

Who cares? Perspectives on Public Awareness, Participation and Protection in Archaeological Heritage Management



Edited by Agneta Lagerlöf

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Detail from Ales stenar, the famous stone ship at Kåseberga, Skåne, Sweden

Photo © Leif Gren.

15 | Amateurs and professional archaeologists: Legal models for their cooperation in the Czech Republic

Jan Mařík

Abstract: The Czech Heritage Act was issued in 1987. The right to conduct any archaeological research was restricted only to the people with appropriate university education. However, besides professional archaeologists, another group of people interested in local history – amateur historians/archaeologists whose number could be counted in hundreds was already firmly established at the end of 1980s. This state of affairs changed radically in the 1990s when metal detectors became more accessible. According to recent estimations there are about several thousand of metal detectors in use in the Czech Republic. Even though only a minority of detector users tend to cooperate with professionals, it is beyond doubt that their number surpasses several times the number of professional archaeologists. Although the Czech Heritage Act includes rather high penalties for illegal archaeological research it has been applied in only a few cases per year. This decidedly inefficient system of restrictions leaves us with several questions: How ought we to handle the fact that thousands of archaeological finds disappear every year in illegal private collections without appropriate documentation or on the black market, or they are left unrecognized? This paper aims to explore approaches and methods that could minimize the losses. The primary goal is to establish effective contact with amateurs who are ready to cooperate with professional archaeologists and to respect the law. What is sought is a platform on which these two worlds apart can find a common language and mutual cooperation.

Introduction

The beginnings of Czech archaeology are, undoubtedly, connected with a rather large group of enthusiasts whose activities facilitated the foundation of the majority of archaeological museum collections. The National Museum in Prague, established in 1823, may be used as an example. The so-called Archaeological Group was established in 1841 as an integral part of the Museum, with the aim of protecting works of art, and subsequently also to save and purposefully obtain archaeological finds. In the years 1843–1848, the Archaeological Group consisted of thirteen members, but regular employees of the Museum represented only one third of them. In the next twenty years (1851–1871), the Archaeological Group reached 123 members; however, participation of the Museum's regular employees decreased to only one tenth. Thus, the majority of the members were clergymen, nobility, teachers, clerks, students, lawyers and physicians (Sklenář 2011, 14).

The foundation of the State Institute of Archaeology in 1919, following the establishment of the independent Czechoslovakia, represented a considerable step towards the professionalization of archaeological fieldwork. Apart from other responsibilities, the newly established Institute was entitled to perform archaeological fieldwork (i.e. excavations), and was also privileged to permit and supervise the excavations conducted by museums and private individuals. The latter two responsibilities were the Institute's exclusive rights. However, even the inter-war State Institute of Archaeology could not exist without a large group of

regional collaborators and correspondents. At the same time, the professional archaeologists began to warn against non-professionally conducted excavations that destroyed the scientific value of archaeological sources. As a kind of guidelines for unprofessional archaeologists, methodological instructions regarding excavations of endangered sites and accidental finds were published in 1922.

The earliest legal regulation that systematically adjusted the conducting of archaeological excavations represented a decree issued by the government of the Protectorate of Bohemia and Moravia in 1941, whereby archaeological fieldwork was entrusted exclusively to trained professional archaeologists. This situation was subsequently also confirmed by a post-war law from 1958.

According to the current effective law regarding state monument care from 1987, archaeologists conducting archaeological fieldwork must have had a university education (M.A. decree) in archaeology, and two years of practice.

Professionals and amateurs

In the same year (1919) when the State Institute of Archaeology was founded, the Czechoslovak Society of Prehistorians was also established, with professional as well as amateur archaeologists as members. This Society was incorporated in the newly

established Czechoslovak Archaeological Society that consequently excluded non-professionals from its ranks. However, already in 1964, amateur archaeologists regained the status of correspondents. A transformation of the political system in 1989 entailed, among other things, the restoration of association life when new organizations were founded and old ones were restored. The aims of some of these societies also touch the issues of archaeological monuments (to mention just some of them: the Czech Society of Antiquaries was originally founded in 1888; the Club of August Sedláček was established in 1990 and concentrates on scholarly research into seats of the nobility, their protection and help with the care of these buildings). Today, however, the only platform for amateurs interested in archaeology is the above-mentioned Czechoslovak Archaeological Society that since 1991 has also incorporated a non-professional archaeologists section.

The problem of metal detectors, which the Western European countries has had to face at least since the mid-1980s, appeared in the region of Czechoslovakia (the Czech Republic since 1993) as late as the 1990s and it was caused by the overall social transformation. The new and relatively accessible technology of metal detectors attracted a completely new category of people interested in history. It is obvious that the metal detector users represent a very heterogeneous group of people who are linked together only by the type of technical equipment they use, while their interests and motivation significantly differ. Let us leave aside the distinct criminal aspect of this phenomenon, i.e. the purposeful search for archaeological finds for personal enrichment. The group of the so-called "detector users" also includes explicit collectors who desire only to expand their own collection without a thought as to whether these finds represented Second World War, modern-era buttons or buckles or metal fittings from medieval castles.

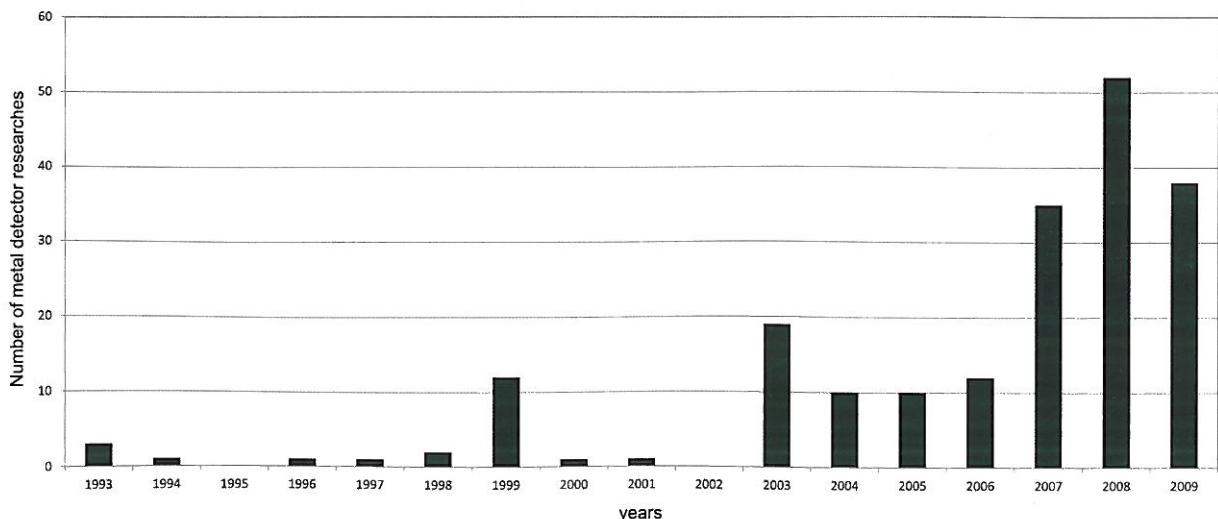
Increasing numbers of metal detector users remained for a quite long of time without a proper response from the professionals. Even though the earliest brief reports on this topic had appeared in scientific press in the mid-1990s, broader discussion occurred in the *Archeologické rozhledy* journal only after eleven years (Waldhauser 1995). This discussion resulted in rather wide range of opinions. One point of view is represented by a strictly formulated appeal not to deal with the finds obtained non-legally and to avoid any possible communication with the finders (Vencl 2000, 2006). On the other side, an opinion stressing the scientific potential of irretrievably disappearing sources has recently been aired (Vích 2006). Altogether, this discussion has had no effect and has not offered any suitable solution.

A rather ambivalent approach towards metal detectors is also evident at archaeological excavations where the device has been regularly applied only in the last ten years. This situation is also very clearly illustrated in the evidence of archaeological fieldwork in Bohemia: the earliest mention of metal detector research as an independent scientific approach occurred in 1993, and the number has increased only since 2003 (Figure 15.1).

Evidence of numbers

The current state of Czech professional archaeology was analysed within the scope of the project "Discovering the Archaeologists of Europe" that was realized in the years 2006–2008. Results of this project showed that 425 professional archaeologists were employed in the Czech Republic in 126 organizations (Frolík and Tomášek 2008). Altogether, hundreds of people, mainly amateurs interested in archaeology, are members of various societies. The non-professional section of the above-mentioned Czechoslovak Archaeological Society has 251 members, the Czech Society of Antiquaries approximately 600 members, and the Club of August Sedláček 250 members.

Figure 15.1: Evidence of metal detector research as an independent scientific approach in the Archaeological Database of Bohemia (Institute of Archaeology of the Academy of Science of the Czech Republic, Prague, v. v. i.). © Institute of Archaeology of the Academy of Science of the Czech Republic, Prague.



Estimates of the number of people who do metal detector searches in their leisure time are rather hard to obtain. Only non-official estimates of metal detector salesmen are available, and they state that the number of sold devices ranges from 3,000 to 20,000. Furthermore, the visitor statistics for the most favourite articles on the websites of these salesmen also number several thousand.

In-between the two worlds

Cooperation between professionals and amateurs has been cultivated in the Czech Republic as in other European countries for more than a century. Both sides respect certain basic rules. The majority of amateur collaborators understand that destructive research methods have to be exclusively reserved for archaeologists with university qualifications. On the other hand, professionals respect the right of amateurs to discover history and tangible relics in their vicinity. Nor is surface collection believed to be problematic, even though according to the strict interpretation of the law these people manipulate and gather the property of the state. Generally speaking, the amateurs are considered to benefit the development of the discipline.

Traditional patterns of cooperation were significantly changed with the appearance of new technologies and their large-scale accessibility. Transformations of social conditions that followed the year 1989 have, among other things, brought a rather loose sense of liberty and scant respect for legal standards. On the other hand, the incompetence of the professionals in responding to the new situation, which was later replaced by disdain and lack of interest, represented one of major causes of the emergence of two completely separate worlds of thought. Both communities have expressed certain stereotyped utterances which have only resulted in the stabilization of already established communication barriers:

The archaeologist says:

"A metal detector in the hands of a non-professional always represents a threat to archaeological finds."

"Metal detector users are only collectors without an interest in and with disrespect for the context of finds."

"Metal detector users have not sufficient knowledge of material culture and are not able to distinguish important finds from unimportant."

"Metal detector users are motivated only by their own enrichment."

The metal detector user says:

"Archaeologists are not able to present the majority of interesting artefacts to the general public, and many of them remain hidden in storerooms."

"Rather insufficient conditions in storerooms, and limited resources for rescue archaeological excavations result in the destruction of artefacts."

"Archaeologists are confident that only they are entitled to learn about history. Furthermore, they are sure that their approach and methods are the only right ones and they are not interested in and reject the opinions of non-professionals."

"Rather low salaries force archaeologists to sell the artefacts on the black market."

Even though it is clear that both communities make generalizing and even demagogic statements, some of them are based on real foundations. It is true that private collections without proper evidence of find circumstances substantially degrade the value of a series of finds. Moreover, poor knowledge of material culture may result in damage or complete loss of exceptional artefacts. However, this paper is not about searching for the guilty party but about looking for some reasonable solutions.

Looking for solutions

Professionals were primarily motivated in their efforts by their quest to get the maximum information regarding the exceptional artefacts that would be otherwise lost to the professional public. The thought that metal detector usage can yield finds that fundamentally change the state of research, mainly in later prehistory and the Middle Ages, has meant that these archaeologists do not hesitate to borrow artefacts from the illegal private collections while tacitly approving that majority of these artefacts may eventually disappear on the black market. However, this approach of *hunter-gatherers* cannot be considered the solution to the problems. Despite their statements that they are rescuing the information value of the finds, there is no gainsaying that they are, in fact, satisfying their own short-sighted personal and professional ambitions. The results of such scientific research are inevitably deformed by the arbitrariness of illegal treasure hunters who decide which finds they give to the archaeologists. Moreover, it is also difficult to check whether the stated place of origin was not intentionally changed to give the find greater exclusiveness. Due to the dubious ethical approach and the relative unreliability of the find circumstances, some professional journals have refused to publish such finds.

This approach has recently undergone gradual change in connection not only with the ever-increasing number of metal detectors at archaeological institutions and companies but also a change of generation among professional archaeologists. Metal detectors have been increasingly used not only as integral parts of archaeological fieldwork, but also new research projects are launched that are purposefully aimed at metal detector surveys (Šmejda 2007; Chroustovský and Janíček 2009; Blažková 2011) (Figure 15.2). Some of these surveys have been conducted with the aid not only of archaeology students but also of voluntary members of societies whose primary goal is long-term cooperation with professional archaeologists. These voluntary members are also interested in additional education, and their considerable interest was manifested by their

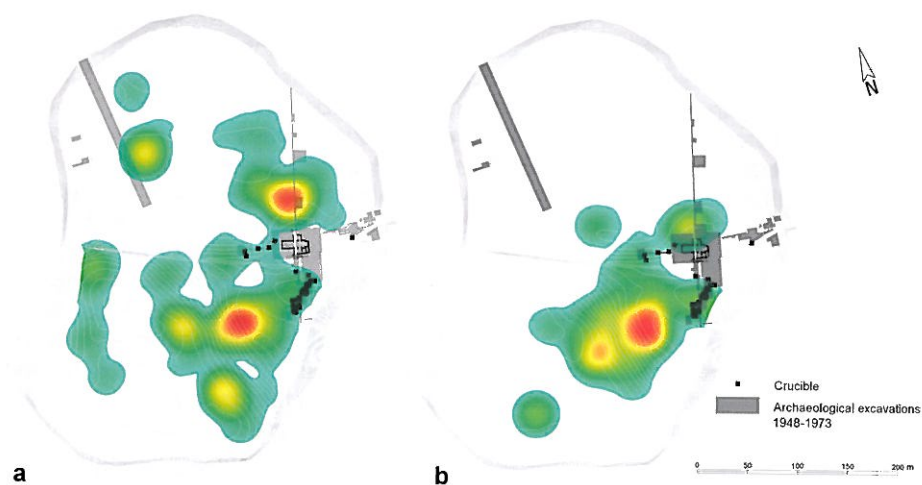


Figure 15.2: Early medieval stronghold in Libice nad Cidlinou – systematic detector research 2009–2012. Concentrations of non-ferrous metals indicating positions of workshops. a) lead alloys, b) copper alloys. © Institute of Archaeology of the Academy of Science of the Czech Republic, Prague.

presence at the one-day training focusing on the non-destructive archaeology that was held by the Institute of Archaeology of the Academy of Sciences of the Czech Republic, Prague (cf. <http://www.arup.cas.cz/?cat=695>) at the beginning of 2012. The number of participating non-professionals considerably exceeded the capacity of the Institute's lecture theatre. Currently, the number of amateurs cooperating with archaeologists may be estimated at 300–500 persons.

To sum up, the solution to the current state of affairs may be sought mainly in further education of both communities (professional archaeologists and metal detector users as well) and the preparation of professional methodologies aimed at metal detector survey. The only real means for successful achievement of these goals are research projects aimed at metal detector surveys that will provide education for not only to archaeology students but also to amateur collaborators. Any future crucial changes in the attitudes of both communities can be only caused by intensive communication and mutual respect between professional and non-professional archaeology.

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