Ethics and Cultural Property
Anthropology 6508
The George Washington University
Spring 2014
Monday - 6:10 PM - 8:00 PM Old Main, Rm. 208A

Professor: David K. Thulman
Email: dthulman@gwu.edu
Office: 2110 G Street, Basement
Phone: (301) 699-0961
Office hours: Monday 5:30 PM – 6:00 PM or by appointment

Required books:


Additional required readings are posted on Blackboard.

Course Overview
This graduate and upper-level undergraduate seminar course will examine various issues relating to the study, acquisition, interpretation, conservation, and presentation of cultural material by focusing on ethical issues relating to the practice of archaeologists and museum professionals. We will explore the concepts of cultural property, ownership, value, ethical responsibility, and the difficulty of balancing competing interests.

Why should we preserve the past and what form should it take? How are archaeological sites and objects viewed by various interested parties and descendant communities who feel they have a legitimate stake in their use and interpretation? In what ways has the past been used for political purposes in different times and places? To what extent have ethnocentric attitudes and policies alienated indigenous peoples from anthropologists? How have museums, collectors, auction houses, and the illicit traffic in artifacts contributed to this situation, and how are these issues being grappled with today? What is being done to encourage dialog between opposing parties in the ongoing struggle for control over cultural materials?

We will explore these issues via readings and class discussions drawing from a number of case studies. Attention will be placed on understanding diverse cultural perspectives concerning the past and cultural "property" and what meanings these constructs hold for various interested parties today.

Course Goals: Together we will work towards the following objectives.

1. You will be able to identify the various stakeholders in the issues surrounding cultural property and assess their values and interests in issues such as the treatment, ownership, and disposition of tangible and
intangible cultural property, the use of cultural property in the construction of the past, and the acquisition of antiquities.

2. You will be able to formulate, discuss, and defend your own set of ethical values through critical study and analysis of professional codes of ethics in the field and their application to case studies.

3. By the end of this course, you should be able to assess and evaluate contemporary issues of cultural property ethics in the context of the modern professional practice of archaeology and museum studies.

Reading Assignments
In addition to reading from your textbooks, we will be reading from 5 – 10 articles or book chapters per week. All readings outside the books are posted to the course Blackboard website in digital form. You need to do all the readings in order to engage in discussion during class. Both your attendance and your participation will count in your final grade, so being prepared for and engaged in class is important.

Presentation & Discussion Leader
During the course of the semester, each student is responsible for giving a presentation (~15 minutes) and will lead discussions for about 45 minutes. Your presentation will be based on at least two of the case studies from the assigned readings or an assignment I give you. Presenters may make use visual materials including handouts, power point or film slides, video or DVD materials, etc. Make sure to talk with me one week before your presentation so I can secure any needed AV equipment and assist you with visual materials.

On the day of your presentation you will also be responsible for leading the class discussion on the ethical issues raised in the reading. That means you must do all the readings for that week and understand the concepts thoroughly. You must know the material and be prepared to get the class engaged in discussion. Make sure you consider different interest groups and conceptions of cultural property in your discussion. Your entire presentation and the class discussion should be about one hour long.

Written Papers
Undergrads will write four short papers (7-10 pages) during the semester. I will distribute topics at least a week beforehand.

Graduate students will write the four papers. The first three are short papers (same as the first three undergraduate papers) and a longer final paper (~ 20 pages). The final paper will develop your own ethical positions through a set of hypotheticals. (The longer paper will also incorporate some of the themes of the fourth paper the undergrads will write). The final undergraduate paper is due by 5 pm May 5, 2012, in my mailbox in the anthropology department.

The better papers will incorporate the readings on the topic and earlier readings that are applicable (either in concert or contrast). Don’t turn in papers late. Late papers will be penalized and subject to grade reductions. Papers turned in one day late will be penalized on full grade, two days late means two full grades, etc. The final undergraduate and graduate papers are due by 5 pm May 5, 2012, in my mailbox in the anthropology department.

Attendance and Participation
This class depends on informed and active class participation. Thus, attendance and class participation are crucial to your getting a good grade. All students are expected to be in class and actively participate in class discussions in a positive and thoughtful manner. I will note attendance and class participation throughout the semester. Attendance and participation scores will be based on the following general grade boundaries (i.e., the actual number can vary between these values depending on the degree of participation):
100 – student attended every class (except excused absences) during the semester and actively participated in class by engaging with others in a positive thoughtful manner.
90 - student attended every class (except excused absences) and participated regularly in class by engaging with others in a positive thoughtful manner.
80 – student regularly attended classes and periodically engaged in discussions.
70 – student did not attend classes regularly or only occasionally engaged in discussions.
0 – student attended less than half the classes or was disruptive during class.

Since active class participation is critical, we will have the **following ground rules** in class:
1. *All opinions are valid and must be respected.*
2. *No snippy or personal comments – challenge the idea, not the person.*
3. *Be prepared to defend your statements.*

**Evaluation and Grading: Undergraduate Students**
1. Four short (5-10 page) papers, based on four of the main topics: **60%**
2. One presentation and group discussion lead: **20%**
3. Attendance and participation: **20%**

**Evaluation and Grading: Graduate Students**
1. Three short (5-10 page) papers, based on four of the weekly topics: **30%**
2. Final 15-20 page paper: **30%**
3. One presentation and group discussion lead: **20%**
4. Attendance and participation: **20%**

**Grading Scale**
- A+ 100
- A  95
- A- 92
- A-/B+ 90
- B+ 88 (etc.)

**Week 1: Background Concepts**
This week we will discuss three approaches to ethics: deontological, consequentialist, and virtue ethics. Think about the differences and similarities and how each would inform a particular issue. We will be using these terms and concepts throughout the semester, so become familiar with them. We will also discuss the nature of property, ownership, and value. Finally, we will go over at least one structure for analyzing ethical issues.

**Textbook:**
Colwell-Chanthaphonh, Chip, and T.J. Ferguson

Wylie, A.

Young, James O.

**Blackboard:**
Week 2: Interest Groups and Ethical Statements

This week we continue discussing ethical approaches and review different ethical statements and examine the difficulties and problems that arise in interpretation. We will focus on the Society for American Archaeology (SAA) ethical principles throughout the semester, so become familiar with them. Read the SAA ethical principles and the readings and be prepared to discuss the positions of the authors and your personal interpretations.

Blackboard:

Murphy, Larry E., Mary C. Beaudry, Richard E. W. Adams, and James A. Brown

Hamilton, Christopher E.

Scham, Sandra

Watkins, Joe, Lynne Goldstein, Karen Vitelli, and Leigh Jenkins

Pick two (coordinate to prevent overlap) – Review and discuss how these approach the use of cultural property using last week’s example

1. Canadian Archaeological Association
   Principles of Ethical Conduct http://www.canadianarchaeology.com/conduct.lasso
   Statement of Principles for Ethical Conduct Pertaining to Aboriginal Peoples http://www.canadianarchaeology.com/ethical.lasso

2. European Association of Archaeologists
3. New Zealand Archaeological Association (NZAA)
NZAA Code of Ethics http://www.nzarchaeology.org/ethics.htm

4. Register of Professional Archaeologists (RPA)
Code of Conduct and Standards of Research Performance http://www.rpanet.org/

5. The Archaeological Institute of America (AIA)

6. The Society for American Archaeology (SAA)

7. World Archaeological Congress (WAC)

8. American Association for State and Local History (AASLH)

9. International Council of Museums (ICOM)

10. American Association of Museums (AAM)
Standards regarding Archaeological Material and Ancient Art
http://www.aam-us.org/museumresources/ethics/

11. International Association of Dealers in Ancient Art (IADAA)
http://www.iadaa.org/iadaa_frameset_1/ethics/ethics_main.htm

12. American Institute for Conservation of Historic and Artistic Works (AIC)
http://www.conservation-us.org/index.cfm?fuseaction=page.viewPage&PageID=858&d:\CFusionMX7\verity\Data\dummy.txt

**Weeks 3, 4 and 5: Trafficking in Antiquities: Tomb Raiders, Collectors & Professionals**
In this section we look in detail at the way antiquities move from the ground to the collector (whether museum, private collector, or archaeologist). Pay attention to how different interests and cultures value antiquities. Do they make convincing arguments? What are the underlying principles that should determine how this material is treated and whether unprofessional excavation is ever justified? How can you reconcile the notion that world heritage is owned by everyone with the principles of private ownership and sovereignty? Who should decide how antiquities are treated?

**Week 3**
This week we begin to explore the outlines of the issue and meet some of the players and positions. Think about the arguments and implications of their positions.

**Textbook:**
LaBelle, Jason

**Blackboard:**
Coe, Michael D.
1993 From Huaquero to Connoisseur: The Early Market in Pre-Columbian Art. In *Collecting the Pre-
Wylie, Alison

Mallouf, Robert J.

Udvardy, Monica L., Linda L. Giles, and John B. Mitsanze

Week 4
This week we will look in detail at the use of cultural property by descendant communities. Should a cultural connection to the material make a difference? If so, what kind of cultural connection is legit?

Textbook:
Hollowell, Julie

Blackboard:
Heath, Dwight B.

Case Studies:
Brown, Linda A.

Hollowell, Julie

Matsuda, David

Week 5
Now the consumption end of the trade weighs in.

Textbook:
Omland, Atle

Warren, Karen J.
1989 A Philosophical Perspective on the Ethics and Resolution of Cultural Property Issues. In The

Elia, Roberto J.

Renfrew, Colin

**Case Studies:**
Ede, James

Griffin, Gillett G.

Merryman, John H.

Renfrew, Colin (excerpt)

**AND**
Kurzweil, Harvey, Leo V. Gagion, Ludovic de Walden

Stanish, Charles

Watson, Peter

**Interesting, but not required:**
Brodie, Neil, and Colin Renfrew

Pearlstein, William G.

**Short Paper 1 Due in Class March 3**

**Weeks 6, 7, and 8: Skull Wars**
In this section, we dive into some of the issues surrounding repatriation to indigenous groups. How would you resolve the competing interests? How would your resolution mesh with how you feel about antiquities trafficking? Who should speak for indigenous interests? Are the desires of the dead important, and how would you know what they wanted? Is a cultural connection necessary or possible? What about all those museums with mummies?

**Week 6**

How are the scientific and non-scientific positions formulated? What are the strengths and weaknesses of each? Should these be the only voices in the discussion? How do you determine good claims from bad ones?

**Textbook:**

Hurst Thomas, David  
2000 *Skull Wars: Kennewick Man, Archaeology and the Battle for Native American Identity*. Basic Books, NY. *PAGES 1-90*

Lackey, Douglas P.  

**Blackboard:**

Sabloff, Jeremy A.  

*The science group:*

Landau, Patricia M and D. Gentry Steel  

Meighan, Clement W.  

Owsley, Douglas W. and Richard L. Jantz  

*The non-science group:*

Deloria Jr., Vine Jr.  

Gulliford, Andrew  

Harding, Sarah  

Lee, Mike  
1997 *Tribes Upset by Ritual for Kennewick Man. Tri-City Herald*, August 27th

AND

Lee, Mike  
AND
Asatru website:
http://www.runestone.org/home.html

Week 7
What’s so special about dead people and bodies? Who, if anyone, can speak with authority for the dead? Are the wishes of dead people worth considering?

Textbook:
Hurst Thomas, David

Scarre, Geoffrey

Tarlow, Sarah

Case Studies:
Ferguson, T. J., Roger Anyon, and Edmund J. Ladd

Goldstein, Lynne and Keith Kintigh

Klesert, Anthony L. and Shirley Powell

Zimmerman, Larry J.

Zimmerman, Larry J.

Week 8 – Australia
How are things different in Australia? What is actually lost in repatriation? Should a past history of colonialism or oppression matter? What are the considerations involved in deciding repatriation issues?

Textbook:
Smith, Claire, and Heather Burke

Case Studies:
Finkel, Elizabeth


Short Paper 2 Due in Class March 31

Week 9: Stewards of the Past

Textbook:


Blackboard:


Weeks 10, 11, 12: Presenting and Politicizing the Past: Archaeology and the Public

In this section we explore the obligations of museums and archaeologists to present the “truth.” What is the true and is anything concerning the past true? Is the truth a meaningful goal? When, if ever, should you present something you know is false? How are competing, and sometimes outlandish, scientific opinions different from fantastic archaeology (e.g., Atlantis or Bigfoot)? Should museums give the public what it wants or what it needs, and who decides? What are the obligations of museums and archaeologists to present one or another view of the past? What is a proper interpretation? Is sanitizing the past ever appropriate?

Week 10

Blackboard:
Michlovic, Michael G.

Williams, Stephen

Case Studies:
Chippindale, Christopher

Hanson, Allan

Gazin-Schwartz, Amy

Costa, Kelli Ann

Week 11

Textbook:
Gable, Eric and Richard Handler

Horning, Audrey

Jason, James
2004 Recovering the German Nation: Heritage Restoration and the Search for Unity. In Marketing
Heritage: Archaeology and the Consumption of the Past, edited by Yorke Rowan and Uzi Baram, pp. 143-166. Altamira Press, Walnut Creek, CA.

Golden, Jonathan

Blackboard:
Arnold, Bettina

Lowenthal, David

Week 12
Textbook:
Kersel, Morag

Blackboard:
Trigger, Bruce G.

Coggins, Clemency

Case Studies:
Dietler, Michael

Hamilakis, Yaniis and Eleana Yalouri

Kelly, John D.

Short Paper 3 Due in Class April 28

Weeks 13 and 14: From Tangible to Intangible Heritage
How should intangible cultural property (ideas, songs, stories) be handled? Can the Western idea of ownership and property apply to intangible cultural property?

Text:
Brown, Michael
Chippendale, Christopher  

Cooper, David E.  

Layton, Robert, and Gillian Wallace  