What are the strengths and weaknesses of the U.S. system?

Readings:

- Elia, R.J. 1993. U.S. Cultural Resource Management and the ICAHM Charter. *Antiquity.* 67: 426-438.
- Stapp, D.C. and J.G. Longenecker. 2009. *Avoiding Archaeological Disasters: A Risk Management Approach*. San Francisco: Left Coast Press. [Read Chapters 2 and 6]
- Green, W. and J.F. Doershuk. 1998. Culture Resource Management and American Archaeology. *Journal of Archaeological Research*. 6: 121-167.
- Tainter, J.A. 2004. Persistent Dilemmas in American Cultural Resource Management. In *A Companion to Archaeology*. J. Bintliff, ed. Malden, MA: Blackwell Publishing, pp. 435-453.

HAPPY THANKSGIVING!!

(No class November 24 and 26). Enjoy!



Theme 14 (December 1, 3)

Equity and Safety Issues in Archaeological Practice

Archaeology, like many other fields, suffers from equity issues that stem from its historical development and culture of practice. We will discuss issues such as health and safety, hiring practices, sex and gender inequality, access for minorities, and sexual harassment, and outline steps the discipline can take to create a safe and inclusive environment for all.

Readings:

- Bardolph, D.N. 2014. A Critical Evaluation of Recent Gendered Publishing Trends in American Archaeology. *American Antiquity*. 79: 522-540.
- Franklin, M. 1997. Why are there so few black American archaeologists? *Antiquity*. 799-801.
- Gero, J.M. 1985. Socio-Politics and the Woman-at-Home Ideology. *American Antiquity*. 2: 342-350.

- Langley, R.L. and L.E. Abbott, Jr. 2000. Health and Safety Issues in Archaeology: Are Archaeologists at Risk? *North Carolina Archaeology*. 49: 23-42.
- She. 2000. Sex and a Career. *World Archaeology*. 32: 166-172.
- Watkins J. 2002. Marginal Native, Marginal Archaeologist: Ethnic Disparity in American Archaeology. *The SAA Archaeological Record*. 2: 36-37.
- Wright, R.P. 2008. Sexual Harassment and Professional Ethics. *The SAA Archaeological Record.* 8: 27-30.

In-Class Activities:

• Guest lecture by Dana Bardolph, University of California, Santa Barbara

Assignments Due:

• Final Draft of Case Analysis paper due for grade on December 3