

Case studies for the

Third Annual Intercollegiate Ethics Bowl

**To be held at
the 71st Annual Meeting of the
Society for American Archaeology**

**San Juan, Puerto Rico
April 27, 2006**

**Sponsored by the
Society for American Archaeology Committee on Ethics**

**and the
Society for American Archaeology Board of Directors**

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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

Bill Sparks has lived in Northern Arizona for all of his 78 years, working his family's large 15,000-acre ranch. Over the years, while tending cattle and mending fences, he has come across many archaeological sites dotting his ranch. Perennially fascinated by Native Americans and their histories, Bill has made a hobby of collecting artifacts, projectile points in particular. Bill, getting on in years, has begun to wonder what to do with his collection since none of his children or family members wants to inherit the artifacts.

One day while attending a public lecture given by Dr. Lisa Chavez, an archaeologist working with a CRM firm in Flagstaff, Arizona, Bill was surprised to hear that many of the area's Pueblo groups, such as the Hopi and Zuni, use projectile points in religious ceremonies. Dr. Chavez explained that the practitioners believe these ceremonies are central to the spiritual and physical well-being of the Pueblo communities, and in fact all life. Normally, religious leaders gather these projectile points in a ceremonial exchange of cornmeal from ancient pueblos in the region. However, Dr. Chavez said that several community leaders had recently told her that in recent years it has become increasingly difficult to find projectile points.

After the lecture, Bill approached Dr. Chavez with the idea that he would like to donate his collection of projectile points to the Pueblo Indian communities. He said that he had more than 300 points, all taken from the surface of his private ranch land. Bill was hoping Dr. Chavez might help facilitate this donation to some of the local tribes. If the donation was made, might a tax break be possible, Bill also asked. Dr. Chavez was sure that some of the Pueblo leaders would want and accept the donation, but she worried how acting as a go-between might conflict with some of her professional responsibilities.

Case 2

The famous Go Cave is commonly regarded as the premier heritage site of a small country in Africa. It was the focus of many archaeological expeditions during the colonial era, and not long ago was listed as a UNESCO World Heritage Site. The cave currently draws around 10,000 visitors a year, but the national government has long sought to increase tourism to the site. The country's Ministry of Tourism recently revealed plans (with USAID money) to conduct additional archaeological research and to construct a Fantasia Light Show that will illuminate the inside of the cave with colored lights set to the music of Beethoven.

Although the Ministry of Tourism has promised that no physical damage to the cave will occur and the cave's heritage integrity will be preserved, controversy has emerged. Some people in the nearby town are concerned about the effects of an increase in tourism; others make clear their desire for more tourist dollars. Additionally, several towns over is the Xu religious cult, a group of several hundred people who somewhat illicitly use the cave during rituals. However, during these rituals guards are present and no physical damage to the cave is done. The cult leaders are now saying that silence is vital to preserving the sacred spiritual power of the site, and they already dislike the current levels of tourism in the cave. The Ministry of Tourism has been quick to point out that these activities are illegal and claims that the Xu rituals sometimes entail defacing the ancient sculptures in the cave. Despite these somewhat local conflicts, Go Cave is considered a national symbol, and much of the country's population supports the government plans.

Dr. Samantha Sacks has long done research in the country, but has never had the chance to do any work in the cave, which has been closed to researchers for nearly 30 years. She is convinced new research will shed light on the cave's ancient uses and users, and in turn potentially inform the cultural history of the entire country. Dr. Sacks has been invited by the Ministry of Tourism to start research in the cave immediately, as \$800,000 has already been secured from USAID for archaeological research and the development of public outreach programs.

Case 3

Dr. Sandra Chen is an underwater archaeologist who works in the Caribbean on 17th- and 18th-Century shipwrecks. Over the years, she has become increasingly vocal about trying to get her colleagues to work in collaboration with private salvage interests. Although Dr. Chen does not deny the differences between the groups, she genuinely believes that there is more to be gained by working together than working at odds. In sum, she believes that the underwater sites are heritage resources that need to be shared by all.

She has recently been approached by Mark Richards, the President of Salvage Inc.—a major private salvage company that has worked in the Caribbean for 10 years. Mr. Richards proposes to Dr. Chen a collaborative endeavor to locate and excavate La Rosa, a shipwreck both have been researching (to-date independently) for decades. Mr. Richards will provide the money and Dr. Chen will provide the scholarly research. Mr. Richards will only keep and sell any coins that he finds, and all other artifacts will go to Dr. Chen's university museum. Dr. Chen is aware that Richards has a reputation for always trying to make a fast buck and that he has never, to her knowledge, had any scientific work done on any of his previous finds or published their results. But even the UNESCO Convention exempts coins, and she would control the scientific work.

Case 4

Tad Sullivan is the field director on a CRM project—a colonial-era Native American village in the path of a highway realignment—south of Buffalo, New York. One day while working on the site, Rosie Hanson, a reporter for the *Buffalo News*, approaches Mr. Sullivan and starts to ask questions, making apparent her intention to write a story for the paper. At that moment, nearly a dozen graves are in the midst of being excavated, and, without asking for permission, the reporter takes out her camera and starts taking pictures. Mr. Sullivan explains that the local Native American groups have asked that no pictures of graves be taken, let alone be published. He kindly asks her to stop and not publish any information about the graves. Ms. Hanson only becomes belligerent and argues that since this project is being funded with public money and conducted on public land, the public has a right to know about the excavations. Moreover, she demands, don't archaeologists have a responsibility to inform all the different parties about their work? Ms. Hanson storms off the site saying that she is going to publish the photos of the graves and whatever else she pleases.

Case 5

One day while surfing the web, Joe Trimble, an ABD in archaeology, was surprised to find several links from archaeology sites to the top secret spying organization of the United States government. The website disconcerted Joe in several ways.

One part of the website, clearly sponsored by the spying organization, was geared towards young adults (around ages 12-16), putatively to get them interested in cryptology. The website had different cartoon characters with different personalities. One of the characters, a cute weasel named Cunning Chris, apparently had a background in archaeology. The website explained that Cunning Chris has traveled all over the world, learning about the different cultures and languages, and this gave him the tools he needed to become a cryptologist. Cunning Chris' background was made clear enough by the trowel in his hand and the Indiana Jones-style hat he wore.

In another part of the organization's website, Joe came across a job advertisement for a position as a Cultural Analyst, which specifically mentioned that a background in anthropology or archaeology was desirable. The advertisement placed the starting salary at \$125,000 a year and noted that the applicant had to be willing to travel. A salary like that would go a long way in paying off his student loans!

Case 6

In western Australia several major mining companies have ore extraction projects, which inevitably cause massive disturbance to the land. Indigenous groups strive to preserve their heritage, which is embodied in the cultural landscapes the mining companies want to exploit. In general, mining companies pay for heritage surveys. The companies have a vested interest in recording as many heritage sites as possible because this will enable them to work in more areas, as they can say that the land has already been completely surveyed. At the same time, the government's Department of Indigenous Affairs also prefers to have as many sites as possible identified so they can protect sites under the law.

In practice, the mining industry and the Department typically "protect" sites by recording and studying them and then destroy them through mining processes. As a result, Indigenous groups typically seek to have the minimum number of sites recorded. By withholding information, they feel it gives them leverage in entering into dialogue with the Department and companies and also gives them more say about where and when mining can take place. For heritage sites that are still at risk following this dialogue, the great majority of Indigenous community members support detailed recording and salvaging. After all, a good handful of Indigenous community members economically depend on mining.

William Buckman recently began working in the region. As he becomes aware of these issues, he feels increasingly torn. He is being pressured by his colleagues at the Department and the mining companies that it is his duty to the archaeological record and as a professional archaeologist to record every archaeological site, even as he is being pressured by his Indigenous friends and colleagues to only record sites that are certain to be destroyed by a pending project. The mining company representative tells Buckman that these heritage sites are the intellectual property of all Australians; an Indigenous leader tells him these sites are of primary significance to Indigenous communities and are not necessarily part of the public record.

Case 7

In 2003, an ancient building complex was discovered in a small South Asian island-nation during the construction of the nation's new Capitol building. After a decade of violent civil war, the new Capitol building is being built to celebrate the recent truce and foster an emerging shared national identity. The archaeological site, however, has only fanned the flames of lingering animosities.

One hyper-nationalist group called The People's Movement, comprising a bare majority of the island's population, has claimed that the archaeological site is the island's first true Capitol, erected more than 800 years ago by their ancestors. The People's Movement, made up mostly of citizens whose families can be traced back centuries on the island, asserts that this site is their heritage and must be preserved at all costs. They are now demanding that the new Capitol building must be moved. The opposing group, the National Democrats, is made up predominately of an ethnic group known to have migrated to the island some 200 years ago. They are claiming that the archaeological site is only a small trading outpost, settled closer to 300 years ago. They say it is too late to move the Capitol building, as it already took two years of negotiations and millions of dollars have already been spent to purchase the land and begin construction.

After several days of violent confrontations—dozens of people were hurt and several were killed in protests—both groups are insisting that archaeologists “reveal the truth.” The People's Movement calls Professor A.R. Rai, the island's leading archaeologist from the nation's only university, pleading with him to excavate the site. When the National Democrats hear of this, they publicly demand that a “neutral” team of foreign archaeologists come and do the work.

Case 8

Three years ago, a country in the Middle East was invaded by the United States and some its allies. Immediately following the invasion, scores of local museums were looted—thousands of artifacts vanished from display cases and storage rooms. Presumably many objects were sold on the burgeoning black market. As the invasion turned into civil war, the social and political unrest allowed looters to dig into unguarded archaeological sites. Reportedly, nearly every one of the country's several dozen major sites has been almost completely obliterated by looters. Hundreds of smaller sites have also presumably been ransacked.

Dr. Satoko Murakami is a distinguished epigrapher who studies the ancient tablets and other writings that are quite famously found in this country's archaeological record. Shortly after the war began she noticed a few new tablets showing up on the international antiquities market, and then an undeniable surge of new objects in the subsequent years. Dr. Murakami became convinced that these artifacts could only be from the war-torn country—and that their purchase by unknown buyers is an incalculable loss to researchers.

Dr. Murakami wrote an open letter to Dr. E. B. Smith, the editor of the leading Near Eastern archaeology journal, that he should temporarily lift the prohibition against first publication of looted material. In her letter, Dr. Murakami argues that the journal's policy is valid in a general way but makes little sense for this particular and unforeseen crisis. Dr. Murakami indicates that she has studied many of the tablets and other artifacts that have recently surfaced on the antiquities market and would like to publish her results before they disappear (probably forever) into private collections. Furthermore, Dr. Murakami recognizes that one risk of publishing looted materials is that they might be fakes and therefore distort the archaeological record, but she contends that this particular region and its writings have been studied long enough that scholars can easily distinguish fakes from genuine artifacts.

Case 9

When Spanish colonialists first entered what is now Florida, they named one group of Native people they encountered Las Suciedades, or the Dirt People, so called because of the earth-colored body paint they used. Through the centuries, government officials, local citizens, and still later anthropologists and archaeologists continued to use this name to describe the group. Members of the Native group, however, call themselves a word in their own language that translates simply as The People. Because of the connotations of the term *suciedad*, and the fact that it was given to them by colonialists, The People have in recent years begun to protest its use.

Dr. Vernelda Blake is a curator at a major anthropology museum in Florida. She has been in charge of repatriation at the museum and has developed fairly close personal and professional relationships with many Native groups. As might be expected, however, many other Native communities remain suspicious of the museum.

On a visit by representatives of The People, several elders go into the museum bookstore and soon notice the many archaeology and history books that refer to their ancestors as Las Suciedades. The elders immediately go upstairs and tell Dr. Blake that she had better remove any book with the word Las Suciedades in it from the museum bookstore. One elder is visibly upset while another suggests that the museum could face major protests from all the tribes in the area should the museum not acquiesce. Later in the day, Dr. Blake meets with the museum director, Dr. B.M. McGuire, who says that this request is a clear violation of academic freedom, and refuses to talk with Dr. Blake any further on the topic.

Case 10

While hanging out in the graduate student lounge one day, Sara Carroll chatted with her acquaintance and fellow graduate student Isabel Rossini. Gossiping a bit about their advisors, Isabel told Sara a disconcerting story about Professor Tim Rogers, a very popular professor in the department.

One night, rather late, Isabel was working alone with Professor Rogers in his lab. As the two were talking, Isabel said how sore her shoulders were from bending over the microscope all day. Professor Rogers happened to be standing behind her and jokingly said to Isabel that he'd be happy to give her a little massage. Isabel made a sarcastic remark, and before she knew it, Professor Rogers was massaging her shoulders and neck. A bit uncomfortable, Isabel wriggled away after a few moments. Professor Rogers stopped immediately, and perhaps sensing the awkward moment apologized to Isabel. The two went back to work and nothing more was said about the incident.

Isabel told Sara that she didn't want to make a bigger deal out of it than it was, but recognized that her main advisor had behaved somewhat inappropriately. Sara sometimes also worked late in the lab with Professor Rogers, and she realized that she now might feel uncomfortable being alone with him. Sara gently encouraged Isabel to tell someone, perhaps the department chair. Isabel responded absolutely not, saying that it is a private matter for her and that Sara should not tell anyone else either.