

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

October 17th: Competing Priorities

READING:

- Gwenda Blair, "Paying with the Past," *Chicago Magazine*, December 2008 (<http://www.chicagogmag.com/Chicago-Magazine/December-2008/Paying-with-the-Past/index.php?cparticle=1&siarticle=0#artanc>);
- Barbara Crossette, "Taliban Explains Buddha Demolition," *NY Times* 3/19/2001;
- Joanne Farchakh-Bajjalay, "Who Are the Looters at Archaeological Sites in Iraq?" in *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War*, Lawrence Rothfield, ed. Altamira Press, New York: 2008 (pp. 49-56);
- Julie Hollowell, "Moral arguments on subsistence digging," in *The Ethics of Archaeology* (pp. 69-93);
- Travis Sills, "Judicial Conversion of Culture: Attaching Embodiments of Ancient Culture to Judgments in Civil Proceedings," in *Yearbook of Cultural Property Law 2007*, Sherry Hutt, ed. Left Coast Press, Walnut Creek: 2007 (pp. 237-256);
- James A. Wawrzyniak Jr., "Rubin v. The Islamic Republic of Iran: A Struggle for Control of Persian Antiquities in America," *Yearbook of Cultural Property Law 2008*, Sherry Hutt, ed. Left Coast Press, Walnut Creek: 2008 (pp. 223-272);
- <http://www.culturalheritagelaw.org/news-issues/news-issues-in-cultural-heritage/doj-urges-7th-circuit-to-shield-iranian-artifacts-from-seizure-by-terrorism-victims?searchterm=Iran+terro>.
- <http://culturalheritagelawyer.blogspot.com/2011/09/massachusetts-court-dismisses-rubin-v.html>

IN-CLASS DEBATE: Should the past pay for the present?

1. In week 2 we read Joseph Sax's nuanced analysis situating scholarship as one among many competing goods. **List the competing goods that "scholarship" may preclude or drive out.**
2. In this week's reading we encounter several more competing goods that vie with the care and preservation of antiquities in today's world. **List them.**
3. In week 4 we identified types and groups of principles that underlie the opinions and reactions to John Tierney's article. **List them.**
4. For each of the competing goods that you listed in #1 and 2, identify at least one ethical and one legal principle both FOR and AGAINST prioritizing them over the care and preservation of antiquities.

***** BRING A WRITTEN COPY OF YOUR ANSWERS TO CLASS *****