

# Archaeological Ethics

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## Glossary

**Archaeological record** Archaeological materials and sites, collections, records, an archaeologist's fieldnotes, and any other material that can be used as data in the practice of archaeology.

**Archaeology** The scientific or systematic study of people and lifeways in the past based on material remains as evidence.

**Cultural property** Objects of archaeological or ethnological interest that are subject to multiscalar laws governing their ownership and control.

**Cultural resource management** In archaeology, cultural resource management is the field of practice responsible for the survey, protection, and management of known and unknown archaeological sites. Cultural resource management archaeologists attempt to mitigate potential damage to the archaeological record done through development projects.

**Stewardship** The long-term protection and conservation of the archaeological record for the benefit of diverse stakeholders.

## Introduction

In recent years, professional ethics have become an integral part of contemporary discourse, training, and practice in archaeology. The reasons for the growing prominence of archaeological ethics are many but include the flourishing of the illicit antiquities market, the rise of the repatriation movement, the boom of archaeology in the public sector, and the implication of archaeological heritages in surges of ethnic violence and armed conflict. Today, archaeological ethics is an important and viable subject in the archaeological literature, and most professional organizations have actively sought to engage their members in discussions about ethical practices and professional development.

## What Is Archaeology?

Archaeology is the scientific or systematic study of people and lifeways in the past based on material remains as evidence. The goal of archaeology is to reveal, interpret, and preserve the (mostly) unwritten parts of the past. Archaeologists investigate every imaginable question about human beings and their cultures, including their relationships with their environments, their historical development, their concepts of gender and race, and much more. Archaeology is conducted not only in rural areas, urban areas, and construction sites with trowels and shovels but also in public and private museums, laboratories, libraries, and offices.

It has been said that in archaeology, 'it is not what you find – it's what you find out.' Archaeologists are less concerned with material objects of the past than they are with the contextual information about those objects, which provides most of the clues needed to reconstruct past events. Without context (the three-dimensional location of an object in relation to its surroundings and other artifacts), interpreting archaeological artifacts is like reading a single page ripped out of a historical text with no way of knowing the precise date of the words. Artifacts, context, archaeological sites, and even archaeologists' fieldnotes are all part of the archaeological record.

The practice of archaeology goes well beyond discovering and writing about artifacts. Archaeologists are confronted by situations that require delicate, complicated, and influential decisions, whether in the field collaborating with others, in the lab or office deciding how to treat data, in publications, in the classroom, or in interactions with colleagues, Indigenous populations, or other stakeholders. Archaeological ethics are specific to the roles, responsibilities, and obligations of those who do archaeology. As these roles and responsibilities have changed over time, so have the ethics that give them meaning. For instance, the context of the majority of archaeological practice has changed from an academic pursuit to today's mandated cultural resource management (CRM) work. The applied field of CRM, which is responsible for identifying and mitigating damage to archaeological resources by construction projects, plays important roles in projects such as civic revitalization.

CRM archaeology has its own built-in conflicts of interest and ethical contradictions concerning responsibilities to scholarship, the archaeological record and its creators, and seemingly inevitable forces of development. It is no wonder that heightened attention to ethics in archaeology comes at a time when archaeologists have begun to recognize the implications of their practice for living peoples and to wrestle with the many new roles that archaeology is asked to play in a global and multicultural world.

## A History of Archaeological Ethics

To understand the nature of applied ethics in archaeology, we must try to understand the shifts in worldviews, orienting goals, and modes of practice in the discipline's past that contribute to professional ethics today. Although we can trace broad historical trends, it is important to recognize that archaeological ethics are not universally held, and there are many different – and sometimes opposing – notions of what constitutes good behavior. Although many of the same ethics and values inform archaeology today as a century ago, their meanings have shifted as perspectives on 'science,' 'preservation,' or 'accountability' have changed.

### Ruins and Relics

By the seventeenth century, an ethos of antiquarianism had become fashionable among European intellectuals, inciting explorations of 'antique lands' by scholar-adventurers – the first archaeologists. Collecting of curiosities from distant and exotic peoples, times, and places was one expression of this zeal. By the early 1800s, an ethos of science and discovery pervaded Europe, accompanied by the quest to map and claim the last 'unknown' regions of the planet. The 'discovery' of ancient sites in Central America, the Near East, and China was a source of great curiosity and excitement. Newly established national museums everywhere sought specimens to fill 'missing links' in the study of human progress, substantiating a worldview that also provided a justification for colonialism.

In the first decades of the nineteenth century, scholar-adventurer expeditions gave way to more systematic excavations seeking to trace the origins of Western civilization to earlier 'high' cultures or to investigate 'lost' civilizations and the reasons for their collapse. The excavation methods used by archaeologists at this time were hardly distinguishable from those of people we would call looters today (one notable exception being the work of Flinders Petrie). Multiyear excavations in the Near East, Egypt, and Central and South America sponsored by museums and universities hired scores of local workers to recover tons of objects, which were then shipped to

European and American museums or expositions. This appropriation of ancient materials for display in world centers was justified by appeals to salvage, preservation, and art appreciation – values that continue to inform museum practices, private collecting, and attitudes toward the global antiquities market today.

In the late nineteenth century, as more 'scientific' methods of excavation and documentation developed, people realized the knowledge that could be gained from systematic *in situ* documentation and analysis. As archaeology and anthropology became embedded in universities and museums, researchers increasingly felt obligated to report their work to other scholars. This developing ethos of scholarship held that researchers should be able to pursue their scientific goals without constraints on their methodologies, interpretations, or academic freedom.

In the United States, passage of the Antiquities Act in 1906 brought the federal government into the arena of archaeological ethics. The Act required permits for the removal of archaeological materials from sites of national significance or excavating on federal lands, thus making a clear distinction between those authorized to do archaeology from those who were not. The Act also established the legal foundation for the federal government to protect and manage historically significant sites and instituted means for designating national monuments. Although many positive results flowed from the Antiquities Act, it was in many ways another means by which the state appropriated the lands and heritage of Native peoples.

### Science and Salvage

The U.S. government's commitment to salvage and preservation continued through the 1930s when Works Progress Administration-funded archaeology programs provided relief for unemployed laborers through massive excavations that supplied most of the human remains in Smithsonian collections. When the Society for American Archaeology (SAA) was founded in 1934, its members were a mix of trained and untrained archaeologists whose common ethic was the need for careful documentation. This was in part a reaction to the zealous excavation of sites such as Spiro Mounds by amateur and commercial diggers. One of the SAA's first actions was to work with the American Council of Learned Societies to establish the Committee for the Recovery of Archeological Remains to lobby for the role of archaeology in future federal development projects. By the 1950s, some federal agencies required government-funded archaeological salvage and monitoring of impacts on significant sites. With these changes came a call to define minimum standards for archaeological practice, and formal training in methods and techniques became ethical imperatives in archaeology.

The burgeoning growth of archaeology as a profession and the need for standards in formal training were two stimuli that encouraged the first professional ethical statement in archaeology. In 1960, the SAA issued 'Four Statements on Archaeology,' a mixture of principles to aspire to and directives for how an archaeologist 'must' behave. The statements focused on promoting an ethic of professional accountability toward one's colleagues, especially in regard to sharing data, along with a requirement for specialized training. Disregard for proper methods was grounds for expulsion from the society, as was the deliberate destruction or concealment of archaeological data, long a quasi-acceptable practice in archaeology.

### Resource Management

The scope and contexts of archaeology changed dramatically in the 1960s and 1970s. Responding to the loss of significant archaeological sites to flood control and land development, archaeologists lobbied for legislation that authorized archaeologists to manage and protect archaeological resources for the state in a climate in which historic preservation often conflicted with development. A successful project became one that kept archaeological sites intact, marking a shift in values from salvage and excavation to *in situ* preservation and protection that came to be known as 'the conservation ethic.'

Passage of the National Historic Preservation Act of 1966 (NHPA), the National Environmental Policy Act of 1969, and the Archeological and Historic Preservation Act of 1974 (also known as the Moss-Bennett Act) required federal agencies to fund archaeological impact and mitigation studies, creating the field of CRM. Thousands of jobs in public agencies and private firms opened to archaeologists, who now had to deal with legal contracts, clients with divergent interests, and dilemmas in methods and the handling of data. With these new responsibilities came renewed interest in applied ethics in archaeology. The Society of Professional Archaeologists, founded in 1976 as a voluntary professional registry, drew up a code delineating minimal standards of conduct for an archaeologist and a grievance process, embracing accountability to the public and new obligations characteristic of contractor-client relations. By the mid-1980s, more than half of all professional archaeologists worked outside of academia in CRM.

### High Stakes

Meanwhile, as archaeological sites in the United States were being protected from development, the market for antiquities had expanded to an illicit trade with global networks of looters, dealers, and private collectors that fueled undocumented digging of sites throughout the world. Taking a strong anti-commercialization stance,

archaeologists turned to legal instruments, education, and ethical codes in efforts to stem the antiquities trade. In 1970, the United Nations Educational, Scientific and Cultural Organization (UNESCO) passed the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the United States finally signed into law in 1983 with the Cultural Property Implementation Act. The Act allowed the United States to develop bilateral agreements with 'archaeologically rich' countries to regulate the import of cultural objects.

As archaeologists began studying the illicit antiquities market, they became increasingly cognizant of their role in generating the appreciation that sells antiquities while also wrestling with the fact that war, social instability, and economic inequalities underpin looting and site destruction. Calling attention to the growing illicit antiquities trade also has changed museum acquisition practices. During approximately the past decade, many museums have become more cautious about acquiring antiquities without proof of legal provenance. Today, the American Association of Museum's code of ethics forbids the acquisition of antiquities imported after passage of the 1970 UNESCO Convention, and U.S. federal courts have upheld convictions recognizing the cultural property laws of other nations. Italy, Egypt, Greece, and China are among the growing number of nations actively seeking the return of ancient treasures that have left their borders illegally.

The growing destruction of archaeological sites also led archaeologists to focus on public education as an ethical imperative. Public education was perceived as the solution to many of the dilemmas facing archaeology, from looting to site protection and support for historic preservation. Archaeologists had to acknowledge that they were but one group among multiple 'publics' that had a stake in deciding how cultural resources should be managed. Consultation and outreach became mandatory aspects of professional heritage management, and the field of public archaeology blossomed.

### Respect and Reckoning

The beginnings of public archaeology, marked by archaeologists consulting with various 'publics' and studying the social contexts of archaeological research, coincided with a theoretical shift in archaeology called post-processualism that has raised questions about the primacy and subjectivity of Western science and encouraged other readings of the past. The development of alternative archaeologies – incorporating methodologies and approaches from feminist, Marxist, and indigenous orientations – has fostered healthy critical reflection on archaeological practices and their social and political repercussions. Not everyone has welcomed these changes,

which perhaps indicates just how significant a shift they represent.

New applied concerns for archaeologists led to the development of codes of ethics (e.g., the SAA's 1991 'Principles of Archaeological Ethics') and new archaeological organizations. The World Archaeological Congress (WAC) formed in 1987 as a broad-based global organization, not limited to professional archaeologists but also representing those affected by archaeology. WAC promoted an ethic of social justice and the responsibility of the discipline to address global inequities in access to funding, technology, and information. In 1990, WAC adopted its 'First Code of Ethics,' which spelled out obligations to indigenous peoples that come with the privilege of doing archaeological research. The Australian Archaeological Association adopted a code of ethics in 1992 modeled directly on the WAC code while also reflecting Aboriginal rights to lands and cultural heritage.

Debates about indigenous people's rights to cultural heritage in the United States unfolded in the 1980s, and dozens of U.S. states passed laws protecting unmarked burials. Passage of the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990 marked an ethical sea change for archaeology in the United States. For the first time, the interests of Native peoples were legally declared to outweigh those of archaeologists or museums with regard to human remains, grave goods, and objects of cultural patrimony. This law states many things, but it mainly provides for the repatriation of funerary remains and other important objects to federally recognized tribes from institutions that have received federal funding. It also guides the disposition of funerary remains discovered on federal lands after 1990. Amendments to the NHPA in 1992 furthered the spirit of this new law, compelling greater participation by tribes in decisions affecting traditional cultural properties. Whereas some archaeologists have decried NAGPRA as a breach of archaeological ethics, others believe that academic freedom should not automatically trump the concerns of indigenous peoples. Many at first wary of NAGPRA changed their perspective after witnessing the positive outcomes resulting from the spirit of collaboration that has pervaded repatriation negotiations.

Appreciation of the diverse values at stake in heritage management decisions has continued to grow, as has recognition of the role archaeologists often play in a system of governmentality. Moral and legal claims regarding heritage management and repatriation made by indigenous peoples in Canada, Australia, New Zealand, and elsewhere have in general led to more equitable relationships among descendant communities, archaeologists, and museums.

Collaboration in archaeological practice and the repatriation of indigenous cultural materials as a result of

NAGPRA represent two major transformations in archaeology during the past 200 years. Archaeologists have changed their practice dramatically, from exploring (and plundering) lost cities to saving sites from excavation for future generations. Today, there are still many ethics issues that challenge archaeologists in their daily practice. There are also many tools with which archaeologists can approach ethical dilemmas.

## How Do Archaeologists Approach Ethics?

Practicing archaeologists are confronted with ethical dilemmas in nearly every aspect of their work. For many years, archaeologists were left to judge 'ethical behavior' on their own, with no guidance from laws or professional organizations. Today, archaeologists approach ethics from a variety of perspectives, including professional codes of ethics, laws, and discussions with colleagues.

When archaeology emerged as a professional pursuit in the early 1900s, it was a field made up of a handful of mostly men with relatively similar backgrounds and similar ideas of what archaeology could and should be. By the early 1960s, as archaeology became more popular and more universities launched anthropology departments, the field gradually began to change from a small group of like-minded individuals to a large and diverse community. A code of ethics was deemed necessary to help articulate the shared norms and values of the profession. One of the first clear statements on ethics was adopted by SAA in 1961. The 'Four Statements for Archaeology' defined an ethical archaeologist as one who endeavors to do good fieldwork, preserves records, refrains from buying and selling artifacts, obtains permission as needed for research, and honestly reports and retains archaeological data.

Codes of archaeological ethics differ significantly from one organization to the next depending on the primary interests and objectives of the group and the social and political contexts in which they are written. Archaeological codes tend to be classified into three categories. The first includes standards and codes of conduct formulated by professional organizations such as the Register of Professional Archaeologists in the United States (previously the Society of Professional Archaeologists), the Institute of Field Archaeology of the United Kingdom, and Australia's Association of Consulting Archaeologists. These organizations all have grievance procedures as mechanisms of enforcing their professional codes. The second category is composed of codes or statements adopted by national and international societies that lay out the special responsibilities of archaeologists in working with indigenous peoples. The Archaeological Associations of Canada, Australia, and New Zealand all have statements to this



effect, as does the WAC. The third category of ethics documents comprises general statements of goals, principles, and responsibilities, such as the SAA's 'Principles of Archaeological Ethics' and the 'Ethical Principles of the Society for Historical Archaeology.'

Some organizations have codes in more than one of the previously discussed categories. The Canadian Archaeological Association has a set of general ethical goals in addition to its 'Statement of Principles for Ethical Conduct Pertaining to Aboriginal Peoples.' The Archaeological Institute of America, with its mixed membership of professional archaeologists and interested individuals, has both a code of ethics, strongly focused on the global antiquities trade, and a code of professional standards that applies only to its professional members, backed up by a detailed grievance procedure.

Many subdisciplines and specialized positions within archaeology now have their own associations and ethics codes as well, from museums and conservationists to underwater archaeologists and rock art researchers. The quasi-legal role of international charters and associations such as the International Council of Archaeological Heritage Management, the International Council on Monuments and Sites (ICOMOS), and the Burra Charter (adopted in 1999 by Australia ICOMOS to create a standard of practice for those working in places of cultural significance) is less clear and seems to depend on how or whether other nations or institutions or organizations recognize them.

In the United States, archaeology is traditionally one of four fields of anthropology, which means that the American Anthropological Association's (AAA) code of ethics also applies to archaeologists who are AAA members. The AAA framed its 'Principles of Social Responsibility' in 1971, declaring that a researcher's primary responsibility is to the people being studied. In 1998, these principles were incorporated into a code of ethics that expanded on this primary responsibility, clearly stating that obligations to those studied could in some situations supersede other research goals or responsibilities. Another question that has recently entered discussions on archaeological ethics is whether archaeologists should consider themselves exempt from human subjects review because their work obviously affects living peoples. These are just a few of the many questions archaeologists must consider when using codes, principles, and charters in seeking solutions to ethical dilemmas.

In addition to formal codes and principles, the law has also shaped how archaeologists think about their ethical responsibilities. The relationship between law and ethics is often complex and rarely straightforward. However, with cultural property laws (laws that deal with the protection of the archaeological record), the ideals of archaeological practice often work in concert with legal

obligations. For example, the SAA principle of stewardship is in line with most of the state and federal laws regarding cultural heritage in the United States, which outline protection for the archaeological record.

Despite some tensions between laws, codes of ethics, and moral obligations, there are many cultural property laws dealing with the protection of archaeological resources and the applied nature of archaeology. Several major laws affecting the practice of archaeology were previously discussed, including the 1906 Antiquities Act, the National Historic Preservation Act of 1966, and the Native American Graves Protection and Repatriation Act of 1990. NAGPRA has been instrumental in reshaping dialogues about archaeology and its relationship with Native peoples.

International laws can also inform local dilemmas. One of the primary international laws relating to cultural property is the 1970 UNESCO Convention, which created a framework for international cooperation to reduce the illicit movement of cultural materials. The Convention aims to resolve a problem of national law: That is, typically nations are not legally bound to uphold the laws of other nations. Thus, for example, although it may be illegal in Peru to loot archaeological sites, if those looted objects come to the United States, the United States – even if it is known that the objects were looted – is not legally compelled to prosecute those holding the stolen objects. (However, the United States can choose to prosecute those who import 'stolen' property into the country.) The 1970 UNESCO Convention helps fix this problem by creating a framework that allows nations to uphold the cultural property laws of other nations. A second major international law is the 1954 Hague Convention, which attempts to curb the destruction of cultural property during war. There are many more international laws and treaties that can be examined to understand how archaeology and heritage often operate beyond national borders.

Laws are important to consider in our deliberations on ethics, but discussions of laws should not replace our discussions of ethics. In many ways, laws are akin to codes and principles in that they should guide our approaches to ethics, not necessarily restrict them.

Although codes of ethics and laws help archaeologists deal with ethical dilemmas, collaborations with the public and professional colleagues are critical to helping archaeologists apply ethics to their daily practice. Discussions of ethics in archaeology often take place in informal settings, such as through e-mails between colleagues and quiet discussions during conferences sponsored by professional organizations. For example, many major archaeological organizations now have committees that focus on archaeological ethics, whose missions are to promote discussions about ethical issues and principles among organization members. In addition, in recent years, archaeologists

have emphasized the need for more explicit ethics education.

Since 2004, SAA has sponsored its annual Ethics Bowl, a distinctive mode of ethics education that compels students to engage directly with the complexities of working through moral dilemmas. The event consists of teams presenting arguments about how they would resolve ethical dilemmas raised in hypothetical case studies. Although centered on hypothetical dilemmas, the Ethics Bowl is anything but abstract; participants must investigate how professional codes of ethics, legal mandates, historical examples and considerations, and different moral philosophies all inform problem solving in a range of situations. A panel of judges scores each team based on criteria of intelligibility, depth, focus, and judgment. The SAA Ethics Bowl and similar programs work to ensure that students entering the profession view ethics as a vital part of their discipline and have the tools needed to address dilemmas they will inevitably face. Professional archaeologists also benefit from the debates as they are forced to consider their own perspectives on archaeological ethics and judge the decisions of their future colleagues. Cases from the 2009 SAA Ethics Bowl provide examples of the ethical dilemmas facing archaeologists today (Text 1).

## Themes in Archaeological Ethics

As the previous discussion demonstrates, the complex history of the discipline of archaeology as well as codes, laws, and professional dialogue all affect how archaeology is practiced today. In the 1960s, it was enough for an archaeologist to do good fieldwork, preserve artifacts, refrain from buying and selling artifacts, honestly report findings, and obtain permissions needed for research. These are still aspects of ethical practice in archaeology today, but they are understood in more complex ways. Archaeologists have become more involved with laws, policies, and government agencies as well as more aware of the implications of their research for others. Due to the political, economic, and cultural contexts of today, archaeological ethics have taken on new meanings, challenging archaeologists to confront myriad ethical dilemmas in their work.

### Do Good Fieldwork

An archaeologist's ability to 'do good fieldwork' used to refer to the archaeologist's duty to be an objective scientist who carefully recorded contextual information and reported findings. Today, what counts as 'good fieldwork' is complicated by a multiplicity of issues. Archaeologists are still concerned with crafting sophisticated questions about the past and answering these questions through the

excavation of data, but, for some, excavating sites and writing narratives about the past are not enough.

Today, good fieldwork involves a broad range of techniques and methodologies, many of which are connected to archaeological ethics. For example, by applying new scientific techniques such as ground-penetrating radar, magnetometry, and electrical resistivity to archaeological investigations, archaeologists are now able to protect sites from destructive excavation while still collecting data about the past. Even the excavation process has been complicated. For instance, choices about where or how deep to excavate are often guided by the research interests of archaeologists, which change over time. However, do these changing interests potentially result in archaeologists ignoring other sources of data? For instance, is it ethical for an archaeologist to destroy (through excavation) the records of modern populations just below the surface in order to study an older, lower level of cultural material?

Changes to 'good fieldwork' also include an emphasis on collaborative and multidisciplinary research with various stakeholders as well as a variety of scientific experts. Some archaeologists believe that archaeological methodology and theory can and should serve greater goals, such as those related to social justice and contemporary problems. For example, archaeologists are studying ancient farming techniques in the hope of developing more sustainable agriculture programs. Also, in a world increasingly concerned with climate change and environmental conservation, archaeology has a great deal to offer regarding the impacts of human populations on the earth's environment.

Finally, good fieldwork is also related to the training of archaeological students. In the past, as with many academic disciplines, it was expected that young archaeologists would simply learn by doing, through archaeological field schools and in college classrooms, but the important topics in archaeology education have changed. To ensure the growth and development of archaeology, a renewed focus on the training of future scholars has developed, influencing the future practice of archaeology. In classrooms and field schools, student training now addresses issues in public education, community involvement, and heritage tourism. The Making Archaeology Teaching Relevant in the 21st Century project is an example of a successful initiative designed to create curricula for archaeology classes that address current concerns and ethical issues in archaeology and prepare students for a variety of careers in archaeology.

As with any science or profession, within the field of archaeology the definition of 'good' research is constantly changing and expanding. Today's research incorporates a broader range of methodologies, practices, and collaboration.

## Preserve Artifacts and Refrain from Buying and Selling Artifacts

Archaeologists have long considered themselves stewards of the archaeological record. Because archaeological work depends on the availability of sites and artifacts, scientists have fought for the protection of the archaeological record from natural forces such as erosion and human-caused destruction such as war, development, and tourism. Stewardship of the archaeological record (which includes sites, artifacts, fieldnotes, and maps) is a concern for all archaeologists. In recent years, debates have arisen over the definition and interpretation of the word 'stewardship' and the rights of archaeologists to claim the mantle of stewardship in a post-colonial world. In 1996, the SAA board of directors promulgated the organization's 'Principles of Archaeological Ethics.' Although they are admittedly intertwined, the SAA principles appear in rank order, with an ethic of stewardship as the primary tenet of professional archaeological practice.

Development and tourism paradoxically can both bolster and threaten archaeological sites and scientific research. In the United States, archaeologists are often called to survey areas of new construction for significant archaeological sites (a result of the NHPA, as discussed previously). The goal is to mitigate the loss of 'significant' archaeological resources when necessary development occurs, but the goals of development are often in conflict with the principles of archaeological stewardship and preservation.

Archaeological sites and monuments are also major tourist attractions in the world today, drawing millions of visitors annually. The increasing numbers of tourists visiting archaeological sites such as the cliff dwellings of Mesa Verde are important to archaeology for a variety of reasons. For example, tourism sites are a context for public education about archaeology and the past, an ethical goal of archaeologists. In addition, beyond education, tourism sites are contexts for interaction, consultation, and collaboration between the public and archaeologists. The public can engage with the practice of archaeology, and archaeologists can learn information about the past from local populations. However, with increasing numbers of visitors there is also increased wear and tear on these sensitive sites, many of which are underprotected and underfunded. Keeping people away from sites is not always the best solution, however, because archaeological sites and museums are often important sources of income for nearby communities. Today, many archaeologists are working with communities toward a goal of initiating sustainable archaeological tourism, which minimizes the impact of tourists on archaeological sites and maximizes recreational and educational opportunities.

The concepts of sustainable tourism and collaborative stewardship demonstrate how limiting early

archaeo-centric definitions of stewardship were. In attempting to protect the archaeological record, archaeologists necessarily become involved with stakeholders who may not share the views of archaeologists.

The SAA's second principle is accountability. This principle states that archaeologists are accountable to diverse publics, including the general public, other scientists, and indigenous populations. It is not difficult to imagine how the two principles of stewardship and accountability might sometimes clash.

Sometimes, especially in developing nations and communities, the interests of a local community outweigh the desire of archaeologists to preserve sites. Thus, as mentioned previously, archaeologists try to work with local populations to create sustainable preservation initiatives. Other times, an archaeological approach to stewardship may be antithetical to the beliefs of an indigenous community. For instance, some Native American groups believe their sacred objects should be allowed to deteriorate naturally out in the elements and, thus, they should not be 'preserved' according to the archaeological definition of the word.

The SAA's third principle is commercialization, which encourages archaeologists to 'preserve artifacts' by not being involved in the buying and selling of artifacts. Commercializing the archaeological record encourages further exploitation of archaeological sites, such as looting, because the creation of a market for antiquities drives people to destroy archaeological sites for profit. Looting destroys contextual information and, thus, erases stories of the past. Looting is still rampant throughout the world. Some of the most dramatic recent examples are the looting of archaeological sites and museums in Iraq and Afghanistan.

The commercialization of the archaeological record is complicated by other ethical issues. Some people mine sites for artifacts to sell so that they can feed their families, especially in times of instability or war. Some artifact collectors are passionate historians who do not sell their collections and are often excellent sources of information about new sites and objects. Hence, archaeologists must engage in research to better understand the contexts of nonarchaeological collecting, and they must engage in education to teach people about the importance of preserving the past.

Archaeologists today must collaborate with various stakeholders and acknowledge that scientific views and goals regarding cultural objects and the past do not automatically take priority over alternative perspectives. In applied archaeological ethics, the question must be asked, Who are the real beneficiaries of archaeology? It is hoped that debates over the issues described previously will encourage advocacy for collaborative models of stewardship.



### Honestly Report Findings

Although honestly reporting findings might seem like a simple ethical imperative, this goal, in fact, challenges archaeologists in many aspects of their daily practice. For years, archaeologists believed that they alone were in charge of the narratives of the past. Thinking that they were only writing the unbiased 'truth' about their discoveries, archaeologists were not sensitive to how the public might interpret archaeological narratives in ways that shed negative light on ancient populations or might manipulate narratives to serve political, social, or economic agendas. Today, archaeologists are increasingly aware of the social contexts of their work and their interpretations. They attempt to be more sensitive in their recreations of past cultures and try not to essentialize ancient or modern cultures.

Scientific reports about the past have always been important to archaeologists, but for years they remained in the 'gray literature,' full of jargon and out of the public eye. In the 1980s, archaeologists began to question whether archaeological interpretations of the past were even reaching public audiences and to push for public education as a key tenet of archaeological ethics. Many archaeologists started thinking seriously about how to educate the general public about the past by asking questions such as the following: What are the important concepts that children and adults should learn about the past? and What should we be teaching children and adults about the practice of archaeology? A renewed focus on education has allowed archaeologists to 'honestly report findings' to new audiences, improving both the knowledge people have about past societies and the understanding people have about archaeology.

Archaeological narratives are not the only stories about the past that affect archaeological practice and ethics. Hollywood directors, fiction writers, website editors, newspaper reporters, and other members of the media all impact how the general public views the past. For instance, the movie *Apocalypto* was highly criticized by archaeologists for its depiction of the ancient Maya as violent savages who sacrifice victims. At the heart of the debate of portrayals such as *Apocalypto* is the ethical dilemma of accurately and sensitively portraying individuals and groups in the past. Some archaeologists now consider it an ethical imperative to teach against such inaccurate or defamatory representations.

In addition to representations of the past, archaeologists must also be aware of how archaeology is represented as a discipline. Indiana Jones, Lara Croft, and other Hollywood adventurers have strongly affected how the general public views the practice of archaeology. It should not be a surprise that archaeologists do not actually carry guns and whips but instead carry computers, shovels, and notebooks. Also, archaeology is not a

mysterious science, as it appears on cable television, but a social science that utilizes the scientific method to write testable hypotheses in response to questions about the human past.

### Obtain Permissions Needed for Research

When the SAA first recommended that archaeologists obtain permissions for research, they were referring to private landowners who needed to be contacted in order not to violate trespassing laws when surveying for archaeological sites. Today, the concept of 'permissions' needed for research is highly complicated by the relationships archaeologists have with indigenous communities, other local publics, the media, governments, and other stakeholders who are affected by and who affect archaeological research.

Two of the primary questions of archaeology are centrally related to the question of permissions: Who owns the past? and Who should control the past? These questions have been debated for centuries. The British Museum and the country of Greece have argued over the control of the Elgin Marbles almost since the day Lord Elgin removed the antiquities from the Parthenon in the early nineteenth century. There have been legal and ethical arguments stating that the past belongs to all of humanity, to nation-states, to indigenous groups, to museums, and to individuals. The once simple goal of archaeologists to work with archaeological resources in order to pursue scientific inquiry has become entangled with international debates related to heritage, identity, ethnicity, power, and justice. These entanglements become increasingly complex as the practice of archaeology changes and new technologies emerge. For example, the advent of ancient DNA studies has not only affected archaeologists' abilities to affiliate modern groups with ancient groups through the testing of human DNA (an inherently political action) but also has led to ethical discussions regarding intellectual properties and traditional knowledge through the testing of ancient animal and plant DNA. Will ancient DNA eventually determine who owns certain aspects of the past, such as sacred objects or specialized varieties of corn? New forms of data and new methodologies in archaeology will forever influence future debates over the ownership and control of the past.

In many cases, conflicts concerning the ownership or control of cultural properties can be resolved by examining the historical information, legality, and ethics in each individual case. These questions have also forced archaeologists to question the ethical issues that arise from performing research in other countries or cultural contexts. In the United States, no legal instrument has had more impact on issues related to the ownership and control of cultural properties than NAGPRA.



Since the passing of NAGPRA in 1990, archaeologists and museums have been federally mandated to consult with federally recognized Native American groups regarding the ownership and possession of funerary remains and other important objects. In some cases, NAGPRA negotiations have resulted in the repatriation of collections of human remains from archaeology and anthropology curation facilities to Native American groups. Some archaeologists view NAGPRA as an impetus for a new era of ethical archaeology, built around collaboration. Others worry that collections important to answering questions about the past will be removed from the control of archaeologists (and, thus, become unavailable to scientific study).

Perhaps the greatest outcome of the debates over the control and ownership of the past are the emerging subfields in archaeology called collaborative and indigenous archaeologies. These encompass projects that bring local or descendant communities and archaeologists together to create collaborative research designs, with questions and objectives that address different agendas and have different, not always shared, outcomes. The research process is likely to include community review and new forms of access and ownership of the processes and products of research. This change in professional practice helps archaeologists build new relationships with stakeholders based on shared commitments to reciprocity and dialogue that will not only change the face of archaeology but also transform the entire research process. Expanding on the narratives of science, collaborative archaeologies have the potential to offer other interpretations and alternative perspectives, both as part of an ethic of engagement and as a way to counterbalance essentialist views of the past.

## Conclusion

The previous discussion highlights changes in archaeological ethics from the 1960s to today. It should be apparent that the concepts of preserving artifacts, doing good fieldwork, and obtaining permissions needed for research are intertwined in the practice of ethical archaeology. The previous themes by no means comprise an exhaustive list of issues in archaeological ethics. Archaeologists also now consider how intellectual property, gender, student training, environmental conservation, capitalism, globalization, and more, affect the practice of archaeology.

Today, archaeology seems to be at the edge of a new era of accountability, one in which archaeologists are presented with the challenge of coming to terms with the effects their work could have in the world. This commitment to accountability is an engagement not only with the past but also with the present. It is an engagement that requires sensitivity to the particular

contexts and contours of each and every situation at the same time that it recognizes archaeology's unavoidable entanglements with broad political and economic movements. Archaeologists and heritage managers are increasingly answerable to institutions and individuals at local, national, and global levels simultaneously. Archaeology's current ethics are hardly adequate to guide archaeologists as they work in these multiple socio-political landscapes and transnational contexts and determine how professional commitments to 'engagement,' 'accountability,' and 'social responsibility' work out in everyday practice.

This commitment to accountability reformulates and refocuses the obligations archaeologists have toward living peoples – a radical shift from the ethic of antiquarianism of 200 years ago. This includes working for social justice, with the recognition that preservation of the past carries responsibilities to work with living peoples to sustain a viable future – with all of the personal and professional obligations this entails.

*See also:* Codes of Ethics; Environmental Ethics, Overview; Indigenous Rights; Intellectual Property Rights; Native American Cultures; Science and Engineering Ethics, Overview; Stewardship.

## Further Reading

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## Relevant Websites

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<http://www.e-a-a.org/codeprac.htm> – European Association of Archaeologists, ‘The EAA Code of Practice.’  
<http://www.indiana.edu/~capi> – Indiana University, Center for Archaeology in the Public Interest.  
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## Biographical Sketches

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Chip Colwell-Chanthaphonh is Curator of Anthropology at the Denver Museum of Nature & Science. He is the author and editor of six books on archaeology, research ethics, and Native American ethnology and history. He received the 2009 National Council on Public History Book Award and the 2009 Gordon R. Willey Prize of the American Anthropological Association, Archaeology Division.

Julie Hollowell recently served as the Nancy Schaeenen Visiting Scholar at DePauw University’s Janet Prindle Institute for Ethics. She was previously the recipient of a 2-year Killam Fellowship at the University of British Columbia’s (Vancouver) Department of Anthropology. She is co-chair of the Committee on Ethics of the World Archaeological Congress and a Research Associate at the Center for Archaeology in the Public Interest at Indiana University. She has co-edited and authored several publications related to archaeological ethics, ethnography, and the antiquities markets.