

## Chapter 2

# Is a Shared Past Possible? The Ethics and Practice of Archaeology in the Twenty-First Century

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I take it for granted that archaeological stewardship should be based on dialogue between stakeholder groups. Some form of collaboration and consultation is at the heart of most attempts today to deal with long-term stewardship issues, whether it is the consultancy involved in the development of the Stonehenge management plan or the dialogues involving archaeologists, governments, and indigenous peoples throughout the world (e.g., Swidler et al. 1997). I also take it for granted that many guidelines and procedures have been discussed for such stewardship collaboration dealing with a wide range of issues, including the need to identify all potential stakeholders, provide time for consultation, evaluate varying cultural values regarding heritage, and assess economic implications (e.g., de la Torre 1997).

My concern here is with the ethical basis for the coming together to work out stewardship issues. This paper asks what are the ground rules for these discussions. Since my own experience of these issues is largely as an archaeologist working in the Middle East, I want in particular to consider what ground rules are possible when the participants are from opposite sides in areas and times of war, conflict, and distrust. What should the starting point be? Should it be that we all have to take as agreed that there are universal cultural heritage rights? Is it by returning to these universal points of agreement, these universal ethical and moral principles, that we can make progress? Or should the starting point be simply the intent to have a dialogue? If the latter, what are some of the guidelines that might best lead to productive results? How should the dialogue be handled by the participants?

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## Ethics as Universal Principles

I wish to start by examining the notion that there are universal ethical principles concerning cultural heritage. I have been very moved by the scale of the destruction of heritage in recent years in Iraq, as seen through the lens of the journalist Joanne Farchakh. She has rightly and effectively publicized the terrible destruction and damage caused by the war and by looting in southern Iraq, at Nimrud, Nineveh, and at Ur temples.

I normally consider myself relatively immune to emotion about the loss of things. There seems so much direct human suffering in the world that I do not remember before being emotionally moved by the loss of heritage. Such events as the destruction of the library at Alexandria, Mao's destruction of culture in China, or the destruction of the Bamiyan Buddhas have always seemed criminal, but they have not brought tears to my eyes. I have been aware of large-scale looting of course – the large-scale digging of graves in St. Lawrence Island to obtain ivories for sale as part of “subsistence looting” or the massive digging over of Moche sites in Peru to find the fabulous ceramics that fetch such high prices on the market.

Some of the destruction in Iraq is a direct result of the war through direct shelling, looting, and the use of sites as military bases. But again one is used to this, as in cases, such as the bombing of cultural centers in Europe in the Second World War and the destruction of the Mostar Bridge in the Bosnian War.

But there was something about the sheer scale of the looting and destruction in Iraq; or perhaps it was just that I knew more about this heritage and had grown up seeing it as the origin of western civilization. But what I want to explore is whether my response to such loss and destruction suggests a universalism. Do we all react in similar ways because there is something morally repugnant about such destruction? Can we say that in some universal sense “this is wrong”? And can we say the same about all the other cases above?

The assumption of a universal moral repugnance is at the basis of international attempts to protect heritage enshrined in the Venice Charter and in numerous statements by UNESCO and ICOMOS, particularly those related to the treatment of heritage during times of war. Whether in war or peace, many of us take it for granted that World Heritage Sites should be preserved for the sake of humanity as a whole. We accept that there are sites of universal cultural significance. And we accept that nation states should be admonished if they do not take adequate steps to record and protect their heritage.

So here, there seems to be some notion of universal rights to cultural heritage, and we expect national and international bodies to do what they can to protect those rights. In such a context, we could easily say that the destruction of heritage was wrong – a crime against humanity and we could set this up as a universal moral or ethical judgment. Thus, as a group of stakeholders sat down around a table to discuss a specific heritage program, perhaps they could have this particular moral injunction as part of a kit of universal statements that could be put into practice and used to judge particular contested instances.

But as much as I was moved by the looting and the loss in Iraq, I also found myself moved by explanations of why the looting occurred. Perhaps the main factors are the demand for antiquities in developed countries throughout the world and the existence of middlemen traffickers in search of profits. But observers have also pointed to the levels of hunger and poverty and the lack of job opportunities in southern Iraq, where many of the key sites are located. There was an economic rundown resulting from Saddam's policies, the embargo and the no-fly zone. After these years of neglect, it is possible that large numbers of people could get a small income by finding and selling tablets and other items to the middlemen that took them into the global market for antiquities. In such a context, coupled with a relative lack of law and security, it seems difficult to deny this income to these local people. No wonder they went out to loot these sites if they needed to feed their children. Given the same range of options, would I not have done the same? I remember feeling much the same about the subsistence looters on St. Lawrence Island. Given the lack of alternatives, could one deny them their livelihood?

In the Iraq case, it has been argued that those doing the looting received small sums in exchange for the objects obtained and that it was not possible to sustain a real income through looting. According to this scenario, the main culprits are the middlemen and buyers and the lack of effective guardianship and security. I do not know whether it is correct to talk about the Iraq case in terms of "subsistence looting," but I do accept that in other cases, such as St. Lawrence Island, such a term is appropriate. In such a case, there seems to be a morality in allowing people to meet their basic needs through digging up and selling their heritage, if that is what they want to do.

So here, we seem to have an alternative universal right – that people should be allowed to make their own decisions about their own past. On the whole we accept, and this is included in many UNESCO statements, that each nation state has the right to deal with its own past. But more recently, this right has been extended to non-state groups. Indigenous groups worldwide have used the past as part of identity politics (Kane 2003). Thus, Native American groups under NAGPRA have the right to be included in making decisions about what should happen to their past; or the Burra Charter enshrines the notion that we should listen to local voices and meanings in deciding how to manage the past (Australia ICOMOS 1981).

So these two sets of human rights (universal and local) seem to contradict each other. My question was "are there universal heritage rights?" My own view is that such rights are best discussed as part of specific historic global processes. Any attempt to create absolute universal rights has to deal with the specifics of individual cases, and it is liable to be used in the interests of dominating global alliances. Any universalism needs to be sensitive to local needs. Any universal focus leaving the past to national or local or diasporic interests ignores the potential for vested interest abuse and ignores our interconnected world.

So even if we could agree as a starting point that there were identifiable universal heritage rights, at present some of the main rights seem contradictory. The universal right to a common heritage is contradicted by the universal right of groups to control access and make decisions about one's own past. Even if there were these

universal rights, we would still be left having to resolve the contradictions, working them out specifically and pragmatically. So, whether universal rights exist or not, we still have to find a way of dealing with heritage rights in specific contexts. A sense of universal ethics is not going to help here. In fact, such a sense would be dangerous as a starting point for a collaborative discussion. There would be the danger of a suspicion that one right or the other was being used by one side or the other to serve their own ends (Byrne 1991). It might be argued that universal claims of the value of heritage for all humanity were in fact a ploy serving the interests of dominant global alliances. Or it might be felt that the right of local groups to claim their past was part of a self-interested identity politics. It seems that we need a different model of how to start the dialogue about managing cultural heritage.

## Coming to the Table

Where should the weight of moral authority lie – on the side of a common past or on the side of separate rights? Is this a question of universal rights that should be respected, and if so, which universal rights should dominate? Or is it a question of working things through pragmatically and collectively? It seems to me that any position that tries to take the moral high ground is unsustainable. This is because ethical “political correctness” soon appears to be in the interests of specific groups and because there are too many contradictions in the application of the universal principles. Things have to be worked out on the ground.

So rather than basing discussion about how to manage heritage on the basis of universal human rights, I would prefer a version of deliberative democracy. I take this version from Seyla Benhabib (2002), but without her emphasis on universal principles. Of course, any dialogue takes place within accepted normative frameworks. But for reasons identified above, I see these frameworks as always provisional and open to critique. The authority of dialogue and consultation does not lie in universalism in some absolute sense, but in terms of a global experience of “best practice.”

I would interpret a deliberative democracy as one not based on essentializing universals about the “rights of man” but based on a set of deliberations which are at once local and global. The global is needed because we live in a global, diasporic, interconnected world. Like it or not, we are all connected and codependent, so we have some responsibility for what happens remotely. The global is also needed in the perhaps vain hope that in the larger collective there will be wisdom that balances against local narrowness and bigotry; but the local too is needed to guard against universalizing claims of dominant groups and vested interests.

Any notion of deliberative democracy assumes that, at least provisionally and partially, people come to the table and talk as equals. This notion recalls Habermas’ (2000) idea of “ideal speech communities.” So here, we are again with what looks suspiciously like a universal ethical principle – that the stakeholders around the table should have an equal voice. This seems necessary in order to create the possibility for dialogue and to clear the ground so that ancient hurt and suspicion can

be set aside, at least temporarily around the table. So perhaps we should say that all voices are equal. Or should we say that some voices have greater weight? One might argue the latter on several grounds, for example giving greater weight to the legal owner of the land on which a site is based or to the government agencies that are entrusted with care. Or one might take a different view and argue that those groups around the table that have suffered most historically have a special weight in decision making (for example, indigenous groups that have suffered long periods of colonial or other oppression). Thus, again a contradictory universal ethical principle emerges – that greater weight and voice should be given to the weaker partners in a dialogue and that restitution should result from grievance.

So once again, attempts to start the dialogue based on universal principles seem to flounder if they are unrelated to the specifics of the historical experiences of the participating groups. For Benhabib, still more general ethical codes remain as the only possible starting points for those coming to the table – the principles that the stakeholders should listen to each other around the table and respect their views. Presumably, if people have come to the table at all, then these expectations are often reasonable. Perhaps one can build guidelines for a universal “best practice” on collaborative dialogue on heritage on the basis of these two simple principles – to listen and to respect. However, in cases of extreme conflict, barbarism and death, when the sides feel nothing but hurt and anger, even these expectations seem too high.

It seems that all one can say is that ethical principles should be part of all discussions about heritage stewardship. This is because ethical issues often seem to be about protecting people, especially vulnerable or disadvantaged people, or about protecting people from special interests or from individual acts of erosion of the public good. If this is an adequate account of what much ethics is about, then ethics must always be attuned to history and to the particular social tensions and divisions that have emerged. Ethics have to be attuned to the histories of wrong, the sequences of misuse, marginalization, and neglect. They must be attuned to the specific cultural understandings within which people shape their aspirations, only to be curtailed by the interests of others. So the notion that ethics should be part of all collaborative dialogue situates heritage issues within a wider concern for rights and sensitivities. It draws attention to the larger social and historical baggage which people bring to the table. Even if ethical guidelines have to be worked out through a linking of general principles with specific situations, the very process leads to discussions of rights and justice. Ethics have a value as part of the process, not as some universal panacea that can be taken off the shelf and applied in all circumstances, but as an essential issue always to be considered throughout every part of the collaboration and dialogue.

## **The Context Away from the Table**

In many parts of the world, constructing “ideal speech communities” around the table seems naïve, and the effects of differential power play too small a role in Benhabib’s account of deliberative democracy. In the real world, there are always

power differentials, and these affect the possibility of open discussion and dialogue. While we might develop certain rules about what goes on at the table, it seems impossible to argue that people around the table can participate adequately and ethically unless issues that are not on the table are addressed. We might try and achieve some “ideal speech”-type situation in which, following Habermas, there is some degree of equality. But to claim this is to ignore the real differences between participants – which must be dealt with by addressing issues beyond the table.

First, there is the need for participants to have a stake, and this often means that they have to be placed in a position where they can reap economic benefit. It is important to address the ways in which marginal groups around the table may be or may have been excluded from economic gain from heritage sites, as in cases, where the state has controlled access, visitor fees, construction of tourist venues, and the like. People are likely to be more effective stakeholders if they experience economic benefit from heritage sites.

At Çatalhöyük, the local communities have often shown little interest in the site, and in the past they received no economic benefit from it. We have tried to address this issue by encouraging local investment in a shop by the site, facilitating the resurfacing of roads, contributing to new water supply systems, and encouraging local government to invest in a village school. We employ people from the local village and town and have plans for a large museum in the local town. We have also tried to develop a Çatalhöyük “brand” and enter into partnerships for the production of kilims (carpets), their distribution, and sale. Although the latter initiative has had limited success so far, there are many sites and regions in the world, where craft production linked to heritage has brought economic benefit.

Local and regional officials often latch on to the idea of economic benefits with alacrity. They expect an economic bonanza, rather on the model of the impact of the Guggenheim Museum on Bilbao in Spain. It is important not to fuel these expectations if they are unrealistic; there is a need to point out that most cultural heritage projects do not produce large numbers of tourists and do not produce a great economic boom. But involvement in planning for realistic economic benefits is an important basis for much stakeholder participation. The potential or actual economic gain gives a surer place around the stewardship table and greater leverage when it comes to decision making.

Another important aspect of the wider context of the table is education. There are often great differences in levels of knowledge and education around the table. The archaeological specialist is able to talk with great authority about heritage and its management, but local communities may sometimes know little and be little able to express their demands. It is important that all those round the table are able to understand the issues and explain why particular heritage solutions are preferable.

At Çatalhöyük, the initial lack of interest and involvement occurred at least partly because most in the local community had received very little education, many could not write, and few knew anything about a non-Islamic past. We have tried to deal with this in a number of ways. As in many other foreign projects in the Middle East, we have provided scholarships for students (in our case, sometimes from the local region) to gain language, archaeology, or conservation training in major universities

in Turkey or, more commonly, abroad. Under the EU-funded Temper scheme, large amounts of educational materials have been prepared for primary and middle schools in Turkey and in the local region, and every year about 600 children each spend a day at the site learning at firsthand about archaeology and heritage (Doughty and Hodder 2007). In the local village, we have provided slide shows and have hosted the whole village at the site to explain our plans and to get feedback. The community has been involved in designing the displays in the Visitor Center.

Participation, knowledge, and education can be encouraged by involving people in all aspects of the research and site management process. It is not enough simply to say that archaeological science should continue as normal, and then afterward the archaeologists should talk to various stakeholder groups about the results and interpretations. This leaves stakeholder groups at a distance, removed, disengaged, at a disadvantage, and disempowered. Instead, such groups need to be involved at all stages. This type of integration is common in many projects now. At Çatalhöyük, it is part of the reflexive methods we have been employing. Members of the local communities are involved in the postexcavation process in the laboratory, and the different excavation teams involve local community members in different ways. One of the local villagers who was a guard at the site for a long time has written his own book about the project that has been published by Left Coast Press (Dural 2007), and the words of the local community are included in the main project publication volumes. The voices of local workers have been silent for too long in the Middle East.

Another important development that is needed away from the table is trust. Those around the table have to trust what is said by other participants. The establishment of trust involves showing that what is said around the table can be followed up or relied upon in the periods between meetings. In areas, such as the Middle East, the main impediment to deliberative democracy is how to engender trust and cooperation in a context of distrust and conflict. The problem is how to focus on respect for the dignity of the other when separation and denigration dominate all aspects of daily life. In postconflict situations, there are extraordinary cases of reconciliation. The reconciliation process in Ruanda and the Truth and Reconciliation Courts in South Africa are remarkable attempts to focus on respect and forgiveness in the immediate aftermath of domination, genocide, war, and death. Similar projects have taken place in Israel (such as the TEMPER project – Doughty and Hodder 2007). I have been very struck in my discussions with members of the Wye River project about how central is the issue of trust. This group of Palestinian and Israeli archaeologists and heritage specialists have been involved for some time in collaborative projects (Scham and Yahya 2003). Participants often say that the project has been successful because they feel they can trust participants on the other side. Such trust is built up over time and through events and familiarity.

The results in the Wye River case are impressive. Rather than acceding to the purging of the Islamic and Ottoman past in the landscape, they focus on the material that has so often been ignored – the Ottoman and Christian buildings. They work with the Israeli Antiquities Authority in bringing to the fore the buildings in Old Akko which have Crusader foundations and Ottoman superstructures. They engage

local communities in the projects and create and support community centers. The Palestinian projects at Biblical sites aim at an inclusive rather than exclusive past.

This is where the concept of a shared heritage takes its force – not from the common rights of man or from a universal right to a common past – but from a recognition that specific histories are entwined in complex ways, that the histories are overlapping, layered, complex, fluid, blended, interdependent, fleeting, and transient. Rather than fixed identities and impervious boundaries of difference, we have a process of dialogue and contingent constructions of difference. It is in the recognition of this complex process that the idea of a shared past takes most effective form.

A further way to make the same point is to focus on layering. Hegemonic claims to heritage often erase phases, events, or histories that do not serve their interests. The complex layers on which the present is built are forgotten or denied. But layering and stratigraphy are important components of archaeology. As we dig down, we find the forgotten layers and can reconstruct the layering on which the contemporary world is built and on which present power is built. In these ways, the self-sufficiency of the present, its essential nature, is problematized and cracks are opened up for a more open dialogue, a better sense of movement, change, and negotiated rights.

Again, the potential of the remembering of layering is clear in the Wye River case as in the case of the Dahar al-Omar Mosque, also called Al-Mu'aleq, being studied by Hanan Halabi Abu Yusef. Here, a Crusader structure was later used as a synagogue, and then later a mosque was constructed over it. The reopening of this mosque after the war is, thus, of great importance, especially if the multilayeredness of the building can be emphasized.

## **Conclusion: Taking a Stand**

I have argued in this paper that while we need to discuss ethical principles regarding heritage and stewardship, the value of such discussion is less in the universal absoluteness of the principles and more in the need to routinely consider rights and wrongs that have built up historically in specific global and local conjunctions. When collaborative discussions take place, it seems that a dual approach is needed to ethical and social concerns. The first concerns the procedures that are used around the table. But second, an adequate ethical response, also involves dealing with the wider context away from the table so that participants in the heritage process are empowered.

It is important finally to emphasize the need for archaeologists to take a stand in this process. It is not enough to argue that the archaeologist is a relative powerless mediator who simply brings stakeholders together. It is not possible to be a neutral go-between. Archaeologists do have influence as professional experts, and they have to recognize that their actions as experts have effects on the world for which they are partly responsible. To claim a distanced ethical or scientific neutrality is to abdicate responsibility for the effects of one's involvement in a public heritage. Taking an ethical path in archaeology involves making professional and personal choices.



I want to illustrate this point with some final examples from my own experience at Çatalhöyük. For example, local traditionally Islamic and nationalist politicians have tried to claim an ethnic link between the population at Çatalhöyük 9,000 years ago and the present population. In considering the ethics of this, I found I had to take a stand and argue that the archaeological evidence did not support views that verged on the racist. So in our collaborative discussions, I have used my scientific and professional expertise to argue a particular position because I thought that right both scientifically and ethically. As another example, in a local traditional Islamic context, I was asked by male elders in the local community not to employ and pay women. After much thought on what is a difficult issue, I argued that I did want to employ women and there is no doubt that such employment has empowered and changed the lives of some women in the village. I felt that as a member of an interconnected world I should use my position to contribute to change in the lives of these women. Similarly, the Turkish government asked me to prevent Goddess groups visiting the site on the grounds that they might harm the site and have a negative effect on the local communities. I felt that in a global world it would be wrong to attempt to prevent such visits as long as there is no harm to the site and as long as dialogue can be maintained with the local communities. Finally, ethical issues are raised by sponsorship. Again I have found myself having discussions with team members to decide on ethical criteria for accepting sponsorship. These are often difficult discussions and in the end one has to take a stand – arguing against certain sponsors, making it clear to others that sponsorship cannot be associated with undue influence on the scientific and social process of archaeology.

All these interventions are dangerous, and we cannot be sure of the effects. But I feel strongly that we are all already interconnected at the global scale. Dangerous as these interventions are, we have already intervened and it is better to discuss, dialogue, and participate from a specific ethical and social position than to claim a scientific objectivity or a moral universalism regardless of the effects on peoples' lives.

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