

AE 0155
Who Owns the Classical Past?

Prof. John F. Cherry

Spring Semester 2007
T Th 6:30 – 7:50 pm (L Hour)
70 Waterman St., Room 203

Course wiki : <http://proteus.brown.edu/classicalpast/Home>

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Course outline and educational objectives.

Archaeology is about the past and concerns material from the past; but it is embedded within contemporary society and its practices. This course aims to present and discuss a wide range of ethical dilemmas presented by the practice of archaeology in the 21st century. It will require the development of an acquaintance with legal statutes, ethical codes, and disciplinary practices that have a bearing on decision-making about a wide range of issues concerning cultural property and cultural heritage, in both the Old and New Worlds. I see this class as providing students with a forum in which to think through some very problematic issues concerning ownership and the interests of very varied stakeholders where the material of the past is concerned.

The course's educational objectives are best illustrated by citing a number of the case-studies, issues, and questions that will be considered by the class. These include:

- What ethical, legal, and political considerations affect decisions about the return of cultural property (such as the 'proper' home for the Parthenon marbles)?
- How effective have been responses to looting, illicit excavation, and antiquities thefts in the classical lands?

- What has been the impact on the discipline of connoisseurship, collecting, and the international art market?
- How successful have museums been, in this country and abroad, in displaying classical culture to the interested public?
- What has been the fate of cultural property in times of war and political unrest, and should local populations have ultimate control over 'their' cultural patrimony?
- What conflicts arise from the need to preserve key sites (e.g., Knossos, the Athenian Acropolis, the Roman Forum) intact for future generations, while facilitating visits by ever-growing numbers of tourists today?
- Who controls (or should control) access to materials and documents from the ancient world (e.g., the Dead Sea Scrolls, unpublished excavations)?
- To what extent have nationalist, ethnic, or other political agendas dictated the way museum exhibitions have been organized, or classical sites presented (Mussolini's Rome, for example)?
- How have images and monuments from classical antiquity been appropriated by modern advertising and by movie-makers, and to what extent have popular conceptions of antiquity been molded as a consequence?

This class should be of benefit to any student with interests in archaeology, history, classics, art history, anthropology, or even law and public policy. More generally, it might have more general appeal to those with interests in the humanities and the social sciences, and some curiosity about cultural property and cultural heritage. Even more broadly, I hope to engage students who may have no prior knowledge of archaeology and the ancient world, but who have a concern for thinking through the ethical and moral dilemmas posed by "ownership" of the past.

Textbooks (available at the Brown Bookstore) and Other Readings

Renfrew, C. *Looting, Legitimacy and Ownership* (2000).

Skeates, R. *Debating the Archaeological Heritage* (2000).

Vitelli, K.D., and C. Colewell-Chanthaphonh (eds.) *Archaeological Ethics* (2nd edn.) (2006)

Fitz Gibbon, K. (ed.) *Who Owns the Past? Cultural Policy, Cultural Property, and the Law* (2006)

Note:

(1) Although most pages of these books are indicated below as required reading specifically relevant to individual class meetings, you are responsible for working your way systematically through all them by the end of the semester.

(2) There are a good many other readings we shall be discussing that are *not* from these textbooks. Where possible, I will make these available as pdf files posted to the class wiki; otherwise I will either circulate xeroxes or place copies on the reserve shelf in the Joukowsky Institute library.

Student Requirements and Responsibilities; Grading

This is intended to be a small class dominated by informed discussion. That means it is important you **attend** regularly, **read** the assigned readings in advance, and **participate** actively in discussion of the readings and the various ethical situations introduced for class debate. On several occasions throughout the semester, you will be responsible (either solo or jointly) for giving short presentations, introducing or critiquing an assigned reading, or arguing a particular point of view in a class debate. Active participation also involves frequent visits to the class wiki (to which you can post comments) and meeting me in office hours. Additionally, there are **midterm** and **final exams**, and a **written paper** of 10-12 pages.

Grading:

Active participation — 30%

Class reports (3) — 15%

Term paper (and its class presentation) — 25%

Midterm exam — 10%

Final exam — 20%

Dates:

Individual class reports: 6 Feb, 22 Feb, 20 March

Term paper presentation to the class: 1 or 3 May

Written term paper submission: 14 May

Midterm exam: 8 March

Final exam: 14 May

Syllabus

[JFC reserves the right to tinker with both the order of, and the readings for, the following classes. You should consult the class wiki for the most current version of the syllabus.]

1. Th 25 January

Introductory meeting

2. T 30 January

Who owns the past? And what are archaeological ethics? Some introductory archaeological viewpoints.

Readings:

Frederick A. Winter, "Who owns the past? Ethical dilemmas in contemporary archaeology," *The Explorers Journal* (Winter 1991) 128-33.

David Frankel, "Who owns the past? Australian archaeologists have to face up to questions of ideology and ownership," *Australian Society* 3.9 (1984) 14-15.

Catherine M. Cameron, "The destruction of the past: nonrenewable cultural resources," *Nonrenewable Resources* 3.1 (1994) 6-24.

Mark J. Lynott and Alison Wylie, "Stewardship: the central principle of archaeological ethics," in Mark J. Lynott and Alison Wylie (eds.), *Ethics in American Archaeology* (2002), 35-39.

3. Th 1 February

What is 'cultural heritage'? What are 'World Heritage Sites'? What sites have been so designated in the classical lands, and why is it *these* sites that have been chosen?

Readings:

R. Skeates, *Debating the Archaeological Heritage* (London, 2000), 9-37.

M. de la Torre and M. MacLean, "The archaeological heritage in the Mediterranean region," in M. de la Torre (ed.), *The Conservation of Archaeological Sites in the Mediterranean Region* (Los Angeles 1997), 5-14.

Websites: begin with UNESCO's World Heritage List at <http://whc.unesco.org/pg.cfm?cid=31>

4. T 6 February

Who owns classical sites? And how should they be conserved and presented to the public? The conflict between site conservation and access for tourism.

(Individual student reports.)

Readings:

M. de la Torre (ed.), *The Conservation of Archaeological Sites in the Mediterranean Region* (Los Angeles 1997), 27-40 [Akrotiri on Thera], 41-50 [Reconstruction of ancient buildings], 51-59 [the presentation of archaeological sites], 65-92 [the Roman villa at Piazza Amerina, Sicily], 93-125 [the Minoan palace at Knossos on Crete], 127-49 [Ephesus in Turkey].

Richard A. McNeal, "Archaeology and the destruction of the later Athenian acropolis," *Antiquity* 65 (1991) 49-63.

5. Th 8 February

Contested places, sites of power. Case-studies of sites from the past that have become politically charged in the present, or that serve as cultural/national/religious symbols – because their present-day "meaning" or ownership are contested.

Readings will include:

Neil Asher Silberman, *Between Past and Present: Archaeology, Ideology, and Nationalism in the Modern Middle East* (1989), pp. 87-101 ("The Fall of Masada").

Extracts from N. Ben-Yehuda, *The Masada Myth: Collective Memory and Mythmaking in Israel* (Madison 1995).

Christopher Chippindale, "The Stonehenge Phenomenon," in *Who Owns Stonehenge?*, 9-30.
<http://catal.arch.cam.ac.uk/catal/catal.html> [Çatal Hüyük in Turkey]

6. T 13 February

Looting of archaeological sites and monuments.

Readings:

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 1-77.

C. Renfrew, *Loot, Legitimacy and Ownership*

<http://wings.buffalo.edu/academic/department/anthropology/Documents/lootbib.html>

7. Th 15 February

Case studies in the looting of classical sites (Cycladic figurines, the Aidonia treasure). JFC will give an illustrated account of two examples from Greece.

Readings:

R. Elia, "A seductive and troubling work," in K.D. Vitelli (ed.), *Archaeological Ethics* (1st edn), 54-62.

J.G. Pedley, "Provenience: 'unknown'," *Journal of Roman Archaeology* 10 (1997) 604-609.

J.F. Cherry, "After Aidonia: further reflections on attribution in the Aegean Bronze Age", in P.P. Betancourt *et al.* (eds.), *Meletemata* (Liège 1999), 103-110.

(T 20 February = no class, Brown long weekend)

8. Th 22 February

Looting, antiquities theft, and responses to looting (continued):

Individual student reports

Readings:

N. Brodie *et al.* (eds.), *Trade in Illicit Antiquities: The Destruction of the World's Archaeological Heritage* (Cambridge 2001), chs. 16 [Cyprus], 18 [Italy], 19 [Italy], 20 [Cyclades].

K.W. Tubb (ed.), *Antiquities: Trade or Betrayed. Legal, Ethical and Conservation Issues* (London 1995), case studies on the Kanakariá mosaics [Cyprus] and the Lydian Hoard [Turkey].

9. T 27 February

The antiquities trade: what's wrong with collecting? Is there such a thing as 'the good collector'?

Class debate (collectors vs. archaeologists)

Readings:

John Dorfman, "Getting their hands dirty? Archaeologists and the looting trade," *Lingua Franca* May/June 1998: 28-36.

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, chs. 1-7.

Forum: " 'The Good Collector': fabulous beast or endangered species?," *Public Archaeology* 1 (2000) 73-81.

Karen Olsen Bruhns, "www.plunderpast.com," *Society for American Archaeology Bulletin* 18.2 (March 2000) 14-15, 17.

Shelby White, "Building American museums: the role of the private collector," in Fitz Gibbon, *Who Owns the Past?*, 165-177.

10. Th 1 March

Guest lecturer: Hima Mallampati, J.D. (University of Michigan)

Legal and ethical perspectives on the antiquities trade, collecting, and museums.

Readings:

Kate Fitz Gibbon, *Who Owns the Past?*, 133-163, 179-216.

11. T 6 March

Archaeology and international politics. We will discuss recent cultural disasters such as the destruction of the Bamian Buddhas, the Kabul Museum, and the fate of antiquities in Afghanistan under the Taliban in Afghanistan; the looting of the Baghdad Museum and widespread site destruction by military action and looting in Iraq; the demolition of the Ayodhya mosque in India, etc.

Readings:

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 81-122.

Various websites and URL links to newspaper articles (to be assigned).

12. Th 8 March

MIDTERM EXAM

You will be asked to write short essays in response to various ethical and legal dilemmas – real or imaginary – concerning antiquities and cultural property. Your answers will draw on our discussions in class, as well as on all assigned readings to this point.

13. (T 13 March - no class, JFC away)

14. (Th 15 March – no class, JFC away)

15. T 20 March

Case studies concerning currently contested or recently resolved claims for the repatriation of antiquities to (alleged) source countries or owners. Each student will make a brief factual presentation of an example of her/his choice and led a discussion of the issues it raises.

Readings, websites, etc. to be determined in consultation with JFC.

16. Th 22 March

The most vexed of all repatriation claims: the Parthenon (a.k.a. “Elgin”) Marbles.

We will hold a formal class debate on the case for/against the return to Greece of the Parthenon marbles, guided by these readings and websites:

Kate Fitz Gibbon, “The Elgin marbles: a summary” in Kate Fitz Gibbon, 109-121.

Jarrett Lobell, “The new Acropolis Museum,” in Vitelli & Colwell-Chanthaphonh, 194-197.

“The Elgin Marbles debate,” in J. Greenfield, *The Return of Cultural Treasures* (1996), 42-90.

David Wilson, “Return and restitution: a museum perspective,” in I. McBryde (ed.), *Who Owns the Past?* (1985), 99-106.

www.parthenonuk.com

www.uk.digiserve.com/mentor/marbles/friends.htm

www.culture.gr/6/68/682/e68202.html

(T 27 March = no class, Brown spring recess)

(Th 29 March = no class, Brown spring recess)

17. T 3 April

Affected people and descendant communities: why shouldn't they do whatever they wish with their own heritage? “Subsistence diggers.” What laws (in the Classical lands, in the US) constrain or permit the ownership, use, or sale of antiquities?

Readings:

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 125-164.

David Matsuda, “Subsistence diggers,” in Kate Fitz Gibbon, 255-265.

18. Th 5 April

The reburial issue; bones, scientists, and native peoples.

If possible, we will view extracts from a video: *Science or Sacrilege? Native Americans, Archaeology and Law* (1996)

Readings:

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 167-175.

Transcript of Horizon TV show "Bones of Contention."

T. Hillerman, *Talking God*, pp. 1-9.

Lynne Goldstein and Keith Kintigh, "Ethics and the reburial controversy," *American Antiquity* 55 (1990) 585-91.

19. T 10 April

Native Americans reclaim their past: NAGPRA [the Native American Graves Protection and Repatriation Act]. Why have the inhabitants of the Classical lands not felt the same way?

Readings:

www.nagpra.org

Virginia Morell, "An anthropological culture shift," *Science* 1 April 1994: 20-22.

Nathalie F.S. Woodbury, "When my grandmother is your database: reactions to repatriation," *Anthropology Newsletter* March 1992: 6, 22.

Patricia A. McAnany, "Archaeology division," *Anthropology Newsletter* May 1995: 9-11.

"35,000-year-old artifacts repatriated in Tasmania," *Anthropology Newsletter*, May 1996: 20.

20. Th 12 April

[Brief written outline of the topic of your term paper is due.]

Who should own the cultural spoils of war? Nazi gold, Priam's treasure, etc.

What protection is afforded cultural monuments and museums in times of war? What compensation is paid for damage or loss, and by whom? What claims for repatriation are valid, or can be accommodated?

Readings:

M. Dobbs, "Trail of looted art leads to America: U.S. museums struggle with ownership questions on Nazi-era losses," *International Herald Tribune*, 22 May 2000.

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 81-122.

21. T 17 April

Presenting the past and experiencing the archaeological heritage in museum settings: whose past? what ethics? [We may have a class visit from a museum curator.]

Readings:

R. Skeates, *Debating the Archaeological Heritage*, 109-24 ["Experiencing the archaeological heritage"].

Consult the Ethical Guidelines of national museum associations and individual museums, collected at the wiki <http://proteus.brown.edu/archaeologicaethics/1634>.

Visit the RISD museum and the Heffenreffer Museum of Anthropology on campus in Manning Hall to collect ideas about issues concerning the public presentation of cultural heritage.

22. Th 19 April

Holding back the past? The Dead Sea Scrolls and other scandals. Who should "own" rights to publish ancient papyri? What about archaeologists who fail to publish their excavations or surveys in a timely manner? Should any particular groups be allowed to claim intellectual property rights over data, information, and ideas?

Readings:

"An academic scandal par excellence: the Dead Sea Scrolls," in Joseph Sax, *Playing Darts with a Rembrandt: Public and Private Rights in Cultural Treasures* (1999), 153-64.

Vitelli & Colwell-Chanthaphonh, *Archaeological Ethics*, 201-234.

23. T 24 April

Commodifying the past: classical and archaeological images in modern advertising.

We will discuss examples of adverts members of the class have collected throughout the semester, as well as some of my own (this could include video, as well as still, images). Do these "archaeo-adverts" reveal stereotypes about the classical past and its ownership, or the identity of the archaeologist in popular culture? Can we speak in terms of the commodification of antiquity?

24. Th 26 April (no class, JFC at Society for American Archaeology meetings)

25. T 1 May (reading period – the class will meet)

Student reports on topics of term papers – I.

26. Th 3 May (reading period – the class will meet)

Student reports on topics of term papers – II.

FINAL EXAM: 2 pm, Monday 14 May. Term papers also due.