

Bryn Mawr College

Scholarship, Research, and Creative Work at Bryn Mawr College

Classical and Near Eastern Archaeology Faculty
Research and Scholarship

Classical and Near Eastern Archaeology

4-1-1997

Review of *Archaeological Ethics*, edited by Karen D. Vitelli; *Antiquities, Trade or Betrayed: Legal, Ethical and Conservation Issues*, edited by Kathryn Walker Tubb

James C. Wright
Bryn Mawr College, jwright@brynmawr.edu

Follow this and additional works at: https://repository.brynmawr.edu/arch_pubs



Part of the [Classical Archaeology and Art History Commons](#), and the [History of Art, Architecture, and Archaeology Commons](#)

[Let us know how access to this document benefits you.](#)

Citation

Wright, James C. 1997. Review of *Archaeological Ethics*, edited by Karen D. Vitelli; *Antiquities, Trade or Betrayed: Legal, Ethical and Conservation Issues*, edited by Kathryn Walker Tubb. *American Journal of Archaeology* 101:403-404.

This paper is posted at Scholarship, Research, and Creative Work at Bryn Mawr College.
https://repository.brynmawr.edu/arch_pubs/13

For more information, please contact repository@brynmawr.edu.

BOOK REVIEWS

ARCHAEOLOGICAL ETHICS, edited by *Karen D. Vitelli*. Pp. 272, map 1. AltaMira Press, Walnut Creek, Calif. 1996. \$40. ISBN 0-7619-0530-8.

ANTIQUITIES, TRADE OR BETRAYED: LEGAL, ETHICAL AND CONSERVATION ISSUES, edited by *Kathryn Walker Tubb*. Pp. xxi + 263, color pls. 35, pl. 1. Archetype, London 1995. \$35. ISBN 1-873132-70-0.

Issues in cultural property have received increasing attention in the popular and academic press in the last 15 years. The two books under review represent different approaches to studying the problem of the management of cultural property. The first is an assemblage of articles published in *Archaeology*. They constitute an easily read, informative, anecdotal presentation of instances of destruction of archaeological sites, theft of artifacts, and traffic in stolen goods, and illustrate the varieties of responses by professionals in the field. Largely selected by students, the compendium is supplemented by a brief essay by the editor, K.D. Vitelli, who has been teaching a course on this subject for some years. Each article contains a brief bibliography and footnotes to pertinent recent publications. By themselves the articles do not offer an analytical understanding of the issues behind the cases. For this one needs to look to the end where a series of questions for discussion are posed. These, together with the suggested further reading, will lead the curious and critical reader to a deeper understanding of the issues of policy, legality, and ethics underlying each case. As an introduction, especially for undergraduates or perhaps in a graduate proseminar, this is a book to recommend. The format, however, is somewhat cheap for the price. There are numerous misprints and the subject matter cries out for illustrations.

In contrast, the publication of the papers given at the conference on "Conservation and the Antiquities Trade" sponsored by the United Kingdom Institute for Conservation Archaeology surveys the issues behind international conventions on cultural property, their impact on national legislation, and the activities of dealers, collectors, conservators, administrators, and museum and academic professionals. The result is a broadly based treatment with contributions by legal scholars, representatives of international and national agencies, archaeologists, conservators, a member of the press, a lay person, and two dealers. Codes of ethics and legislation are discussed, with perspectives offered from law and policy in Great Britain, Ireland, and the United States.

Of particular use are the articles that discuss the mechanics of cultural property policy, either in terms of how the matters are handled in the courts or how codes of ethics have evolved for museums, curators, conservators, and dealers. The first section, "Legal Issues," contains texts of important agreements (the 1970 UNESCO Convention, the Draft UNIDROIT Convention, and the U.K. fine art and antiques trade code of ethics). The reprinted article by

Norman Palmer explains the legal issues and the context and impact of the 1970 UNESCO Convention, which is then usefully detailed in the paper of Etienne Clément. Lyndell Prott's article considers the trade in cultural objects, the rise of codes governing it, and developments that will follow from the UNIDROIT Convention of 1995. Maria Papageorge Kouroupas clearly explains the mechanics of U.S. law by focusing on the 1983 Cultural Property Implementation Act. Patrick Boylan's contribution dwells on codes of practice implemented by museums and their dependence on the International Council of Museums (ICOM) 1986 Code of Professional Ethics, since it is a touchstone for setting international standards and encouraging cooperation among museums. These should all be required reading.

Examining how these codes work when they become cases in courts of law, the second section begins with Patty Gerstenblith's examination of the case of the Kanakariá mosaics. Here is a quick course in U.S. law on the recovery of stolen property, replete with a glossary of legal terms. Catherine Sease and Danaë Thimme detail the damage done to the mosaics by the plunderers and the conservators hired by them and, as in the article by Patrick O'Keefe, consider the ethical questions confronting conservators. Unfortunately the remaining articles in this section are disappointing. Chippendale and Gill had published their contribution in *AJA* and would better have withdrawn from this publication than contribute their choppy, poorly edited piece. Geraldine Norman has a brief contribution that, aside from its cynicism (answered later by Alison Sheridan), is uninformative—all the more regrettable, since the author has much inside knowledge that she might have shared. The article by Lawrence Kaye and Carla Main on the Lydian Hoard diverges from a discussion of the primary issues of the case to offer aesthetic descriptions of some of the objects from the hoard, something better left to ancient art historians. Finally, the very useful contribution by John Browning recounting his experiences in trying to wrest his Icklingham Bronzes from Leon Levy and Shelby White would better have been included in the following section detailing the situation in the United Kingdom.

Browning's observations expose the threadbare policies that govern much of U.K. antiquities law and illustrate clearly how education of the public is the best strategy for protectors of the cultural heritage. The first three pieces of this section, by Peter Addyman, Rosamond Hanworth, and Harvey Sheldon, review the problems inherent in the legal concept of Treasure Trove. One article would have sufficed, and at this point this reader begins to wish that a stronger editorial policy for this volume had been applied. Fortunately, Brian Cook's piece returns the discussion to the level of scholarship and prose that one expects. On the basis of his long experience in the British Museum, he supplies balanced and judicious insights into the practical dimensions of museum policy and of implementing state policy through the Reviewing Committee on the Export of Works of Art. This is refreshing, albeit discouraging, reading. The following piece by Alison Sher-

idan demonstrates how the law is different and arguably more effective in Scotland, and, after reading ahead, might best have been followed by the presentation of the state of protection offered in Ireland, as described by Eamonn Kelly. Instead, this contribution appears somewhat illogically in the final section of the volume.

This section, entitled "The Way Ahead," begins with a plea from James Ede, a dealer, for a less absolutist position. He advocates more education and open trade in properly excavated and recorded duplicate and minor objects. But he misconstrues some issues. Dealers and collectors are not interested only in money; instead they trade in prestige. That is why subjective values like aesthetics and personal "reputation[s] for reliability and integrity" are more important to them than the intellectual and social goals of archaeological and historical context. A slightly hysterical, wandering, and illogical diatribe against Ricardo Elia by Jerome Eisenberg, a dealer and the editor of *Minerva*, follows and probably points the way ahead as being "more of the same."

An important practical perspective is given by two policemen, Richard Ellis and John Butler. Their experiences belie the dealers' insistence on their innocence of the smuggling, but also point up the problems of cooperation in an international arena. Butler notes that self-regulation, for example the IADA code promulgated by Ede, has never worked, and he argues that the foremost effective action to protect cultural property is to document it. Such documentation is the subject of Peter Cannon-Brookes's article, which describes the development of an electronic thesaurus, which records material on the market and permits word searches. Certainly, the ability to create and consult easily huge inventories of known cultural artifacts has much potential in controlling the trade in stolen items, though it will hardly help the more virulent one in smuggled undocumented artifacts from illicit excavations.

Turning to policy for conservators, Elia argues why they should "assume that unprovenanced objects are the products of illegal excavation and illegal export unless there is documentation that proves otherwise," because of the impediments to determining the truth created by the long tradition of dealers and collectors not to disclose verifiable information about their transactions. To conclude, Kathryn Tubb carefully reviews the issues faced by conservators today and argues for their having a more open role in the formation of policy.

In a civilization where products are valued over process and every event and thing is commodified for exchange on the private market, critical examination of the many ethical, political, economic, and social issues of the trade in cultural property is necessary. Anyone reading these books will recognize how the problems of cultural property management highlight the contradictions inherent in the laissez-faire market, illustrate the importance of supporting international agencies and interstate cooperation, and show us how the past is a vital agency of the present.

JAMES C. WRIGHT

DEPARTMENT OF CLASSICAL AND
NEAR EASTERN ARCHAEOLOGY
BRYN MAWR COLLEGE
101 NORTH MERION AVENUE
BRYN MAWR, PENNSYLVANIA 19010-2899
JWRIGHT@BRYNMAWR.EDU

CULTURAL IDENTITY AND ARCHAEOLOGY: THE CONSTRUCTION OF EUROPEAN COMMUNITIES, edited by Paul Graves-Brown, Siân Jones, and Clive Gamble. Pp. xx + 284, figs. 29. Routledge, London 1996. \$69.95. ISBN 0-415-10676-1.

Identity—of the individual and of the community—is a subject of major interest in many fields today, including anthropology, archaeology, history, literary studies, and psychology, as well as in public debates, both national and international. Among archaeologists, the principal issue dominating discussion is: How can we study cultural, or ethnic, identities of past peoples through the evidence of material culture? Principally by using theory and empirical results from the field of cultural anthropology, archaeologists are developing informed and useful approaches to this important question.

This timely book presents 17 papers, most of them from the 1992 conference of the Theoretical Archaeology Group (TAG) at Southampton, U.K. The preface notes the significance of that year. First, 1992 was planned as a crucial year in the unification of European countries, when they would be expected to yield some portion of their individual identities to form the larger unity. Second, it was the 30th anniversary of Lewis Binford's "Archaeology as Anthropology" article, a landmark publication in the development of the New Archaeology. The TAG conference included two related sessions, one on archaeological study of ethnic identities, the other on the ways archaeology is used to construct modern identities, specifically in Europe. Papers in the book include theoretical discussion of archaeological approaches to the question of identity and specific studies in the field of European archaeology, as well as essays about the role archaeology plays in the construction of modern identities in European countries. I shall comment on only a few exemplary papers here.

The principal paper on the first topic, by Siân Jones, titled "Discourses of Identity in the Interpretation of the Past," is an excellent discussion of current understanding of the nature of ethnic identity and of archaeological approaches to the subject. Ethnic groups are not monolithic entities that persist through time, but rather categories defined by the people themselves in the context of specific challenges to their territory, economy, or political system. Groups transform their identities through interaction with others. Expressions of a group's identity can vary with circumstances, hence we should not expect a community to employ the same signs of its identity in all contexts. These themes have been much discussed recently by cultural anthropologists, and they provide important tools for archaeologists. Paul Graves-Brown, in a section titled "Ethnicity and Material Culture," draws attention in his paper to the problem of recognizing when an object is a sign of identity, and when it is something else. His discussion bears directly on the larger issue of how we can tell whether the maker of an object consciously fashioned it to express identity, or whether we, the investigators, assign the object that role.

Four papers present studies of material culture and identity in European archaeology. They concern Indo-Europeans, Celts, peoples of northeastern Europe in the Roman period, and populations of early medieval Britain. All contain interesting ideas, yet they make reference to