

Kenneth E. Sassaman

You would be hard-pressed to find a professional archaeologist who does not interact with members of the general public over matters archaeological, at least occasionally. Archaeologists are known to most people as those who discover artifacts, if not dinosaur fossils. We remind the public, whenever we can, that context and association determine the information potential of objects, but we lean heavily on artifacts when narrating the past for nonprofessional audiences. So people bring to us the things they find. Sometimes we invite this sort of interaction with artifact identification days and other events. I myself recorded many such finds in the collections of citizens of South Carolina and Georgia, where I worked for 11 years with the Savannah River Archaeological Research Program, which had a public outreach program. Not only did we have opportunities to record information about objects that would have otherwise escaped professional attention, but we also learned about unrecorded sites in the region, some victims of active looting. It was always gratifying to salvage what we could about the contexts of vulnerable sites before they were lost, but even more gratifying to bring collectors into the fold of ethical and responsible practice. Some of these individuals became trusted partners.

The Forum essay that follows in this issue reminds us of the valuable and enduring contributions responsible citizens have made to archaeology. Indeed, Bonnie Pitblado argues convincingly in this essay that our knowledge of Paleoindian archaeology in North America would be greatly diminished without the contributions of the public. The number of people who have scoured the landscape for artifacts, or even stumbled across a find without looking, eclipses that of professional archaeologists by some astronomical factor. I will never forget learning as a

student that the Short Chronology of North American archaeology in the early twentieth century was shattered by a discovery made, not by a Harvard or Smithsonian scholar, but by George McJunkin, the African-American cowboy who in 1908 observed bison bones eroding from an arroyo at Crowfoot Ranch near Folsom, New Mexico (Meltzer 2006). The find was not investigated professionally until 1926, four years after McJunkin's death, and it would be another year before a Folsom point was found in direct association with bison bone. Still, had McJunkin not recognized the remains as those of an extinct species and shared his find with others, professionals may never have known about a site whose context of direct association was instrumental in adding millennia to the history of native North America.

But for every story of success in the annals of archaeology, there are those of tragedy and lost opportunity. Sites are collected and looted, artifacts get sold on the antiquities market, and professional archaeologists are sometimes drawn into wrongdoing as unwitting accomplices. Laws protecting historical resources in the U.S. are hardly adequate to prevent vandalism of sites and the commercialization of artifacts. Under most circumstances, for instance, they do not extend to private land or to the rights of individuals to buy and sell artifacts that were obtained legally. Antiquities laws vary across the globe, of course, and they are often revisited as political and economic winds change direction. There are no universal rights or laws at play in this respect, no moral imperatives to ensure that the material traces of past life are never owned, privatized, commercialized, or wantonly destroyed. We do what we can to work within the bounds of law to mitigate unnecessary negative impacts to the fragile, vulnerable archive of the past.

Beyond law are the ethics of professional practice, the codes of conduct that help to distinguish those whose work aims to further public good from those whose actions serve only private interests. The SAA promulgated its first statement on ethics in 1961 and its current Principles of Archaeological Ethics in 1996, precipitated by the rapidly changing conditions under which archaeology was practiced, much of it inflected by “external” interests (Lynott and Wylie 1995). As Pitblado recounts, most of the eight principles bear directly on professional-public interactions. The first, *Stewardship*, is the keystone principle, as it states that professionals have a responsibility not only to protect the archaeological record for the benefit of all people, but also to instill a sense of stewardship among members of the public. The underlying premise of this principle is that no one *owns* the past, and certainly not professionals.

Still, while we may agree that no one, or perhaps everyone, owns the abstraction we call the past, laws in the U.S. and many other countries provide for ownership of archaeological sites and artifacts, and so sites and artifacts are bought and sold like other commodities. Exposed in this are the contradictions between stewardship and ownership—not unlike those between democracy and capitalism—which preclude canonical approaches to the ethics of commercialization. I trust most archaeologists cringe at requests to appraise artifacts. The objects are priceless, we might say, or their worth is measured in information, not dollars. Still, many objects in museums arrived and still arrive through purchase, or at least through donation, for which tax appraisals are sought. In such cases someone is asked to put a price on the priceless, to assess the market value of things that we are loathe to commodify. We accept these actions as ethical because they contribute to the stewardship of the past and to the public good, not to personal property or profit.

Other forms of monetary exchange involving artifacts transgress ethical practice even as they operate within the bounds of law. SAA’s Principles include one, Principle 3, dealing expressly with commercialization. To me, an unambiguous violation of Principle 3 is the case of the Vero Beach engraving, which was sold last year shortly

after it was published in the *Journal of Archaeological Science* (Purdy et al. 2011). The owner of the engraving made his intention known to sell the artifact, and he was hoping to get millions of dollars for it. I do not know whether the authors of this study were aware that publication of the object would potentially enhance its value, but in my estimation its publication violated Principle 3 because there was never any assurance that the object would end up in a public repository. Pitblado agrees with this assertion, but goes on to defend the publication because the owner made the object available for study, and for casting, and thus science had a crack at it before it was sold. The end, in this particular case, justified the means, she argues.

I respectfully disagree, on several counts. First, I question the intrinsic value of the object itself. The Vero Beach engraving is a rendering of an Ice Age creature, a mammoth. Assuming that the artist did not conjure up this image in the mind with no prior exposure to proboscideans, the object puts humans and Pleistocene megafauna in direct contact. But we have long known this to be the case in North America, thanks to finds like Folsom and many of the Clovis finds Pitblado lists in her essay. The Vero Beach engraving is not another Folsom find; it is not another game-changer. Granted, it is perhaps the oldest piece of portable art in North America, but are we going back to the drawing board of “prehistory” because we at last have proof that early people had the capacity to represent themselves in media that endured this long? I trust not.

My second objection has to do with context, and this speaks not only to the limits of this engraving’s scientific worth, but also to its authenticity. The item was not collected from an archaeological context, and thus it lacks relationships to other objects and matrices that would enable us to make inferences beyond the object itself. In other words, its evidentiary potential is limited to physical and chemical properties inherent to the object alone. Sure, it is an interesting and, dare I say, lovely artifact, as were the Folsom points that Jesse Figgins showed Aleš Hrdlička and William Henry Holmes at the Smithsonian Institution in 1927. They were happy to see the beautifully made spearpoints Figgins had brought to them,

but neither gentleman was convinced that they were made by Ice Age people. Like so many other claims for human antiquity in the Americas, the Folsom site, to that point, lacked definitive evidence for the age of the artifacts. Hrdlička advised Figgins to keep digging until he found unassailable proof. In an age predating radiocarbon dating, such proof would have to come from the stratigraphic association between the spearpoints and material of known age.

What we know about the Vero Beach engraving is confined to what can be extracted from its material self, and that does not include datable organic matter. Instead, the object was subjected to a battery of tests to determine its authenticity, but in the end, its age remains uncertain. Is it real or is it a fake? We may never know because now that the artifact has passed from a person who availed it to science to a party that may not be similarly disposed, science may not get a second crack at it and thus may fail in its need to replicate results. Context would have been a great arbitrator in this case, as it is in the case of virtually all archaeological objects.

Given its lack of context, finite interpretive potential, and questionable age, the Vero Beach engraving does not manifest the scientific heft that warrants its publication under threat of its commercial exchange. Because there was never any assurance that this object would be transferred to a public repository, its publication in *American Antiquity* would have been a clear violation of Principle 3.

Archaeology is not a credentialed field. The SAA does what it can to promote ethical and professional practice, but membership is not a credential, not a requirement for academic employment or for landing government contracts. We come closer to credentialing with the Register of Professional Archaeologists, but, here again, we fall short for lack of cultural and political will. I am certain that the public in general would resist any effort to circumscribe archaeology with legal strictures that would block its participation, as should we. The cultural challenge here lies in the ambiguity between professionals and everyone else. We may never be credentialed like doctors

and lawyers, but we can, and must, strive to operate in ways that distinguish us from any person or corporation that co-opts the archaeological record for profit.

I fully agree with Pitblado that the SAA Principles of Archaeological Practice do not preclude collaboration between professionals and collectors, and I likewise agree that the code can be interpreted to suggest that collaboration with members of the public is an ethical mandate. This reasoning does not, however, apply to activities that contribute to the commercialization of artifacts. I do not know whether any of the Clovis discoveries Pitblado lists in her essay involved the sale or trade of objects. Had the owner of Crowfoot Ranch sold the Folsom points after Figgins documented their context in 1927, he may not have gotten much for them, but Paleoindian artifacts today demand huge prices on the antiquities market. Just this past year, the Rutz Clovis point from Washington state that was displayed at the Paleoamerican Odyssey conference was sold for over a quarter-million dollars. Did its display at a gathering of so many professionals enhance its value? I do not know, and certainly we cannot control a free market. But we have to monitor the boundary between stewardship and ownership and help our citizenry better appreciate the information value of not just objects, but objects in context. In truth, our Principles do not define the profession as much as they prescribe best practices, and in this sense, members of the general public are invited to join in, just as they are invited to join the SAA. We would do well to define our profession not by how many degrees and publications we accumulate, but by how many citizens we recruit to ensure that future citizens can learn from and enjoy the past as much we do today. So long as ownership and market exchange prevail, guarding the boundary between public good and private rights means losing access to some information. Personally, I am willing to risk the loss of some scientific information if it helps to curtail the out-of-control monetary inflation of antiquities, the rampant commercialization of archaeology, and the enduring ambiguity of our profession.

References Cited

- Lynott, Mark J., and Alison Wylie (editors)
1995 *Ethics in American Archaeology: Challenges for the 1990s*. Society for American Archaeology, Washington D.C. (revised second edition published in 2000.)
- Meltzer, David J.
2006 *Folsom: New Archaeological Investigations of a Classic Paleoindian Bison Kill*. University of California Press, Berkeley.
- Purdy, Barbara A., Kevin S. Jones, John J. Mecholsky, Gerald Bourne, Richard C. Hulbert, Jr., Bruce J. MacFadden, Krista L. Church, Michael W. Warren, Thomas F. Jorstad, Dennis J. Stanford, Melvin J. Wachowiak, and Robert J. Speakman
2011 Earliest Art in the Americas: Incised Image of a Pro-boscidean on a Mineralized Extinct Animal Bone from Vero Beach, Florida. *Journal of Archaeological Science* 38:2908–2913.