

AR 480/780: WHO OWNS THE PAST? ARCHAEOLOGY, ETHICS, AND LAW

September 19th: *Archaeologists Bad! Museums Good!*

READING:

- John Boardman, “Archaeologists, Collectors, and Museums,” in *Who Owns Objects?* (pp. 33-46);
- James Cuno, “Preface,” “Introduction,” “The Turkish Question,” and “The Chinese Question” in *Who Owns Antiquity? Museums and the Battle over our Ancient Heritage* (pp. ix-xxxvii, 1-20, 67-120);
- Joseph Sax, “An Academic Scandal Par Excellence: The Dead Sea Scrolls” and “The Privatization of Scholarly Research,” in *Playing Darts with a Rembrandt* (pp. 153-178).

IN-CLASS DEBATE: An ivory tower or a blockbuster show?

John Boardman (an archaeologist), James Cuno (the director of an art museum), and Joseph Sax (a lawyer) are all concerned with the acquisition, ownership, and accessibility of antiquities and, more broadly, the “understanding of humanity’s past” (Boardman, p. 36). Consider their views on the following questions:

- How have archaeologists complicated and possibly prejudiced the issue of the proper disposition of antiquities?
- Boardman criticizes archaeologists for delay and outright avoidance of publication; Sax presents a case study and a detailed discussion that helps explain how such a situation can develop. In essence, both acknowledge that “scholarship” is not an unequivocal good. What are some competing goods that “scholarship” may preclude or drive out? What larger principles inform Sax’s proposed approaches?
- The engaged parties seem to fall into two opposing camps: countries and archaeologists vs. museums and collectors. Cuno and Boardman largely side with the latter pair. What are their primary arguments? How do they rebut the claims and concerns of the other parties?
- On the issue of artifacts and provenience, both Boardman and Cuno deploy, to some extent, an argument about ends justifying means. What advantages do they claim for the acquisition and display of artifacts that lack context and/or derive from purchase (rather than excavation)?
- Boardman and Cuno argue forcefully against absolutist laws and “ethics codes,” approaches whose advantages are that they create a clear bright line. Without such a line, we must work within an intermediate grey area, in which decisions will often be made by interested parties who stand to gain in some way or another.
 - Boardman spells out the disadvantages: what do you consider the most damaging?
 - Cuno gives examples in support of his argument that such laws are actually damaging. Describe a few examples and Cuno’s problem with the laws.
 - Sax acknowledges the grey area and offers practical and workable ideas for balancing competing priorities. Summarize the essence of his approach.