COURSE DESCRIPTION:

The past is up for grabs as contenders of collectors, museums, countries, native cultures, religious groups all take aim at ownership. These new stakeholders are an uneasy fit with the past’s traditional, scholarly caretakers – archaeologists, curators, and historians. How should peoples’ competing interests and claims be assessed and adjudicated? In this course we grapple with this new landscape. Through research, analysis, a critical assessment of stakeholders, debate, and discussion, we will explore the many uses and abuses of the past by individuals and groups in order to come to grips with the complex ways in which the past informs and affects the present. We will study a series of specific situations, consider them from both ethical and legal points of view, and seek to extract larger principles. Along the way we will dissect and discuss philosophical theories, ethical codes, and national and international laws relevant to cultural property. Ultimately, we are unlikely to completely agree with one another or perhaps even persuade ourselves of what is right or best, but we should end the semester with a real-world understanding of the parameters and complexity of the issues surrounding ethics, law, and cultural heritage.

COURSE REQUIREMENTS:

Students are expected to attend every class, complete all assignments on time, and participate in class discussions and debates. In evaluating each case study, students should be able to identify the various stakeholders, understand and assess their values and interests, and formulate their own positions within a historical context. Each case study will begin with lectures and conclude with carefully guided classroom discussion, debate, and projects.

1.) Participation is crucial for success in this class. While you will not be required to hand in weekly reading précis, you are expected to come prepared with notes on the readings. Participation in class discussion and debates is not only required is it necessary for us to understand each other’s opinions to acquire a broad view and understanding of the topics.

2.) Assignments (due Jan. 22nd, Feb. 1st, March 15th). Each assignment will address a specific aspect of that week’s topic. In some cases this may be a long standing controversy such as the return of the Elgin Marbles, in other cases it will be an ethical prerogative, or a legal analysis. These assignments require critical thinking, utilizing class readings, personal research, and formulating a well-constructed opinion. Please provide illustrations when indicated. Assignment #2 and #3 should have a minimum of 3 citations to support your argument.

3.) The Heritage Site Report (due April 30th). For this project, you will choose a cultural site that is accessible to the public. This may be an example of historic architecture, a monument, archaeological site, or cultural landscape. Following guidelines that I will give you, you will provide a critical written report on the history and preservation of the site; its cultural significance; its current condition; staffing and public access; and tourist
experience. Undergraduate students will write a 8-10 page (text) paper with illustrations; graduate students will write an 18-20 page (text) paper. Internet sources must be submitted and approved by me prior to submitting your final paper. You will also make an illustrated oral presentation of your report during the last week of class (10 min. undergrad/ 20 min grad); I will make a schedule of presentations. Please note that your selection of a heritage site must be approved in advance by Feb 26th.

GRADING:
Assignments: 30% (3 assignments, 10% each)
Heritage Site Report: 40% (written and oral; see below)
Class Participation: 30% (attendance, discussion, preparation)

LEARNING OUTCOMES
General This course will contribute to student competence in:
• critical thinking skills, where critical thinking is defined as analyzing and engaging with the concepts that underlie an argument and in which the logic and evidence underlying an interpretation is evaluated in terms of the conclusions reached. Students will be able to analyze and evaluate abstract information; understand and analyze scholarly literature and arguments, and formulate a logical argument based on that analysis.
Specific By the end of this course, students should:
• have a specific understanding of how archaeologists, ancient historians, and others utilize the evidence we have for the past;
• understand how ethics and the law intersect with the responsibilities of the archaeologist/academic.

REQUIRED BOOKS:


**Additional readings are available on the LATTE course web site.
CLASS SCHEDULE

Jan. 15th: Introduction to course and review of syllabus
- Defining cultural heritage and heritage management. The nature of cultural heritage: tangible vs. intangible; movable vs. immovable; above-ground vs. below-ground.
Threats to cultural heritage: natural (erosion, decay, flooding, earthquakes, etc.); cultural (development, agriculture, war, looting).

Jan. 18th: The issue, head-on

READING:
• Hugh Eakin, “Must Looted Relics Be Ignored?” NY Times 5/2/2006;
• James Ede, “Who Owns Objects? A View from the Antiquities Trade,” in Who Owns Objects? (pp. 77-82);
• James Gleick, “Keeping It Real,” NY Times Magazine 1/6/2008, pp. 13-14; • Ursula Kampmann, “Who Owns Objects? A View from the Coin Trade,” in Who Owns Objects? (pp. 61-76);
• Joseph Sax, “Collectors: Private Vices, Public Benefits,” in Playing Darts with a Rembrandt (pp. 60-80).

ASSIGNMENT #1: In surfing the web, you come across an offering of a Roman oil lamp for sale on eBay. Your mother has always wanted one and you think this would be a great birthday present. The artist style and form of the lamp look legit according to the description. Would you make an offer? Why or why not? If asked, would you write them up for publication?

Compose a clear answer (no more than 2 pages). Print it and bring it to class. You will hand it in, but you will need to consult it during discussion. Be prepared to discuss and defend your response, and also to change your mind. (Due January 22nd)

IN-CLASS DISCUSSION: Collectors are us – owning a piece of the past

Jan. 22nd/25th: 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);

IN-CLASS DEBATE: An ivory tower or a blockbuster show?
Jan. 29th/Feb. 1st: Loot, part 1: colonialism, theft, and the market

**READING:**
- Neil Brodie, “Smoke and Mirrors,” in Who Owns Objects? (pp. 1-14);
- Rebecca Mead, “Den of Antiquity,” The New Yorker 4/9/2007 (pp. 52-61);
- Greek Ministry of Culture, “The Restitution of the Parthenon Marbles”: [http://odysseus.culture.gr/a/1/12/ea120.html](http://odysseus.culture.gr/a/1/12/ea120.html)

**IN-CLASS DEBATE:** Is the backstory relevant?

**ASSIGNMENT #2:** In the early 19th century Lord Elgin, British ambassador to the Ottoman court at Constantinople, carted off tons of marble sculptures from the Parthenon and other Classical monuments on the Acropolis in Athens. In 1816 the marbles were acquired by the British Museum, where they remain today. Even in Elgin’s time controversy raged over the removals and for decades the Greek government has sought their return. The controversy over the Elgin/Parthenon Marbles is one of the oldest and most hotly contested debates in the field of cultural property. Make your argument for having the marbles stay at the BM or be sent back to Athens. Provide sources and citations to support your argument (4-5 pages). Bring a copy to class on Feb.1st to use in the class debate.

Feb 5th/8th: Loot, part 2: the nation-state and cultural blackmail

**READING:**
- James Cuno, “Identity Matters” in Who Owns Antiquity? Museums and the Battle over our Ancient Heritage (pp. 121-45);

**CLASS DISCUSSION:** Pressure points and game-changers

Feb 12th/15th: Competing Priorities
READING:
• Joanne Farchakh-Bajaly, “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);

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

Feb. 19th / 22nd: No Class Mid-semester break

Feb 26th/March 1st: The Hague Convention and national patrimony

READING:
• Hague Convention, cultural resources;
• James Cuno, “Political Matters” and “More Political Matters” in Who Owns Antiquity? Museums and the Battle over our Ancient Heritage (pp. 21-66);
• Patty Gerstenblith, “From Bamiyan to Baghdad: warfare and the preservation of cultural heritage at the beginning of the 21st century,” Georgetown Journal of International Law 37.2, Winter 2006 (pp. 245-352);

IN-CLASS DEBATE: Whose heritage? Nationalists vs. Internationalists

March 5th/8th: Archaeology and the State Department

READING:
• Cultural Property Implementation Act (CPIA)/United States Public Law 97-446 (http://exchanges.state.gov/heritage/culprop/laws/pdfs/97-446.pdf);

IN-CLASS DISCUSSION: Archaeologists as advisors and shapers of US policy

March 12th/15th: War is Hell (on Heritage): Cultural Protection and Armed Conflict

READING:
• Edsel, The Monuments Men (selection of chapters)
• Peruse the website and read the two most recent Weekly Reports on Syria from the Syrian Heritage Initiative: http://www.asor-syrianheritage.org

IN-CLASS DISCUSSION: What is the role of archaeologist during war time?

ASSIGNMENT #3 Since the dawn of recorded history, cultural heritage has been plundered as spoils of war by soldiers, armies, and states engaged in armed conflict. The ancient cultures of the Near East regularly looted cult statues and artistic treasures. The Romans plundered art as a matter of policy, and in the process transformed Rome from a rustic Italian town to a cosmopolitan Imperial center. Napoleon filled the Louvre with the cultural treasures of conquered Europe. During World War II (1939–1945 in Europe, 1937–1945 in the East) the Nazis plundered millions of cultural objects from conquered nations in Europe. More recently political instability in the Middle East has resulted in the looting of the Iraqi Museum, the wholesale destruction of ancient sites such as Aleppo, and the flooding of the Black Market with illicit art and antiques to groups such as Isis.

Select either a site impacted by war/armed conflict or trace an artifact/piece of art that has undergone illicit provenance related to war/armed conflict. Your paper should include proper citations and illustrations if relevant. Bring a hardcopy to class on March 15th for discussion (3-4 pages).

March 19th/22nd: Visit the Pyramids (Before it's Too Late): Challenges of Heritage Tourism

READING:

**IN-CLASS DEBATE:** Should archaeology pander to the tourism market or is it a necessary part of excavation?

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**March 26th/29th:** The Long View

**READING:**

**IN-CLASS DISCUSSION:** Antiquity, modernity, humanity

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**April 2nd/5th:** Underwater Archaeology vs. Treasure Hunting

**READING:**

**IN-CLASS DISCUSSION:** Free game in international waters?

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**April 9th/12th:** Dead and gone?

**READING:**
- Elisabeth Bumiller, “Seizing a Last Chance to Find Lost G.I.’s as WWII Memories Fade,” NY Times 9/6/09;
- Jim Dwyer, “From Bones of Immigrants, Stories of Pain,” NY Times 10/14/2009;
• Elaine Sciolino, “French Dispute Whether Maori Head is Body Part or Art,” NY Times 10/26/2007;
• Michael Slackman, “In a New Age, Bahrain Struggles to Honor the Dead While Serving the Living,” NY Times 9/17/2009;
• J. Jeremy Wisnewski, “What We Owe the Dead,” Journal of Applied Philosophy 26 (2009), pp. 54-70.

IN-CLASS DISCUSSION: When does a cemetery become a site?

April 16th: What’s to be done?

READING:
• James Cuno, “Epilogue” in Who Owns Antiquity? Museums and the Battle over our Ancient Heritage (pp. 146-62);
• Patty Gerstenblith, “Collecting Antiquities in the International Market: Philosophy, Law, and Heritage” Yearbook of Cultural Property Law 2007 (Walnut Creek CA), pp. 139-66;
• Joseph Sax, “Antiquities Business” in Playing Darts with a Rembrandt (pp. 179-96);
• Sharon Waxman, “Repatriations” and “Conclusion” in Loot: The Battle Over the Stolen Treasures of the Ancient World (pp. 343-76).

IN-CLASS DISCUSSION: Ideas to practice

April 23rd / 26th – No class Passover break

April 30th and May 2nd: Presentations

ASSIGNMENT: Paper 2 due May 2nd