'ETHICAL PRINCIPLES OF AN ARCHAEOLOGIST' – A CODE OF ETHICS FOR ESTONIAN ARCHAEOLOGISTS

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Stolen Viking Age silver coins find their way to an auction room. Native believers fight against construction work at a sacred grove. A passerby finds the excavation of human bones to be disrespectful and appalling. A construction company intends to build a hotel on the remains of a medieval town. In the light of these examples, it is not surprising that ethics has become increasingly important in the practice of archaeology. As experts in their field, archaeologists have to make complicated and delicate decisions every day. While facing different alternatives, an archaeologist realizes the need to consider the ethical dimensions of his/her professional decisions. In situations like these, a code of ethics can guide the archaeologist through the decision-making process.

As in many other professions, Estonian archaeologists have reflected on their shared values and agreed on ethical principles that an Estonian archaeologist should follow. As a result, the Code of Ethics for Estonian archaeologists 'Ethical principles of an archaeologist' has been compiled. The primary aim of the code is to standardize the professional work and offer guidance to archaeologists in situations involving moral cogitation. It also strives to create the notion of unity amongst archaeologists through shared fundamental values, regulate archaeologists' interrelationships and to forestall wrong professional behaviour. Moreover, the code is a way to create a connection with the society. It unveils the fundamental standpoints of archaeological research and shows the society the principles on which the archaeologists base their decisions. In short, the code of ethics is a message to the society – a declaration of trustworthiness.

COMPILING THE CODE OF ETHICS

The compilation of the 'Ethical principles of an archaeologist' has been a process of reflecting, drafting, discussing, developing, correcting and complementing. The Code of Ethics for Estonian archaeologists was officially accepted in February 2010, but the process of its development started already five years earlier.

The ethical problems in Estonian archaeology were first openly discussed in 2005 instigated by a confusing incident at Jägala Jõesuu hill fort, where the excavation plot was left open for some time after the investigation had been finished. As a result problems relating to the training of archaeologists, excavation methods, multidimensional relations with the public etc. came forth in the mailing list for archaeologists and were further examined during a seminar held in the University of Tartu. It became clear that

there was an urgent practical need for definite guidelines for archaeologists to conduct their work. Subsequently a group of archaeology Master students took the initiative and during their seminars, compiled the first draft for the code of ethics after having worked through comparative material on the topic (codes of ethics of European Association of Archaeologists and Register of Professional Archaeologists). This draft was further discussed and complemented in spring 2007 at a seminar of working groups established for this specific purpose, comprised of field archaeologists, urban and building archaeologists, osteologists, students of archaeology, representatives of the National Heritage Board and keepers of various archaeological collections. In 2007 and 2008 the materials[1] from the seminar were systematized and analyzed, comparative data about other countries and their codes of ethics was gathered and examined. The majority of the results were collocated to a Bachelor thesis 'Analysis of archaeological codes of ethics and suggestions for the draft of the Estonian archaeology code of ethics' (Livin 2008).

The draft was further discussed at Information Days organised by the National Heritage Board in 2009 and, on 5 February 2010, on the third information day at the National Heritage Board, the Code of Ethics was finalized. It was decided that for the time being the Code of Ethics will not be attached to a specific organization. It was agreed that the National Heritage Board, University of Tartu, Tallinn University and other institutions connected with archaeology may publicize the Code of Ethics on their homepages and by doing so demonstrate their support for the Code of Ethics for archaeologists. It was noteworthy that after years of discussion and preparation, archaeologists and other cultural heritage specialists were ready to collectively accept the code. Only a few redaction changes were made *in loco*. As a culmination, the Code of Ethics for Estonian archaeologists was acclaimed and accepted by the members of the community on the same day. All archaeologists who were present could accept the code by signing an attached document added to the code, which stated that the signatory agreed with the principles of the code and became subject to the code. The number of signatories at the moment of writing this article is 32.

PRINCIPLES OF THE CODE OF ETHICS

The Estonian archaeologists' Code of Ethics which regulates the work of archaeologists is divided into four chapters based on the archaeologist's relationship with society, research, findings and colleagues. The main values that the code emphasizes are respect for and safeguarding of cultural heritage, responsibility towards society, and professional competence. The principles of the code have a positive undertone in order to implement as little coercion as possible while explaining to the archaeologists their obligations and rights.

In the first chapter *Archaeologist and the Society* the central principle concerns the relationship between an archaeologist and cultural heritage. Above all, an archaeologist's care for the cultural heritage is emphasized. Furthermore, the archaeologist has a responsibility towards society because his/her work affects society's opinion about cul-

[1] These materials include an initial draft of the Code of Ethics of Estonian Archaeology, task groups revisions of the Code of Ethics draft; new version of the draft including the corrections and additions made during seminar; audio material and literation.

tural heritage. It is important that the public understands the goals and methods of archaeology and the work of archaeologists. This will ensure more effective protection and preservation of cultural heritage. However, the process of popularizing archaeology and informing the public should never jeopardize the preservation of heritage.

One of the sensitive topics for the public is the excavation of burials and storage of human remains. One example of such case, though related to amateur archaeology, was the public reaction towards the Helme graveyard excavation. In May 1999, excavations were carried out in the Helme graveyard. The graveyard is located in southern Estonia in the County of Valgamaa. The project comprised of excavation and relocation (repatriation) of German soldiers' remains to Jõhvi, a city in the most north-eastern district of Estonia. On 24 July 1999 Estonian newspaper *Postimees* published Juhani Püttsepp's article concerning Helme excavations. The reactions reflected in the article demonstrate the attitude of Estonian people toward excavations of burials – the excavation did not take into consideration the religious beliefs of the buried soldiers or ethical principles of their folk. The situation was complicated by the fact that according to the agreement between the governments of the Republic of Estonia and the Federal Republic of Germany on war-graves in Estonia[2], the excavators were paid by the number of remains they dug up (Püttsepp 1999). Giving a monetary value for human remains obviously objectifies them. The excavation at Helme can be seen as an offence towards the holiness of the grave and the dignity of the deceased and may have led the public to regard the excavators as immoral. In order to prevent the re-occurrence of this kind of reaction, it was seen necessary on a professional level to regulate archaeologists' actions and attitudes toward human remains. Thus, the Code of Ethics stipulates that the archaeologists should show respect towards human remains (principle 8). The archaeologist should explain the need to study burials and human remains to the public to create mutual understanding on this topic. This may help to prevent the general public from misleadingly regarding archaeologists as grave looters or blasphemers.

Another significant and very problematic issue in Estonian archaeology concerns the users of metal detectors and illegal trade in archaeological heritage. Users of metal detectors who systematically search and illegally remove archaeological heritage out of their context are a major problem in Estonia and thus, it is necessary to adopt an uncompromising attitude towards the detectorists who violate the law. Because the detectorists have been able to justify their actions in the media, the members of society cannot always comprehend who is right – archaeologists or detectorists. In 2005, a problematic situation concerning users of metal detectors and their actions towards cultural heritage was discussed in an investigative-journalistic broadcast *Pealtnägija* in national television. Subsequently, a response to the broadcast was written by Prof. Valter Lang (TÜ) to the national newspaper *Eesti Päevaleht*. In his opinion, the tonality of the broadcast made national heritage experts look like people who harm the benevolent hobbyists. However, the broadcast did not adequately explain the legitimate boundaries applying to the activities that concern detectorism nor the scientific value of cultural heritage (Lang 2005). This illustrates the contradictory attitudes towards detectorism in the Estonian society, which result from insufficient public awareness and certain gaps in the legal system.

[2] *Sõjahaudade leping* (signed in 1995).

In the light of this knowledge the principle concerning illegal trade (principle 4.2) was added to the Code of Ethics to show the archaeologists' reluctance towards activities that predispose destruction of archaeological heritage.

For archaeologists, archaeological heritage is an asset which offers them the possibility to study the past. Cultural heritage has an existential meaning for archaeologists as an indispensable research object and source (Livin 2010, 96). The main aim of the principles in the second chapter – *Research Standards* – is to standardize archaeological research to improve the creation of scientific knowledge and protect cultural heritage more efficiently. The second chapter groups the principles that guide archaeologists in their professional work. According to the Code of Ethics, an archaeologist should, whenever possible, strive to use non-destructive methods in his/her well-founded research. Moreover, it is emphasized that an archaeologist should have extensive knowledge about the developments in methods and methodologies in his/her field to accomplish the best research results (principle 13).

The third chapter consists of ethical principles related to *Museums and Finds*, which stresses the archaeologists' responsibility towards the finds collected during archaeological fieldwork. There have been many unsolved issues and problems concerning finds, e.g. where should the finds be stored; when and how are the finds stored; where should the documentation related to the finds be stored etc. The Code of Ethics tries to mitigate these problems by providing principles that regulate by whom and how should the finds be taken care of. The principles state that an archaeologist must always look after the finds retrieved during excavations; he/she must guarantee that the finds are properly conserved and stored (principle 17). Even after the finds are given over to a museum the archaeologist should follow the common practice of being interested on the further welfare of the findings.

The principles that regulate the interrelationships of archaeologists are gathered together under the heading *Colleagueship*. These principles are important especially in relation to first publication rights and the time period designated for the publication of excavation documentation. In both cases, 10 years has become the deadline. The person who carries out the excavations or laboratory analyses reserves the right of first publication of the results for 10 years (principle 21). When the original excavation documentation has not been published as a report after 10 years it must be handed over to the institution storing the finds originating from this excavation (principle 22). It should also be noted that the code encourages archaeologists to consider the interest of fellow researchers and to give them information and/or feedback about their work.

CONCLUSION

The compilation of the Code of Ethics has been a bottom-up process, which means that the code has been compiled by the people who are subjected to it. In such situations, the internalization of the norms and values is very important and requires the participation of a larger number of people. Internalization of values would not succeed if people would feel that the norms have been imposed on them from the outside (EKK 2007, 38). A bottom-up process is essential for ensuring that archaeologists are able to reflect on their values and make ethical decisions, which also attaches a practical value to the code.

The Code of Ethics is a marker which shows that archaeologists have acknowledged their shared professional values and have developed a sense of necessity for a code that unites those values and voices them through ethical guidelines. The process of creating a Code of Ethics for archaeologists has been a time of self-reflection. It has also been a time of observation, a time of discovering and exploring sensitive topics, reflecting on the role of archaeologists in the society and how should we conduct our work in an ethical way. There has been a lot of thinking and discussing, but also a fair amount of problems have been solved and several issues decided. The Code of Ethics is a sign of the maturity of the profession, representing the common values of archaeologists and ideals for a better ethical archaeology in Estonia.

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