The Promise And Perils of an Ethic of Stewardship

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In my second year of graduate school in the late 1970s a classmate who had been passionate about ethnography began to turn up in archaeology classes.[1] We were all surprised; usually the traffic went in the other direction. It turned out that he was, indeed, transferring to archaeology. His reason: he'd come to the conclusion that he'd rather work with subjects who are safely dead; the live ones are always in your face, demanding that you account for yourself, for your interest in their lives, for what you were going to do with anything you learned about them. The dead ones don't talk back, he said.

This view was by no means without precedent. No less a statesman and archaeological forbear than Thomas Jefferson evidently held that "the dead have no rights" (as quoted by Thomas 2000: 52, 209), and certainly a great deal of archaeological research has proceeded on this assumption (for overviews of this history see: Thomas 2000; Watkins 2000). It was clear to my classmate that, by the late 1970s, cultural anthropologists were facing the complexities of a double life, as Pels later described the ethical tensions inherent in ethnographic practice (2000: 146). The rights of human subjects had taken center stage: federal funding agencies were requiring Institutional Research Board reviews for all research involving human subjects, non-medical as well as medical, and even fields that do not deal with human subjects were under pressure to take seriously the human, social implications of their work and establish effective mechanisms of self-regulation. The American Association for the Advancement of Science (AAAS) established a Committee on Scientific Freedom and Responsibility in the late 1970s which concluded, after reviewing the ethics standards of its affiliated societies, that scientists in a range of fields could not continue business as usual; if they did not develop detailed codes of conduct backed by mechanisms of enforcement, they could expect the imposition of highly restrictive external regulations (Chalk, Frankel, Chafer 1980:101; Wylie 1999). By 1980, when the AAAS report appeared, the American Anthropological Association (AAA) had had a code of ethics in place for nearly a decade. Galvanized into action by concern about allegations that anthropologists had played a role in mission-oriented (counterinsurgency) activities in South America and Southeast Asia (Berreman 1991: 39-42), the AAA adopted "Principles of Professional Conduct" that made respect for research subjects and their well-being a paramount responsibility for anthropologists. No matter who my classmate chose to study he understood that, as an ethnographer, he would have to negotiate his research agenda–his practice, his publications, his professional identity–not only with the sponsors of his research and his

professional colleagues but also with an expanding array of non-academic interests and with research subjects who were increasingly prepared to return the ethongraphic gaze. This was unacceptable to him. As he understood the mission of scientific inquiry, whether physics or anthropology, it should be uncompromised by parochial interests, values and demands external to science. In this he embraced the tenets central to science policy in the United States after the Second World War; pure science must be insulated from practical concerns even though its costs (in a number senses) are ultimately justified by its anticipated social benefits.[2]

By contrast to ethnography, my classmate saw archaeology as one area of anthropology where you could proceed on the assumption that the chief value of the cultural material under study lies in its evidential significance; the more general the problem on which it bears, the greater the significance. A bioanthropologist quoted by Thomas makes the underlying principle explicit: "ancient skeletons belong to everyone"; they are "the remnants of unduplicable evolutionary events which all living and future peoples have the right to know about and understand" (2000: 209-210). The extension of this principle to all prehistoric and historic remains affirms the principle that, absent the subjects themselves, no contemporary community-specific interests can trump the interests of humanity or society as a whole. More to the point, no "living culture, religion, or interest groups, or biological population" (as quoted by Thomas 2000: 209) can justify restricting the research mandate of scientific experts who have the necessary skills and knowledge to make the best use of surviving "remnants" as evidence.

There is a profound irony that my classmate should have seen archaeology as a safe haven from controversy in 1977-78. In retrospect, the 1970s were pivotal for archaeology, a point at which conditions of practice were beginning to change dramatically and in directions that required just the kinds of external accountability my classmate had hoped to escape. Native America was on the move and one key target of Indian activism was the desecration of sacred sites and burials by archaeologists; American Indian Movement (AIM) activists, tribal leaders, and traditionalists all made it clear that the nameless ancients were, in fact, their ancestors, and the archaeological record their cultural heritage. In 1971 AIM shut down excavations in Welch Minnesota, and took over a Colorado State University anthropology lab (Thomas 2000: 198-199; Watkins 2000: 7-8); through the 1970s tribal groups began to use historic preservation legislation to assert legal control over archaeological resources on their lands (Ferguson 1990), and expansive analyses of Native American heritage rights were appearing in Native American journals and in legal reviews (Watkins 2000: 9-13). By the late 1970s several archaeologists had published assessments of the situation, calling on colleagues to take seriously the "protest themes" voiced by First Nations activists (Johnson 1973), and relations with Native Americans had been identified as one of a half-dozen pressing issues that defined the agenda of a special conference on "The Future Direction of Archaeology" sponsored by the Society for American

Archaeology (SAA) (McGimsey and Davis 1977; Watkins 2000: 11). Although the direct subjects of archaeological research might be dead, communities with an interest these subjects were very much alive.

In the same period conservation issues took on particular urgency for archaeologists; the destruction of archaeological sites and material had escalated at an alarming rate in the post-war era, not just as a consequence of exponentially increasing land development, especially in affluent nations like the U.S. (e.g., resource extraction, the construction of highways and subdivisions, power lines and pipelines) but also as a result of the dramatic expansion in the 1970s of an antiquities market hungry for material that, for the most part, could only be supplied by systematic looting (Vitelli 1984). In 1974 Lipe argued that, "if our field is to last more than a few more decades" archaeologists must make the conservation of archaeological resources their primary responsibility (1974: 214); he urged a reorientation of research practice away from an "exploitative model of utilization of archaeological resources" (1974: 214). In this spirit, there has been strong emphasis on the development of non-destructive investigative techniques and on public outreach; a great many archaeologists have made it a priority to do all they can, through public education and advocacy, to raise awareness of the significance of archaeological sites and materials and to counteract the systematic looting and the commercial trade in antiquities.

The 1970s was also a decade in which patterns of funding and employment in North American archaeology were fundamentally reconfigured. Federal legislation protecting archaeological resources had existed in the US since the early twentieth century; the 1906 Antiquities Act designated the archaeological record a national trust, prohibiting looting on federal lands and establishing a mandate for ongoing archaeological research (Thomas 2000: xxxi). But in response to the destruction described by Lipe and others, a spate of new federal legislation was instituted that substantially strengthened these protections–the 1966 Historic Sites Preservation Act; the 1969 National Environmental Policy Act; the 1974 Archaeological and Historic Preservation Act (the Moss-Bennett bill)–creating a regulatory environment that required the systematic assessment and mitigation of any archaeological sites that might be affected by land development on federal property (Thomas 2000: 142-144; Vitelli 1996: 269-271; Watkins 2000: 38-44). Within a decade the federal government and private industry would become the major employer of archaeologists in the United States, with budgets for contract archaeology that vastly outstripped anything available for research.

In short, by the late 1970s many archaeologists were acutely aware that increasingly, and in virtually all aspects of their work, they would be required to negotiate conflicts with and among living peoples who were staking a variety of claims to the archaeological record. When Mark Lynott and I were asked to chair a new ad hoc SAA ethics committee in 1992, the

enormity of this sea change was clearly evident. Consider just two key developments that are emblematic of how deeply the conditions of archaeological practice had changed. In 1991 accountability to Native American interests had been legislated with the passage of the Native American Grave Protection and Repatriation Act (NAGPRA); this meant that few archaeologists could avoid dealing with descendant communities. And by 1992, the dominance of the cultural resource management (CRM) industry was established. "Over 20 times as much money [was being] allotted to CRM as to institutional or academic research" (Stark 1992: 49) and, as a consequence, a majority of practicing archaeologists found themselves rendering professional services that were (for some) highly lucrative in a structurally adversarial environment; they were multiply accountable to employers, clients, employees, and a range of publics, as well as to the discipline and the internally defined research goals of archaeology. As Stark described the situation, "archaeology [was] no longer the exclusive domain of the scholar" (1992: 53). The decision by the Executive Board of the SAA to strike a committee that would review its existing statements on ethics issues and chart a course forward reflected an appreciation that, like it or not, these legal and economic realities were forcing archaeologists to redefine their priorities at a quite fundamental level.

<A>Stewardship in Formation

Despite these pressures for change, in some quarters there has been stiff resistance to any reassessment of the values and commitments that have traditionally defined archaeology as a research discipline–a science and a subfield of anthropology. Fagan addressed this issue directly in a column he published in Archaeology in 1993. Although "basic research is important to the vitality of our discipline," he was dismayed by the extent to which archaeologists continued to regard anything but narrowly specialized academic research–anything to do with "teaching, conservation...resource management, and the administering of the archaeological record" (1993:15)–as a marginal secondary interest. Clearly the vision of archaeology that was so compelling for my graduate classmate–a research discipline driven by its own internal cognitive values, uncompromised by the demands of accountability to external interest groups– was still (and continues to be) a powerful force in the archaeological community. Lynott and I encountered just the kinds of resistance Fagan described when we applied to the National Science Foundation (NSF) for support for a meeting of the SAA committee and its advisors. Although the Ethics, Values and Society panel endorsed our proposal and ultimately found funding for it, the Archaeology Division declined to co-sponsor it on grounds that its funds should not be diverted from primary research to secondary concerns like disciplinary ethics. As one member of the Archaeology Division panel later told us, he did not see the see how a project concerned with issues of external accountability could be relevant to the substantive, scientific interests science of archaeology.

When this meeting was convened in November 1993 it had the support not only of NSF but also of the National Parks Service and the Policy Institute for Cultural Resources at the University of Nevada-Reno where the meeting was held, and it included not only members of the SAA ethics committee but also a number of advisors to the committee: Native American representatives, an archaeologist who works with commercial salvors, and archaeologists active on ethics issues in diverse subfields and parts of the world (e.g., classical and European archaeology, Mesoamerican and Australian archaeology, underwater and historical archaeology), and representatives of other archaeological societies (e.g., the Archaeological Institute of America, the Society for Historical Archaeology, and the Society of Professional Archaeologists). The aim of this meeting was to set an agenda for future work on ethics issues within the SAA. Although the point of departure for discussion was an assessment of existing SAA ethics policies and statements (more of these shortly), it was not our aim to draft new ethics principles; indeed, we took it to be an open question whether this was a useful initiative under the circumstances. In the event, however, it was at this meeting that the proposal for an ethic of stewardship was drafted. It emerged, initially, in the context of an discussion of how

archaeologists should respond to looters, collectors, and a range of commercial interests in the archaeological record. Mid-way through this first session of the workshop Leigh Jenkins, Director of the Hopi Nation Cultural Preservation Office, identified a number of ways in which the whole issue of resource protection, as we had conceived it, is framed in terms that are fundamentally at odds with tribal values. For example, if the Hopi want to receive restitution for damaged sites or repatriate stolen objects, they are required to attach a monetary value to sacred objects and places that may violate conventions of secrecy and that imposes a system of valuation that fundamentally systematically misrepresents what is at issue. He described a case in which a Hopi war god had been repatriated from a collector who had bought it from a member of the Hopi tribe. The grounds for their case against the collector was that no individual had the right to alienate the war god; it was the common property of all the members of a secret society to which the seller belonged.

Jenkins drew no particular lesson from this account; he left it to the assembled archaeologists to think through its implications for the issues they had been discussing. After a pause Chippendale observed that, as director of an anthropological museum in the U. K., he and a number of other curators were deeply frustrated by pressures to assign a commercial value to their collections for insurance purposes; like the Hopi, if for very different reasons, they regard these as quite literally priceless. By requiring curators to assign monetary value to this material, the legal and economic framework in which they work betrays its real significance and obscures their responsibility as stewards who hold it on behalf of the larger society. Several other museum affiliated archaeologists concurred, with reference to collections held in the Americas. Other participants reflected on ways in which archaeologists had succumbed to the imperatives of a collecting mentality and still others expanded this point, insisting that the scope of stewardship extends not just to extant collections but to all the records associated with archaeological research and to in situ archaeological resources. We broke for lunch and that afternoon several participants returned with the draft of a statement on what an ethic of stewardship involves and the recommendation that we break into working groups to consider the implications of stewardship ideals for various of the issues we had been discussing. When I later had occasion to read Tully's account of constitutional pluralism (on which I draw, below, for an analysis of stewardship), I was struck by parallels between Jenkins' intervention and the description Tully gives of a story told by the Haida artist, Bill Reid, about his sculpture, The Spirit of Haida Gwaii.

> Like all great Aboriginal storytellers [Bill Reid] refuses to provide answers to the
> questions raised by his story. This would defeat the didactic purpose of storytelling,
> which is not to set out categorical imperatives but to develop the listeners' ability to think
> for themselves. Elders tell stories in a manner that encourages and guides listeners to

> reflect independently on the great problems of life that the story presents to them....The test of understanding is...how they go on in various circumstances to conduct their life in light of what they have learned from reflection on the story....There are a multitude of ways of being guided. (Tully 1995: 33)

I do not know if we went on in any of the ways Jenkins might have hoped, but go on we did. His story about repatriation was a pivotal intervention, changing the tone and certainly the direction of what had begun as a quite diffuse discussion. Where there had been much skirmishing around tightly circumscribed points of disagreement–who counts as a looter; what constitutes legitimate versus illegitimate collecting practices; the entanglement of museums with the antiquities trade–his reflection on a deeper conflict of values focused attention on issues that everyone knew we had to address but that no one knew quite how to approach.

As adopted by the SAA in 1996, the stewardship principle, the first of eight "Principles of Archaeological Ethics," specifies that the primary responsibility archaeologists have is "to serve as caretakers of and advocates for the archaeological record," to ensure its long-term conservation and to promote uses of the record "for the benefit of all people" (SAA 1996: 451). The next two principles set out a requirement of accountability according to which archaeologists must actively consult and if possible collaborate with all groups affected by their research (Principle #2); and a broad responsibility to avoid activities that contribute to the commercialization of the archaeological record (Principle #3). Subsequent principles affirm commitments to public education and outreach, responsible training and practice, timely public reporting of archaeological findings, and the preservation of archaeological records and materials (1996: 452).

Reactions to these Principles took roughly three forms.[3] Many welcomed them as a promising response to the rapidly changing conditions under which they were then working; they saw the principles as a new departure that, at their most ambitious, began to articulate a new, substantially broader vision of the goals and responsibilities of archaeology. Others rejected them out of hand for essentially the same reason. By explicitly acknowledging and, indeed, putting primary emphasis on <u>public</u> accountability, these critics objected that the SAA ethics committee had capitulated to external pressures that would deeply compromise the integrity and autonomy of archaeology as a research enterprise. At just the moment when we should have staunchly defended the core ideals of scientific, anthropological archaeology, we had drafted a set of principles that mention "scientific study" just once (as an interest compromised by commercialization; Principle #3), that requires archaeologists to negotiate their research interests with "all parties" who may be said to have an interest in the archaeological record (Principle #2), and that enjoin archaeologists to put their "specialized knowledge" about "human behavior and culture" at the service of these diverse publics (Principles #1 and #4).

To my mind, however, the most challenging criticisms take quite a different tack. In an invited commentary on the draft principles Zimmerman voiced a concern that a number of others had expressed privately: that these ideals of stewardship represent no significant break with the entrenched values that underpin conventional practice (1995: 65). They simply reaffirm, in different language, the very assumptions of privilege–of access to and control over archaeological sites and materials–that we should have been questioning. By unilaterally declaring themselves stewards of the archaeological record, archaeologists were essentially foxes setting themselves up to guard the chicken coop (Wylie 1996: 181). Clearly, then, the concept of stewardship as presented in the 1996 SAA Principles is at least systematically ambiguous if not also, as Zimmerman suggests, strategically contradictory .

It is not surprising that the SAA Principles should embody such internal tensions. One lesson reinforced by our review of existing statements on archaeological ethics is that they are always responses to specific problems; however much they are intended to reach beyond the particularities of current practice they are deeply structured by the conditions of their production. For this reason we emphasized the point–in discussion and in print, and in urging the SAA to establish a standing rather than an ad hoc committee on ethics–that the principles we proposed should be treated as provisional: not just open to but requiring continuous reassessment and revision as conditions of practice evolve.[4] It is in this spirit that I revisit them. I first consider in more detail the background against which these principles were formulated and then close with a critical assessment of competing conceptions of stewardship.

<A> Significant Truths, Conservation, and Professionalism

Archaeologists have defined their professional, disciplinary identity by exploiting a series of contrasts with non-anthropological, non-scientific interests in the archaeological record (Denning 1999): initially, nineteenth century antiquarian and twentieth century commercial interests, and subsequently a range of (merely) descriptive, particularistic interests. The common denominator here is that the excluded or contested practices are characterized by a preoccupation with the object. The archaeology that was being institutionalized in North American museums and universities at the beginning of the twentieth century was distinguished, above all else, by a commitment to approach archaeological material as a record of the cultural past; its significance lies in its informational content (as evidence), not its aesthetic or sentimental or commercial value. Writing in 1908 Hewett made the case that archaeological research, proper, requires much more than "the [mere] recovery and study of material"; indeed it requires practitioners to go beyond the mere "recital of events" and undertake to investigate "their genesis" (1908: 595). By 1913 Dixon felt confident to declare that "the time is past when our major interest was in the specimen"; archaeologists were chiefly concerned "with the

relations of things, with the whens and the whys and the hows" (1913: 565). A few years later Wissler endorsed, as the "real, new archaeology," a form of practice characterized by the "reasoned formulation of definite problems," and the application to them of systematic, explicitly scientific methods of investigation (1917: 101). Its hallmark was to be a program of research designed to recover evidence specifically relevant to the questions central to anthropology, "the science of man" (Wissler 1917: 100).[5]

It is striking that, in this early, formative literature and in virtually every subsequent North American debate about disciplinary goals and identity, the distinctive anthropological and scientific mandate of archaeology is defined in terms of what Kitcher describes as "significant truths," and in opposition to a shifting gallery of others (within and outside the discipline) who fail to pursue or to realize significant understanding. As Kitcher puts this point, "there are vast oceans of truth that aren't worth exploring" (2001: 148). Commonsense appeals to the ideal that the sciences search for truth are not enough, on their own, to define what it is to be a science; "the sciences are surely directed at finding significant truths" (2001: 65, emphasis in the original), and the difficult question is what counts as significance. If there is any consensus of principle in anthropological archaeology it is that knowledge of the contents of the archaeological record is not, in itself, significant, however rich or appreciative it may be; what archaeologists seek is an understanding of the cultural past that produced this record. The themes evident in arguments for the first "new archaeology" of 1908-1917 are reiterated by successive generations of North American archaeologists who repudiate not only outsiders who continue the tradition of nineteenth century antiquarians–looters, dealers, and collectors who destroy potential evidence in the pursuit of profit or personal satisfaction–but also a range of insiders: not-fully-anthropological or scientific archaeologists for whom the description and systematization of archaeological data has become an end in itself (e.g., Kluckhohn's critique of "narrow empiricism", 1939), or whose culture historical reconstructions are little more than redescriptions of temporal and spatial patterning in the record (e.g., the New Archaeologists' critiques of traditional archaeology in the 1960s and 1970s; Wylie 2002: 61-66).

These commitments are explicit in the first position statement on ethics developed by the SAA, the "Four Statements for Archaeology" published by the Committee on Conduct and Standards in 1961 (Champe et al). The authors begin with a definition of archaeology:

> Archaeology is a branch of the science of anthropology...[a scholarly discipline] concerned with the reconstruction of past human life and culture....Its primary data lie in material objects and their relationships [systematically collected and documented]. Value attaches to objects so collected because of their status as documents, and is not intrinsic. (1961: 137)

They go on to specify, in general terms, what archaeologists must do to make effective use of their data as a record, and they condemn any practice that compromises the evidential value of archaeological data, especially practices like the buying and selling of artifacts that "usually result in the loss of context and cultural associations" (1961: 137). The By-laws of the SAA, drafted in 1977 and most recently ratified in 1997, define the objectives of the society more generally: the first stated objective is "to promote and to stimulate interest and research in the archaeology of the American Continents" (1995[1977]: 17). Although these objectives set out no explicit definition of what counts as archaeological research, it is clear in several subsequent clauses that the mandate of SAA archaeologists is to do <u>scientific</u>, anthropological research defined, as in 1961, oppositionally. They are to "operate exclusively for scientific and educational purposes"; to counteract any non-archaeological interests that threaten the destruction of archaeological resources or, indeed, any "loss of scientific knowledge and access..."; and to "aid in directing the...efforts [of all those interested in American Archaeology] into scientific channels" (Objectives #4, #8, and Postscript; SAA 1995[1977]). One key difference from the 1961 "Statements" is the appearance of a new professional and ethical obligation: the second objective is to "advocate and to aid in the conservation of archaeological resources," a clause that appears (in one form or another) in virtually every archaeological statement of objectives or ethical code drafted after the early 1970s.

The centrality of a commitment to 'significant research' is particularly striking when you consider with these SAA statements do not do. The committee that drafted the 1961 "Statements" had been formed in response to growing concern that, with the dramatic post-war expansion of archaeology, informal mechanisms of self-regulation were no longer effective; it was becoming necessary to codify professional standards, to define "who an archaeologist was and what that person was qualified to do," as McGimsey put it in retrospective discussion (1995: 11). In the event, this committee chose not to develop a code of conduct or any very specific mechanisms for enforcing the principles they set out; in particular, they chose not to establish requirements for professional standing. They acknowledge that many of the most committed, conscientious, productive members of the SAA had never been formally trained or professionally employed as archaeologists–they were committed avocationals–so there were strong pressures to avoid any guild-like rules that might draw a line between professionals and non-professionals. Archaeology was thus conceived as a calling, not only or necessarily a profession, and the SAA as a scholarly society, not primarily a professional association. The later "Objectives" make this commitment to inclusiveness explicit; the fourth objective is to "serve as a bond among those interested in American Archaeology, both as professionals and nonprofessionals" (Objective #4; SAA 1995[1977]).

The SAA revisited the question of professional standards in the mid-1970s, under pressure from a number of members who, taking stock of the impact of CRM on the field, forcefully argued the need to institute a register of professional archaeologists, a formal code of conduct governing their practice, and grievance procedures to enforce this code. A committee on "Codes and Standards" was struck to do this but the SAA executive board declined to act on its recommendations, citing the threat of legal and financial ruin if self-regulation went awry and a concern that any systematic distinction between professional and non-professional members would change the character of the SAA. In 1978 members of this committee founded an independent society for professional archaeologists, SOPA, which has been reconstituted, twenty years later, as the Register of Professional Archaeologists (RPA), jointly supported by the SAA, the SHA, and the AIA (McGimsey, Lipe, Seifert 1995). For many the motivating concern was that, with big money at stake and a regulative structure that puts archaeologists on the front line in ensuring compliance with heritage legislation, both contract archaeologists and their employers need clearly specified, collectively endorsed guidelines that set out what professional archaeologists can and cannot do. Although the ultimate goal of CRM is to serve a broadly conceived (social, human) interest in understanding the cultural past as richly and comprehensively as possible, in practice the tools of archaeological investigation are applied instrumentally, as a technology of recovery and documentation that is to varying degrees disconnected from the anthropological and historical problems they were designed to address. Good archaeology of the kind envisioned by generations of "real new archaeologists" is expensive and, in a competitive lowest-bidder environment, the economic realities of CRM often practice mean that there is not even adequate funding for storage and preservation let alone for analysis and publication that goes beyond the requirements of descriptive reporting on the contents of the record.

The SOPA code, now implemented by RPA, makes these tensions explicit. Archaeology is defined, first and foremost, as a profession: "the privilege of professional practice requires professional morality and professional responsibility, as well as professional competence, on the part of each practitioner" (SOPA 1991: 7). The goals of science figure chiefly in the clauses that specify "Standards for Research Performance." Professional archaeologists have a responsibility to "design and conduct projects that will add to our understanding of past cultures" (SOPA 1991: 9) and effective design is understood to require a "scientific plan of research." Professional archaeologists are also expected to keep up with developments in their field, and to publically report the results of their work "colleagues and other interested persons" (SOPA 1991:10). Although SOPA clearly endorses an overarching commitment to seek significant truth about the cultural past, this defining disciplinary goal is embedded in a complicated network of competing responsibilities to a range of stakeholders: clients and employers, employees,

colleagues, students, and the public at large, as well as to the field of archaeology itself (SOPA1991: 7-8).

When Lipe proposed that archaeologists should embrace a "conservation ethic" (1974) he was responding to the situation created by the compliance industry as much as to the widespread destruction of archaeological resources that gave rise to CRM. He argued that salvage archaeology should be carried out only as a last resort, and that when it is unavoidable, those engaged in it should strenuously resist pressures that compromise the research value of their work: "piling up data for its own sake, proving the obvious, archaeology by rote–are all pathways to stagnation" (1974: 243). "Salvage archaeologist[s]," he says should always be mindful that they are "also working for the whole profession" (234); the challenge is to find ways to "make a research contribution on the basis of a site or set of sites selected...by circumstance" and to recover data that will be relevant to future research problems without knowing clearly what these will be (231). If CRM is practiced with a "strong primary problem orientation," Lipe was confident that the demands of compliance could be reconciled with (could even be made to serve) the scientific goals of the discipline. But his chief emphasis was on the need for all archaeologists to embrace a conservation ethic–to take "responsibility for the whole resource base"(214)–and to recognize that this will require them to forego the excavation of sites that are not threatened if there is any possibility of meeting "the data needs of a problem" through the use of existing collections or by excavation of sites within "the available pool of [those] requiring salvage" (213). Note, however, that the rationale for circumscribing the pursuit of significant truth in this way is not a concern that archaeological interests must be weighed against other interests in the record; it is to ensure that future archaeologists have a data base with which to work. Lipe reinforces this primary commitment to the goals of scientific archaeology in a later article, "In Defense of Digging" (1996), in which he argues that he never intended to foreclose all "consumptive uses" of the resource base; "an archaeology without excavation is one that cannot fully achieve its potential social contributions" (1996: 24), which he characterizes as "the production and dissemination of new information about the past based on the systematic study of the archaeological record" (23). The trade-off imposed by Lipe's conservation ethic is not between archaeological and non-archaeological interests, but between the long and short term interests of archaeological research, conceived in quite conventional terms.

<A> Divergent Models of Stewardship

Considered against this background it is clear that the stewardship principles drafted in 1993 (adopted in 1996) build upon the conservation ethic that had already taken shape in North American archaeology. At the same time, however, stewardship requires archaeologists to be accountable, not just to the current and future interests of archaeological research, but to "the

full range of publics and stakeholders whose heritage this record is" (Lynott and Wylie 1995); in this it represents a significant expansion upon and, on some construals, a break with this established research ethic. It was the focus of much discussion at the Reno meeting, and of the position paper drafted on stewardship, that a commitment to serve as stewards "do[es] not establish any presumption of ownership or control over archaeological resources"; appeals to the goals of science should not be assumed to displace over all other interests, and when archaeologists do pursue their disciplinary interests, "they have a responsibility to ensure that their research benefits the public(s) in whose trust archaeological material is held, documented, preserved and sometimes exploited" (Lynott and Wylie 1995). As Zimmerman observes, however, there remains an implicit presumption that archaeological expertise establishes a privilege of oversight (1995: 65-66); the language of public trust, which archaeological research is assumed to serve, is juxtaposed with an acknowledgment that the interests of the publics in question are by no means congruent with one another nor convergent on any common, transcendent set of values where archaeological sites and material are concerned. The range of responses provoked by these principles testifies to this transitional instability; they embody the contradictions they were meant to address.

These contradictions are inherent not just in principles of <u>archaeological</u> stewardship, but also in the complicated legacy of thinking about stewardship as a guide for action more generally. I was interested to learn that, in the context of environmental ethics, the idea of an ethic of stewardship originated in religious doctrine that represents "man as God's deputy," a kind of farm manager, Passmore suggests, responsible for protecting the divine creation and perfecting its "beauty, usefulness, and fruitfulness" (1971: 30, 31). The challenge has been to determine how a secular ethic of human responsibility for non-human nature can be motivated and authorized; if we cannot confidently appeal to a divine authority, do we then invoke some presumed universal interest of all humanity? Or perhaps the more concrete but speculative interests of future generations of humans? Or some more prosaic combination of anthropocentric interests and virtues, for example, loyalty and benevolence, as Welchman has suggested (Welchman 1999)? The impulse inherent in the concept of stewardship is to seek some reference point, some foundation that transcends local, individual interests on which to ground its claims. In an archaeological context this impulse, reinforced by the legacy of a deeply entrenched commitment to significant inquiry, is to appeal to a distinctively rational, pan-human interest in a particular kind of knowledge about cultural past–the kind of knowledge that scientific, anthropological archaeology is best fitted to provide. This presupposes the theology of the scientific faithful, as Kitcher describes it: that the sciences at their best provide accurate, authoritative knowledge that transcends practical values and localized interests, knowledge that

has intrinsic value for all people, whether it directly benefits them or not, and that "represents the apogee of human achievement" (Kitcher 2001: 3, 9).

Deployed in the context of intra and inter-cultural conflict between fundamentally different ways of valuing archaeological material/cultural heritage, the appeal to a transcendent public interest in scientific knowledge of the past shares many elements of the "residual imperialism" inherent in modernist conceptions of constitutional negotiation (Tully 1995: 43). On Tully's account, constitutional modernists assume that there must be some unique, universal standard of rationality–often modeled on scientific rationality (1995: 185)–that is strictly neutral with respect to contesting cultures, a standard that all parties will embrace if only they free themselves from the bonds of parochial custom and establish themselves as the proper subjects of universal principles of formal equality, undifferentiated with respect to need or interest (1995: 60). Tully objects that this fiction of universalism–this "imperial fable" about the "universality of the guardians and the institutions they guard" (1995: 93)–is itself specific to a particular colonial, imperialist context and is founded on highly questionable assumptions about the evolutionary superiority of those cultures that embrace, incompletely as it turns out, just the ideals of rationality that are presumed to be necessary for forming modern constitutions and running modern democracies. Appeals to a public interest made within the framework of this fiction are appeals to the interests all citizens would have, counterfactually, if they were to transcend the dogmatic conventions of lesser cultural forms.

As stark a caricature as this may seem, claims along just these lines have been made in opposition to NAGPRA legislation and, indeed, to any assertion that archaeologists should be prepared to compromise the pursuit of scientific, anthropological goals out of respect for the interests of stakeholders who understand the cultural past and value archaeological sites and material in fundamentally different ways. Consider Clark's sharp opposition to the claims of "various pseudo- and anti-science constituencies" (1998: 22) that challenge the scientific world view he embraces and that, he says, threaten to undermine all the accomplishments of Enlightenment rationality, science having been instrumental in "achieving the modern world" (22). "We all lose" he argues, "if for reasons of political expediency, Indians rebury their past" (24); to accede to repatriation–to accept that the ethnic and religious beliefs of Native Americans should be considered "on an equal footing with science" (24)–is to capitulate to a "demon haunted world" (1996), a family of world views characterized by religiosity, obscurantism, and ignorance, that are "curious survivals of earlier cognitive evolution" (1998: 22). A commitment to "reasoned inquiry" (1998: 24), to the anti-dogmatic, self-correcting practice of scientific inquiry, is a commitment to seek systematic, empirically grounded knowledge of a "generalized human past...part of a universal heritage not circumscribed by ethnic or cultural boundaries" (24).

Virtually every element of this argument is open to question if not patently unsustainable, from the assumptions about cultural evolution to the claims about the transcendent status of scientific knowledge. I make these arguments as an epistemological conservative; I endorse what Kitcher describes as a modest realism (2001: 11-28) and I have argued for a moderate pragmatic objectivism in archaeological contexts (Wylie 2000). That is to say, I believe that systematic empirical inquiry can, and frequently does, establish reliable, precise, explanatorily probative knowledge of an independently existing reality, social and historical as well as physical and natural; in Kitcher's language, science establishes truths about the world, albeit truths that are understood always to be open to reassessment and revision. In this the diverse and evolving methodologies of critical scientific inquiry are immensely valuable for any number of purposes. But with Kitcher I see no reason to conclude that this insulates the scientific enterprise or its products from political, moral, and social scrutiny, much less that it establishes that scientific interests have a transcendent value that takes precedence over all other interests. As suggested earlier, the key point here is that scientific inquiry is never a search for truth as such (or more modestly, for empirically credible knowledge as such), but for significant truth (or knowledge). And the assessment of significance is inherently context and project and practice-specific: "objective explanation goes on in the sciences, but only against the background of our questions and interests" (Kitcher 2001: 75), and these are diverse, shifting, and conditioned by a wide range of factors. They include everything from internal intellectual dynamic of the research tradition itself, through changes in the conceptual and technical resources available for inquiry that are both internal and external to the research tradition in question, to more strictly external factors like the practical considerations mediated by funding initiatives or the transient Zeitgeist of an era. In this sense "moral and social values [are] intrinsic to the practice of science" (Kitcher 2001: 66; see also Longino 2002: 124-144).

I also see no reason to assume that, even if the goals of science were transcendent of local (culturally-specific) interests, they should take precedence over (all) other values and interests. We acknowledge that scientific inquiry must be constrained by respect for the rights and interests of human subjects, and by concern with more indirect consequences for those who are affected by but are not the subjects of inquiry. In this it is recognized that (scientific) knowledge is not categorically good (or bad); even the most obviously beneficial knowledge comes at a cost. Kitcher makes this case with reference to bio-medical research (the Human Genome Project) and argues that the issue is not whether scientific knowledge is a good (or bad) thing, as such, but whether its costs and benefits are equitably distributed (2001: 181-197)–an issue that is especially salient in the case of archaeological and anthropological inquiry that concerns Native Americans.

Finally, I see no reason to accept the claims about cultural evolution central to Clark's argument, or the conclusions he bases on them. Why should we assume that communities or cultures that do not grant priority to scientific interests are inherently inferior? Centrally at issue here is the most all-encompassing of questions: what makes for a good quality life. Surely such lives can take a great many different forms, only some of which (or some aspects of which) are well served by the pursuit of scientific inquiry. Perhaps more to the point, why should we assume that the unevolved, parochial values rejected by Clark will disappear with proper education as those who embrace them realize fully modern rationality and assimilate an idealized set of universal human values? As a constitutional pluralist like Tully would observe, the cultural and social diversity that obtains both within and between modern states has by no means withered away, despite no end of efforts in this direction. Native Americans are just one among many examples that subvert modernist ambitions and expectations; they sustain distinctive cultural traditions and forms of self-government that are internally complex, dynamic, shaped both in interaction with and in opposition to dominant Euro-American cultures that have done everything in their power to dispossess and annihilate, or sometimes to assimilate them. This resilient and proliferating pluralism throws into relief the parochial nature of the ideals championed by modernists; as Tully argues, these are anything but transcendent, emerging in and sustained by highly specific conditions of cultural dominance and opposition. But such pluralism does not necessarily undermine the viability of constitutional negotiation; Tully delineates a rich historical tradition of inter-cultural negotiation that has thrived on the margins of constitutional modernism and that takes the recognition of cultural difference as its point of departure (Tully 1995: 99-140).

Taking these various lines of argument into consideration I see no brief for according professional archaeologists the status of stewards responsible for the archaeological record in any sense that presumes they have unique standing in the service of a generalized social, human interest in knowledge of the cultural past that conforms to their identity-defining, scientific and anthropological, goals. This is not to say that what archaeological inquiry offers is trivial, of only marginal interest. Archaeologists have a developed tradition of skill and knowledge, a commitment to systematic empirical research that contributes enormously valuable understanding of the cultural past and, by extension, of our diverse contemporary selves. Archaeology is the only basis for learning anything about the vast majority of human ancestors who are otherwise lost to memory and history (Wylie 2002: 205). And in the way of anthropology generally, archaeological insights can very effectively make strange what we take for granted, recovering alternatives to and contingencies in the history of dominant cultural and social forms that we tend to reify, to naturalize. Of course archaeology is not always used for these purposes, as nationalist appropriations make plain (Kohl and Fawcett 1995; Trigger 1989). What

is at issue in cases such as these is often not so much deliberate misrepresentation as "epistemic asymmetries" (Kitcher 2001: 97): the risk that ambiguities of evidence and interpretation will systematically favor those reconstructions that reinforce existing social and political inequities. Nonetheless, archaeology is one of the technologies of inquiry that can cultivate the kind of intercultural vision that Tully recommends as an essential condition for effective intercultural negotiation.

<A> Collaborative Stewardship

If the concept of stewardship is to play any useful role in navigating the conditions of practice that are reshaping archaeology I suggest that it must be construed, not as a matter of wise management on behalf of an abstract higher interest (that of science and, by extension, society or humanity), but of collaborative, negotiated co-management among local interests, none of which can be presumed, at the outset, to take precedence over the others. This is by no means a novel suggestion; the recommendation that stewardship be considered a joint venture was prominent in the Reno discussions and has been advocated by a great many others, albeit in quite different senses (e.g., Ferguson 1990, 1996; Goldstein 1992; Nicholas and Spector in Dongoske, Aldenderfer and Doehner 2000; Forsman in Swidler et al. 1997). A common theme in these recommendations is that archaeologists must be prepared to enter an open-ended negotiative process, one in which all the questions Clark forecloses are on the table: who should be involved, what interests are legitimate, how these interests should be weighed. To specify what is entailed by stewardship in this spirit, I draw inspiration from Tully's account of intercultural constitutional negotiation where, in many key respects, it converges on recommendations that have been made and enacted by archaeologists and Native Americans who have established productive collaborations.

The first of three requirements set out by Tully (1995: 116) is that negotiation should begin with a recognition of difference, not the presumption that difference obscures an underlying (rational, universal) framework that is neutral with respect to diverse cultural values. As Tully describes this requirement of mutual recognition, it is a matter of ensuring that all parties to the dialog "speak in their own language and customary ways," that "each listens to the voices of the others in their own terms" (1995: 24), that they "participate in their diverse cultural forms [and develop] a form of intercultural understanding that does not presuppose a comprehensive [neutral] language" (1995: 57). The ability to do this effectively, "to change perspectives–to see and understand aperspectivally," is something participants acquire "through participation in the intercultural dialogue itself" (1995: 25). The need for this kind of communication–for the kind of sustained engagement necessary to build trust and understanding–is pivotal to virtually every recommendation for collaboration that has been made

by Indians and archaeologists alike. Beyond this, Tully outlines a process by which negotiating parties articulate for one another just what identity-significant values are at stake in the conflict under negotiation; he characterizes this as a matter of establishing "continuity." This many Native Americans do as a matter of course when entering negotiations with archaeologists, and it is, in essence, what archaeologists recommend when they insist on the need to communicate clearly and publically exactly what their interests are in archaeological sites and material.

Mutual recognition and arguments of continuity provide the framework in which to negotiate–by consent, on the principle that "what touches all should be agreed to by all" (Tully 1995: 122)–mutual accommodations that take account of, if they do not fully satisfy, the interests of all involved. Any closer specification of what joint stewardship involves–of the conditions under which it thrives, and of practical guidelines for its implementation–will require the analysis of a series of cases that illustrate the various forms that "best practice" stewardship can take. This is a strategy for moving beyond the polarized debate over repatriation and the control of cultural resources that is already evident in much recent literature on the prospects for fruitful collaboration between Native Americans and archaeologists (e.g., Swidler et al. 1997; Dongoske, Aldenderfer, and Doehner 2000; Watkins 1999, 2000).

Archaeologists may worry that, without the anchor of universal values–without the possibility of appeal to values that trump all other interests–they stand to lose all access to archaeological sites and materials. Certainly the cost of doing business in the way it has been done will be the loss to archaeologists of some important research opportunities. But the growing literature on what becomes possible when archaeologists "make every reasonable effort, in good faith" to develop ongoing working relationships with "affected groups" (SAA 1996: 451) suggests that there is much more to be gained than lost. What my graduate classmate failed to realize was just how much a research tradition can be enriched by sustained interchange with values and interests that lie outside its insular boundaries.

<A>Notes
1. This was 1977-1978 at the State University of New York in Binghamton.

2. I draw here on Kitcher's assessment of the arguments developed by Vannevar Bush in a report on science policy published in 1944. With a primary focus on defending the idea of pure science, and no detailed account of the value of such inquiry for society, "the institutional framework of the report is one in which scientists are left free to pursue their own curiosity but simultaneously saddled with the task of advertising their research as potentially satisfying the untutored preferences of the public" (2001: 141).

3. Forums for debate and discussion of these principles were organized at a number of regional an national meetings of archaeologists in the two and a half years before they were adopted by the SAA. One of these, a plenary session at the 1994 annual meetings of the SAA, resulted in a widely circulated Special Report of the SAA that included papers by participants in the 1993 Reno meeting explaining the rationale for each of the original six principles as well as a number of critical assessments and commentaries by contributors who had not been involved in drafting the principles (Lynott and Wylie 1995).

4. Our point, in emphasizing the need for continuous and systematic reassessment of these principles, was not just that their conditional nature should be recognized, but that their elaboration and refinement cannot be treated as an end in itself. The importance of clearly articulated statements of disciplinary goals, standards, and guidelines should not be trivialized; the authors of the AAAS report of 1980 (Chalk, Frankel and Chafer) give a clear account of the functions they serve and liabilities faced by professional groups that lack them. But, as they also point out, the formulation of such statements is not an adequate response, on its own, to the problems they address. There is no guarantee that instituting explicit statements of principle or even a formal code of conduct will be a force for positive change; moreover, once codified, such principles are always vulnerable to manipulation, cynical application, and subversion. They are no proof against unethical, exploitative, self-serving behavior; to be effective they must be embedded in a broad network of institutions and practices–a disciplinary culture–that reinforces robustly responsive, accountable forms of professional practice.

That said, codification can be an important locus for disciplinary change in some contexts, at some junctures; the development of principles of stewardship in the SAA may be such a case. We were acutely aware, however, that the process of debate, the public articulation of issues and ideals occasioned by the proposal of an ethic of stewardship, was at least as important as the product of our deliberations. And we were concerned that, if this impetus was not to stall, much more would be required than the writing (or updating) of codes and principles. In this spirit, the standing committee on ethics that the SAA Executive Board established in 1996 has put a great deal of energy into developing conference sessions, workshops, publications, curricula and educational materials that keep these issues alive and expand their reach into the discipline and beyond. See, for example, the ethics textbook recently assembled by the SAA Ethics Committee (Zimmerman, Vitelli, Hollowell-Zimmer 2003: xi-xii), and the proposal, put forward by the SAA's Task for on Curriculum, that an ethic of stewardship and related principles of professional ethics should be the defining core of the archaeological

curriculum at both the graduate and undergraduate level (Davis <u>et al</u>. 1999: 18-19; Bender and Smith 2000).

5. These historical antecedents are discussed in more detail in the first section of *Thinking from Things* (Wylie 2002: 25-40).

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