

## **Analysis of archaeological codes of ethics and suggestions for the draft of the Estonian archaeology code of ethics**

### **Summary**

This thesis, *Analysis of archaeological codes of ethics and suggestions for the draft of the Estonian archaeology code of ethics*, is a part of developing the Estonian archaeology code of ethics. The thesis has two main aims: firstly, to analyse the codes of ethics of larger archaeological organisations and secondly, to analyse the possibilities of solving ethical problems in different European countries. In addition, some principles of the codes discussed will be analysed; conclusions will be drawn on the basis of this analysis, and suggestions made how to improve the Estonian archaeology code of ethics.

The thesis is divided into two larger parts. The first chapter presents and analyses the codes of ethics of five larger archaeological organisations. It gives an overview of the structure, scope, tone and main values of these codes. In addition, the present situation in the European archaeology is reviewed on the basis of examples how different European countries solve the problems related to archaeological ethics. The second chapter discusses the relationship between archaeologist and the public in Estonia, which is looked at under three larger subtopics: popularisation of archaeology, the protection of archaeological heritage and illicit trade in cultural heritage objects, and finally, archaeologist and human remains. The chapter is grounded on the comparison with the principles of other archaeological organisations' codes of ethics and on tries to forecast the possible applications of the principles on the basis of examples.

The first part of the thesis discusses in more detail the codes which have found widespread use and endorsement, at the same time taking into account the relatedness of the draft of the Estonian archaeology code of ethics to the codes of ethics of The European Association of Archaeology, The Register of Professional Archaeologists, and The Institute of Field Archaeologists. The Society for American Archaeologists' and the World Archaeological Congress's codes of ethics are also discussed in the thesis. The analysis of the structure and

content of the aforementioned codes of ethics can be used in the compilation of the Estonian archaeology code of ethics.

The comparison of the codes revealed the great extent of common values. All the codes attach primary importance to the preservation and protection of cultural heritage. However, there were some differences between the codes created in America and the ones created in Europe. The differences emerged mainly in the principles concerning the problems related to indigenous peoples. In general, the countries in which there have been conflicts with indigenous peoples have also inserted rules in the codes of ethics that regulate the relationships with indigenous peoples and their cultural heritage. Nevertheless, the codes created in Europe pay more attention to the principles concerning the popularisation of archeology, documentation and presentation of archaeological materials.

The EAA code is a collection of norms reflecting ethical principles, which are divided into two parts. The first part contains the ethical principles concerning the relationship between archaeology and the society; the second part contains archaeologist's professional norms. The principles presented are general, as the EAA unites archaeologists with different backgrounds and working practices. The principles of the EAA code of ethics show the common element in the norms of conduct, which is adaptable to different archaeologists all over Europe. The IFA code of ethics consists of five short general principles, which in turn are divided into instructions. If necessary, explanations and examples are added to the instructions, which makes the IFA code the most voluminous of the codes discussed. In the code of the PRA, the principles are grouped into three sections: archaeologist's responsibilities to the public, archaeologist's responsibilities to colleagues, employees and students, and finally, archaeologist's responsibilities to employer and clients. Differently from all the codes discussed, the principles of the SAA code of ethics are titled accordingly to the character/content of the principle and there are eight principles altogether. The norms of the WAC code of ethics are presented neat and short. The code consists of eight principles, which each member has to abide by, at the same time taking in to account seven rules also established by the code. As mentioned earlier, the most voluminous of the codes discussed is the one of the IFA. The codes of the EAA and the RPA are more or less of the same length; they can be presented in printed format approximately on two A4-size sheets. Although the code of the SAA is of the same length as the previous ones, it has a lengthier introduction so that the principles take less space of the whole than they do in the previous ones. The length

of the WAC code is shorter as well, of which the principles take about half of an A4-size page.

The tone of the English version of the EAA's code can be evaluated by looking at the auxiliaries *will* and *will not*, and *must* and *duty*, which express obligation. The IFA presents instructions by using the modal verbs *shall/shall not*. In addition, phrases such as *has responsibility* and *is responsible* are used. The tone of the RPA's and the WAC's codes can be also evaluated on the basis of the expression *an archaeologist shall*, which conveys the obligation with a positive undertone. The code of the SAA uses phrases such as *archaeologist is responsible*, *it is the responsibility of archaeologist*, and *archaeologist must* for expressing obligation.

The moderate tone of the codes indicates that their aim is to communicate the responsibilities and rights to archaeologists on a positive note. Thus, the tone given to the code and the choice of words used to convey it should be considered carefully while compiling the Estonian archaeology code of ethics. If possible, keywords should be used (for example *be responsible*), which render the principle strict, but at the same time have a positive undertone. It would be useful to choose words as unambiguous as possible and use simple, clear sentence structure. Another thing to keep in mind is that the reader grasps the text more easily, when it has a certain structure which highlights the most important aspects. In addition, the code would benefit from the consistency in the style of sentence structure.

The draft of the Estonian archaeology code of ethics displays the influence of the EAA code, from which it takes over and adapts some of the main principles. At the moment, the draft of the Estonian archaeology code of ethics brings out principles that are very important for the community and have been written down due to practical necessity of the community to regulate the research. This indicates that the present topic is important for the community and needs to be reflected in the code of ethics.

The first part of the thesis included also the analysis of the situation in Europe as viewed from the standpoint of the archaeology codes of ethics. A contact was taken via email with approximately thirty European archaeologists or other persons connected closely with the field, in order to find out about general situation in Europe concerning the archaeology codes of ethics. The correspondence was used as a source material to describe different possibilities

how and on which basis the conduct in the field of archaeology is regulated. In addition to ethical codes, which archaeological organisations in several countries have created, archaeologists can act according to regulations issued by the state or other organisations. However, there are still some countries in Europe, in which there is neither a code of ethics nor does the community regard it as necessary. The reasons given for this are usually either sufficient legislation or other factors which prevent it becoming necessary.

The second part of the thesis analyses the problems related to archaeologist and the public in Estonia, which was highlighted during the seminar in Aegviidu in spring 2007. Three problems are discussed in a greater detail: popularisation of archaeology, illicit trade in cultural heritage objects, and treatment of human remains. To analyse these problems, examples are provided from various codes of ethics and cases reported in the media.

Most of the codes of ethics discussed calls for the popularisation of archaeology. The importance is attached above all to explaining the methods and goals of archaeology. Another essential aspect is that people would also be informed about the results of archaeological research. The effective communication between the public and archaeologists is important to achieve the imparting of information to the people. In this way, it is possible to ascertain which kind of information and in which kind of presentation the public expects. At the same time, an archaeologist has to take into account the opinion and suggestions of the society. The aim is to raise people's awareness about archaeology and cultural heritage to promote simultaneously the protection of heritage. It is essential that the both parties participate in regulating these relations. Therefore, the code of ethics should assert the right of archaeologist to engage in a dialogue with the public.

People, who are aware of the value of cultural heritage, condemn the actions and the people who consciously put this heritage under a threat. The illicit trade in objects of cultural value is becoming increasingly common in the world. Some metal detectorists and treasure hunters, who remove the archaeological heritage from its context, have become a real problem in Estonia. As the attempts of the Estonian archaeologists to ban the use of metal detectors have failed, the code of ethics could be used as a means to take a stand against detectorists and other people, whose non-scientific activities pose a threat to archaeological heritage.

The human remains and their excavation are one of the most controversial and emotional issues in archaeology. Especially tense is the situation in those countries, in which indigenous peoples do not accept the excavation and reburial of their ancestors' graves by archaeologists. As a result, several codes of ethics include articles that regulate the relations between indigenous peoples and archaeologists. In Estonia, the problems have arisen in relation to reburial of war graves and its ethical nature in the eyes of common people. For an ordinary person, the excavation of human remains brings up the questions pertaining to religion, ethics and aesthetics. In order to form an understanding attitude in the public towards the excavation of graves and investigation of human remains, it is important to explain to the people the aims and results of these investigations. Archaeologist's preparedness to investigate human remains depends on his or her own ethical and moral principles. Both the inner dialogue of an archaeologist and public discussion over ethics, graves and human remains are necessary for solving the problems surrounding this issue.

The code of ethics plays an important role in regulating the relations between the public and archaeologist, as it enables to show archaeologists' aims, values and investigation methods. The goal of the code of ethics should be achieving the smooth communication and mutual understanding between the public and archaeology. It is essential to keep in mind that the needs and opinions of the both sides have to be taken into account by the regulation of these relations. However, it should be understood is that when the primary importance is attached to the preservation of cultural heritage, the total satisfaction of the both sides cannot be always achieved.

The participation of various interest groups should be ensured in the process of developing the Estonian archaeology code of ethics, as it guarantees that the principles created are substantiated and acceptable. As to the form and content of the code, attention should be paid on the tone and structure, which should aim at the unambiguous and easy acceptance of the code. Another aspect to consider is creating a system which would ensure the implementation of the code. It is also necessary to form a competent group of people who would take care of making insertions and improvements into the code.

The need for Estonian archaeology code of ethics is a sign that archaeologists are aware of the problems arising from the rapid development of the society and increase in the number of archaeologists. It is important to continue the discussion over the key problems and proceed

with developing the Estonian archaeology code of ethics. Hopefully, the present thesis will contribute to the inculcation of ethical thinking and conduct in archaeology.