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Post-conflict ethics, archaeology and archaeological heritage: a call for discussion

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Abstract

Ethics are fundamentally important to all forms of archaeological theory and practice and are embedded within many professional codes of conduct. The ethics of archaeological engagement with conflicts around the world have also been subject to scrutiny and debate. While archaeology and archaeological heritage are increasingly viewed as significant elements of post-conflict work, with much to contribute to rebuilding stable and secure societies, there has been limited acknowledgement and debate of post-conflict ethical issues and challenges for archaeologists. This paper is intended to stimulate discussion around major ethical issues, the problems and possible ways forward for post-conflict archaeology and archaeological heritage.

Keywords: Ethics; Post-conflict; Archaeology; Archaeological heritage

Introduction

Ethical principles support everything we do, whether consciously recognized and interrogated, or not. While many archaeological situations are familiar, with well-rehearsed ethical issues and responses, there are other areas where we are facing new and rapidly changing contexts and dilemmas, and where we are much less prepared in terms of how we understand and apply ethics. Ethics are particularly important for those who work in post-conflict environments, but there is relatively little explicit, in-depth exploration or critical discussion of post-conflict ethical issues in the archaeology literature. This may seem surprising. Although countless articles and books have been published on the intersection of archaeology and archaeological heritage with ethics (e.g. González-Ruibal 2018; González-Ruibal and Moshenska 2015; Ireland and Schofield 2016; Scarre and Scarre 2006; Stone 2011a; Vitelli and Colwell-Chanthaphonh 2006), few have explored the need to be explicit about ethical issues as they affect archaeology within contemporary post-conflict environments. We suggest, given the proliferation, innovation and diversification of forms of violent conflict in the 21st century, there is a requirement to revisit, confront, foreground and openly discuss the many fraught ethical aspects contingent to the operation of archaeology projects and use of archaeological heritage within a post-conflict situation.

Having a great deal of experience of working in challenging post-conflict environments ourselves, we are well aware of the necessity to often be circumspect in articulating our concerns; however, we consider the ethical dynamic too important to ignore. Our recent joint project work in Lebanon, a country of great complexity with a multi-layered matrix of ongoing and unresolved post-conflict issues relating to multiple disparate conflicts suffered over many decades, brought into sharp focus a need to calibrate carefully deliberated responses to a very broad range of ethical issues (Newson and Young 2015; 2017a). This forced us to contemplate the importance of ethics

and ethical responses in negotiating workable archaeological solutions. It also served to highlight myriad factors relating to the exposition of post-conflict ethics, both in Lebanon and in other places where we work in post-conflict situations. These factors include the inadequacy of current state-based, Western-oriented ethical protocols, codes and principles, and the fast-changing conditions of post-conflict environments, which require dynamic, reflective ethical understandings and approaches as well as planned and considered project frameworks.

We have chosen to look beyond our own work in this paper because we do not want a discussion of post-conflict archaeology and archaeological heritage to be shaped (only) by our experiences and views. As we discuss in this paper, we are very aware that much of ethics in archaeology is context driven and contingent, and we want to reflect this in the geographical spread of the examples considered below. We do not pretend to provide a comprehensive analysis here but aim to ignite discussion. We believe the subject of post-conflict ethics calls for open contemplation, discussion and continual renewal to meet the increasingly multi-faceted post-conflict environments we now face as archaeologists.

In this paper, we are considering situations and examples from outside Europe and North America. We have decided to do this in part because several high-profile ethical codes relating to archaeology have been developed within the West and then used as the yardstick by which all post-conflict work is measured (both outside Europe and within post-conflict environments in Europe; see, for example, application of ethics in Horning 2019a). Looking beyond Europe and North America raises additional questions around how the development of archaeology and heritage as Western disciplines and practices supported by Western and Western-dominated institutions (e.g. UNESCO, Society for American Archaeology) can be ethically translated into non-Western post-conflict situations by both Western and local practitioners. The production of ethical codes (see below) in Western institutions is frequently based on the assumption that there are agreements and laws in place that will be duly enforced and respected by multiple actors. However, in many parts of the world there can be an inadequate or perfunctory official support system for the protection of the archaeological heritage; and if there is a comprehensive statutory framework, there are often many factors precluding its effective practical enforcement during post-conflict periods.

Post-conflict archaeology fundamentals

What do we mean by post-conflict? Broadly, we are talking about the period(s) that follow on from conflicts; both conflict and post-conflict are dynamic and amorphous concepts and often lack definable boundaries especially with regard to absolute beginnings and endings (Newson and Young 2017a; 2017b). Sporadic outbursts or even relatively constant, low-level conflict may continue in areas that are generally deemed 'post-conflict' (e.g. Iraq and Afghanistan at different points over the past 20 or so years, or even longer). For this reason, problems can arise in how 'post-conflict' is defined, by whom and for whom. Diverse vested interests (e.g. politicians, charity organizations, global institutions such as UNESCO, the World Bank and the World Health Organization, and local communities) will all have concerns and are likely to have different (often fluid) ways of understanding what constitutes a post-conflict situation. The complex process of defining a post-conflict situation can itself lead to ethical issues, which can have major ongoing impacts (both positive and negative) on local communities.

There has been considerable scholarship on the nature of post-conflict environments, with some definitions emerging (e.g. Brown, Langer and Stewart 2011; Hamber and Kelly 2005). However, we do not wish to be overly prescriptive with definitions, as we do not think this is helpful for those working in such situations. In contemplating the idea of a 'post-conflict' environment or process, we would venture a working definition centred on communities, regions and/or countries that perceive a cessation to major episodes of conflict and have entered a state of wanting and aiming to re-build and re-evaluate their physical, social, economic and political

structures. Despite occurrences of, or even ongoing, localized conflict, there will be a generally shared view of having moved on from widespread conflict, though such views can change rapidly. Archaeologists who work in post-conflict situations will have their own understanding of what this means within their particular contexts. It is also important to note that local people may have very divergent views, both from official pronouncements and from each other.

We wish to consider the ethics of all archaeological work within post-conflict situations, where ‘archaeology’ refers to the practice of archaeology from all periods, types of sites and range of methodologies. Archaeology thus provides the basis for archaeological heritage where archaeological material culture (broadly but not exclusively landscapes, sites, standing buildings, objects) is utilized in multiple ways to support narratives about the past. Therefore, archaeological heritage in many post-conflict situations includes archaeological work that is frequently used by or drawn into heritage, where heritage might take the form of sites open to the public, the creation of places in communities, material used in museums, and material and information used by communities, governments and others to present aspects of the past in the present. Consequently, as part of wider understandings of heritage, it has been frequently demonstrated that archaeology and archaeological heritage play an important part in any national discourse (Smith 2006). Moreover, numerous projects and studies have shown that cultural heritage more generally can play a central role in post-conflict reconstruction and reconciliation (Lostal and Cunliffe 2016; Munawar 2019; Viejo-Rose 2013). As a vital feature of this role, archaeological heritage (as with other forms of heritage) plays a key part in the construction of identity and can politically materialize the legitimacy of leaders and regimes (Abdi 2008; Bevan 2016; Munawar 2019).

The political impact of archaeology is now widely accepted, owing at least in part to the increasing preservation and foregrounding of archaeological heritage and the recognition that this requires interpretation and presentation of aspects of the past in the present (Hamilakis and Duke 2007; Meskell 1998; 2010; Mourad 2007; Perring and van der Linde 2009; Papoli-Yazdi and Massoudi 2017). Accordingly, interest in the intersection of politics and archaeological heritage in post-conflict environments has grown rapidly, with studies examining a wide range of topics, including concerns over the legacy of the Spanish Civil War (González-Ruibal, Vila and Caesar 2015; Viejo-Rose 2011); the role of archaeologists in Iraq (Bahrani 2010); repercussions for archaeology and cultural heritage in post-partition Northern Cyprus (Balderstone 2010); and the recasting of historical understandings in Northern Ireland (Horning 2019a). These studies highlight the fundamental truth that political decision-making and its consequences are at the core of any post-conflict environment.

It is often during the immediate post-conflict phase that power may be wielded without consultation and decisions made very quickly. The phases immediately prior to the end of a conflict and early in post-conflict are very often those in which far-reaching political action is taken in a short time as stakeholders seek to maximize opportunities offered in the social vacuums created by conflict, as found in post-war Beirut (Perring 2009). Increasing work in post-conflict zones has led to a great deal of thought and discussion focused on re-working protocols and establishing good working practices for archaeology and heritage conservation (e.g. Barakat 2010; Winter 2007). However, many such studies and projects have avoided making or stating an explicit ethical position regarding their work, and they have also avoided direct consideration of the inexorable entanglement of politics in post-conflict situations. Where archaeologists have explored ethics in relation to conflict, this has tended largely to focus on dealing with urgent threats to heritage within current conflicts.

Ethics in archaeology and post-conflict archaeology

While some work does recognize the importance of ethics and ethical issues in post-conflict archaeology, there is a tendency, often understandable, to then shy away from overt engagement

with such issues. Nevertheless, there has been some excellent and thoughtful work on post-conflict ethics and archaeology, and it would be disingenuous on our part to claim otherwise. This includes (but is of course not limited to) consideration of the position of archaeologists in relation to the population of Iraq after the 2003 invasion (Albarella 2009); the politicized perceptions of archaeologists in Iraq and of aid and reconstruction programmes (Bahrani 2010); the clear demonstration of the political appropriation and manipulation of archaeology (Giblin et al. 2014); the ethical issues raised when working on the archaeology of conflict sites (González-Ruibal, Vila and Caesar 2015); and the ways in which victims and perpetrators may have to co-exist and the role of politics in post-conflict heritage (Moshenska 2008; 2015). On the last point, in a post-conflict scenario both victims and perpetrators can share traits of both trauma and culpability to varying degrees, which need to be carefully addressed (Horning 2019b).

Increasingly, ethical considerations have been openly debated and recognized as fundamental to practice in some areas of archaeology and archaeological heritage, such as forensic archaeology (e.g. Blau 2015; Steele 2008), conservation and stewardship of sites (e.g. Cooper 2013; Ireland 2015) and working with human remains (e.g. Scarre 2013). Explicit engagement with ethics at all stages of post-conflict project planning and execution has occurred (e.g. Horning 2019a; 2019b), but all too often it has not been recorded in great detail nor formed a primary focus of research. In stimulating debate around the ethics of archaeological heritage work in post-conflict situations, we will briefly outline how the question of ethics has been increasingly problematized within the discipline of archaeology, followed by a contextualization of examples in which ethical issues are clearly of major significance although not always fully and explicitly acknowledged or addressed.

Defining ethics and ethical issues is a major subject area itself, but in general terms ethics can be understood as the choices we make in life about what we do, and how we act in situations with both known and unknown consequences; thus, ethics form the basis for how we live our lives (Chappell 2009; Figall 2008). Ethics are about understanding morals in human conduct and are a key part of the process of determining and arriving at standards and moral judgements, where morals are related to the actions of a society in general and ethics are concerned with the standards of a particular component or interest group of this society (Williams 2013, 53). A set of ethical principles may be informally accepted and/or explicitly codified and provide the guidelines by which a social subgroup collectively agree on what actions or situations are ideally acceptable and just. Ethical principles help frame decision-making processes, and thus ethics are commonly a concern of professions, as part of their claims on authority, expertise and responsibilities over a particular social interest (Tarlow 2001; 2006; Wylie 2003, 5). This has led to individual professions, including archaeology, establishing their own set of ethics primarily expressed through professional codes of practice.

Archaeological ethics and archaeology as a discipline have simultaneously developed in reaction to events and changing priorities that have affected the profession (Lynott 2003, 17). This dialogical process has expanded exponentially in the past decade or so. A brief analysis of current archaeological discussions within the arena of what might be termed First World archaeology reveals burgeoning concerns over ethics directly related to the justly widening interests of increasingly empowered, diverse, identity-conscious and politically engaged groups of stakeholders (e.g. González-Ruibal 2018; Marwick et al. 2021; Rakita and Douglass 2021). These concerns range from tackling harassment in all its iterations, be it racial, sexual or other forms, in the archaeological discipline (e.g. Meyers 2021; Pruski et al. 2021, 38; Voss 2021a; 2021b), to embracing the ethical decolonization of indigenous archaeology by incorporating new understandings of collaboration and difference (González-Ruibal 2019).

During the 20th century, ethical concerns centred on appropriate archaeological practice, including regulating increasing professionalism within archaeology, and the preservation and stewardship of the archaeological record and archaeological heritage (Pels 1999; Tarlow 2001). This rising awareness of the importance of archaeological ethics manifested itself in the

formulation of a growing number of codes of ethics, ethics committees and books on the subject (important collections of papers in the past 20 years include: Gnecco and Lippert 2015; Haber and Shepherd 2015; Lynott and Wylie 2000; Pluciennik 2001; Scarre and Scarre 2006; Zimmerman, Vitelli and Hollowell-Zimmer 2003). Considered, detailed formulations of archaeological ethics began in the 1970s, with, for example, the Code of Ethics of the (American) Society of Professional Archaeologists (now the Register of Professional Archaeologists) (Lynott 2003, 21), and they have proliferated since (AED 2020), and remain points for continued discussion (AAA 2021; Markert 2021; Rakita and Douglass 2021). However, much of this work has not directly engaged with the complexities of ethical issues as they affect post-conflict archaeology and archaeological heritage.

Within this expanding ethical framework, we can trace how the trajectory of ethical applications has shadowed developments in the broader discipline of archaeology. When considering applications of ethics to post-conflict archaeological environments, the various codes and accords developed over some 30 years by the World Archaeological Congress (WAC) have been of increasing impact, particularly with regard to conflict (WAC 2020).

In the first decade of the 21st century, the WAC offered specific professional, ethical statements on archaeological heritage and conflict (Hamilakis 2009; Stone 2011b). Since inception, the WAC has played a major role in driving engagement with questions of ethics, politics and best practice, alongside concerns of indigenous representation and the advancement of multiculturalism (Shepherd and Haber 2011, 97–98). The key aspect of the WAC that is important to note for the discussion in this paper is that it offered, and indeed still offers, a forum for archaeologists to engage in ethical debates and take ethical stances on contemporary cultural heritage issues. The work of the WAC has contributed significantly to the widespread acknowledgement of the need to have ethically informed engagement with archaeological heritage during times of conflict; the value of archaeological heritage in post-conflict situations is also widely recognized. What has been largely overlooked (with some exceptions) by the WAC and other bodies is a strong and open debate about ethical issues in these post-conflict situations and how the profession approaches them. For example, one key aspect requiring discussion is the dissonance between the goals of global codes, formulated at organizations such as the WAC, and the requirement for a contextually specific ethical response, a situation exemplified in the examples below.

Further to the work of the WAC, an awareness of the vulnerability of archaeological heritage in times of conflict has long been recognized through international agreements and institutions, such as The Hague Conventions and the work of the Blue Shield (see e.g. Blue Shield 2022; McDaid 2017; Stone 2013; 2015; UNESCO 2017). These conventions and charters were specifically aimed at protecting significant cultural property during conflict (however ‘significant’ might be defined), and while ethics in post-conflict stages may be implicitly embedded within them, this is no longer sufficient for the complex post-conflict situations and dilemmas encountered in the contemporary world. Recognition of the explicitly political aspects of archaeological heritage during times of conflict (and post-conflict) and the need for ethical frameworks and positions for dealing with the many issues and questions arising during times of conflict (and post-conflict) are no longer fully addressed through such agreements.

The Hague Conventions and their later protocols and other international agreements are now understood to have fundamental shortcomings as a result of being debated and established within the context of the old post-World War II world order (Labadi 2012; Meskell 2018; UNESCO 2017). This was a world order in which the ideals of the United Nations assumed that any post-conflict situation would involve the triumph of universal (Western) moral right. It was a context for the activation of positive (re-)constructive ‘Marshall Plans’ and an implicit assumption of working with responsible state parties and governments who wished to rebuild social structures and was predicated on an assumption that these state parties all held comparable Western views of morality and ethics. Further limitations to such agreements are arguably due to an absence of engagement with the political element of post-conflict environments which arise directly from

the conflict situations that are addressed within the agreements. More recent debates, such as those around the Balkan and Syrian conflicts, increasingly acknowledge the complexity of post-conflict situations (e.g. Higuera 2013; Lostal and Cunliffe 2016). However, many post-conflict projects provide solutions which continue to be underpinned by a framework constructed from a post-war ideology, which minimizes the impact of political issues on heritage and interpretation and implicitly assumes a state-level of sponsorship and application (as is the case of Mes Aynak, Afghanistan, discussed further below).

Late-20th- and early-21st-century conflicts were pivotal in stimulating sustained consideration of conflict situations and the intertwined roles of the military, local communities and archaeologists (Cunliffe 2014; Rush 2010; 2012; Stone 2011a; 2013). This work has resulted in the foregrounding of explicitly positive solutions to archaeological heritage issues in both conflict and post-conflict situations, as well as exploration of the ethical position of archaeologists working with coalition military (e.g. Hamilakis 2007; 2009). Stone (2011b, 4) has explored ethical issues, archaeological heritage and the military in some depth, but this does not fully extend to post-conflict situations. There is a lot of published, challenging work around conflict, archaeological heritage and ethics, of which we refer here to only a very small sample. This work recognizes both the fundamental importance of ethical engagement and how complex this is, and as Albarella said of the ethical position of archaeologists working with the military in Iraq: ‘... highlight[s] the need for an open and mature debate within the archaeological world and perhaps wider society’ (2009, 111).

Examples of post-conflict situations

If there is broad agreement that archaeological heritage is important in post-conflict situations for multiple reasons (human rights, symbolic social reconstruction, potential to overcome difference, potential to explore difference, testimony to overlooked lives, identity and sense of place and belonging among others), that ethics underpin everything archaeologists do, that with some exceptions the role of ethics in post-conflict archaeology has been either overlooked or tended to focus on urgent and/or practical issues, then the urgent need for more debate around ethics in post-conflict situations seems clear. In this section we would like to raise some of the ethical issues we think should be part of any debate around ethics in post-conflict archaeology and use selected examples to illustrate these challenges.

Cambodia represents a complex post-conflict environment in which ethical principles are a major, ongoing concern. The extensive Cambodian civil war period ended with the 1991 Paris Peace Accords and the implementation of United Nations-sponsored elections (Winter 2007, 5). The country had been completely ravaged by conflict waged by internal and external actors and its social structure subsequently destroyed by the ideological social engineering of the Khmer Rouge. Consequently, this effected a radical dislocation of cultural identity from local archaeological heritage. In the rebuilding of the state, emphasis had to be placed on economic growth, an essential component of which was the formulation of Angkor Wat as a major tourist attraction and its affirmation as Khmer cultural identity.

While being a necessary step to re-start the economy, this top-down approach by heritage stakeholders, notably the government and interested national and international bodies, promoted Western-derived notions of what archaeological heritage should be (Falser 2015; Stark 2020, 216). The emphasis on the monumentality of Angkor Wat served to equate it with a narrowly defined notion of what functions as archaeological cultural heritage. Additionally, the conservation and promotion of Angkor Wat as the material embodiment of a re-constituted Khmer culture, furthered through its inscription as a UNESCO World Heritage site, helped to consolidate the dominant position of the governing party. Through this process, local populations living within Angkor Wat were marginalized, as Stark has stated: ‘Emphasis remained resolutely

monument-based, incorporating World Heritage Committee values regarding cultural heritage, rather than cultural values of the communities living within the heritage site' (Stark 2020, 222; cf. Mackay and Palmer 2015). It is clear that, within the immediate post-conflict environment, a consciously ethical approach to project design in Cambodia would have consulted more widely and have sought to incorporate local traditions of what constitutes cultural heritage and how this heritage is curated, rather than being complicit with top-down, exterior and colonially inspired notions of cultural heritage. On a wider scale, the concept of a 'world heritage' as defined and upheld by UNESCO has arguably resulted in the marginalization of minority heritages and support of dominant ideologies; this continues to be an ongoing process as seen in other contexts, for example the manipulation of heritage in post-war Sri Lanka (Wickramasinghe 2014, 54).

Although it is easy to be critical with hindsight, many valuable lessons have been learned in the intervening decades since the end of the civil war period in Cambodia. The almost extinct profession of archaeology has been revived through many capacity-building projects, and numerous initiatives have sought to engage local communities in cultural heritage, both tangible and intangible (Stark 2020). Inevitably, there needs to be a continual assessment of ethical issues as they apply to the archaeological heritage in post-conflict environments. As political conditions evolve, and interest in social archaeology and community archaeology projects gains ground, at some point in the future it will be necessary to address other ethical issues regarding cultural heritage that have been generally sidelined. These issues relate to many of the actions during the colonial period and the civil war by various state and non-state actors and, significantly, the period of Khmer Rouge dominance. This is because during the Khmer Rouge period there was a systematic attempt to eradicate minority cultures within Cambodia (Kiernan 2008, 460–63), which has not been acknowledged in memorial heritage.

This absence stands in opposition to the memorialization of perceived elites, professionals and political opponents who have been commemorated, for example at Tuol Sleng prison in Phnom Penh (Chandler 1999). The state of affairs is made more complex with the reality that the Tuol Sleng prison archive identifies many of the prison victims as former Khmer Rouge who became dissidents of the regime (Frings-Hessami 2019). Frings-Hessami consequently argued for an ethical re-think over the use of the archive, which would take into account the wishes of surviving family members, thus respecting local Khmer culture and sensitivities (Frings-Hessami 2019, 274). This brings into question what might be the best way forward for heritage practitioners in confronting dissonant cultural worldviews and experiences. Leading on from this, perhaps an important concept to consider is that of favourable conditions in which to explicitly evaluate ethical issues. It would be easy to argue that the right conditions may never eventuate, and also that such actions may have much more power and impact for communities if enacted as closely as possible to the moment an open and violent conflict situation comes to an end. However, with the development of increasingly complex and entangled modern conflicts, such a defining moment may never arise. Within a wider post-conflict context, be it political, social or economic, the potential consequences of any archaeological heritage action must be taken into account, with the reality being that our actions could potentially make things worse for some communities and elements of communities, rather than better.

This example clearly raises a number of ethical issues that could usefully be discussed during project planning, or certainly recognized and addressed by individual archaeologists. The need to think through the ways in which the use of mainstream, majority, Western values in archaeological heritage might impact on minority groups is an ethical issue that occurs in many post-conflict situations. Likewise, considering the short-, medium- and long-term effects of local communities being entirely disenfranchised from place and archaeological heritage and the responsibilities of archaeologists to prevent or minimize damage is a widespread ethical issue.

A country similarly wrestling with issues of genocide and in which an ethical approach to cultural heritage could play a crucial part in reconciling post-conflict communities is Rwanda. The reconciliation of the different communities has been a constant in all Rwandan heritage projects

since the genocide, and the difficulties of attaining workable solutions have been well documented (e.g. Bolin 2019; Sodaro 2011). However, little of this work has engaged overtly with the complex ethical issues involved. In contrast and standing out as an overt attempt to confront ethical issues in a post-conflict scenario is Giblin's (2015) important assessment of post-conflict Rwanda. In this study, Giblin sought to confront ethical aspects of the government-imposed narratives of archaeological heritage used to explain the causes of the 1990s civil war and the associated genocide head-on. In memorializing these violent events and in seeking to deflect attention from uncomfortable accusations of complicity, while simultaneously attempting to forge a unified national identity based on an ideological aspiration to create a modern developed country, the Rwandan government has created a simplified narrative history, which has obscured the multiple different realities of these events (Bolin 2020).

A crucial aspect of Giblin's work has been the consideration of ethical approaches to counter this misrepresentation of Rwandan history, and in which he has argued that archaeologists have an ethical requirement to take responsibility for interpretations of their work. The solution, he suggests is to create 'socially positive, more complex, textured and nuanced alternative narratives' that, while not explicitly aiming to demonize and confront the government narrative, will ensure a positively critical and morally uncompromised truthful interpretation of the evidence is presented (Giblin 2015, 44). In response to Giblin, McGhee (2014) argued that archaeologists cannot be responsible for the ways in which our results are used in the future, and we cannot police these uses. While this is undoubtedly true, it is undeniable that archaeologists have an obligation to take (some) ownership of their work and its long-term possible consequences and, as Giblin has done, ensure that alternative interpretations are presented and that ruling powers are aware of these alternatives. Viejo-Rose (2013, 136) also pointed out that new regimes can create their own narratives around right and wrong, and that post-conflict periods are opportunities to create new historical narratives based on selected heritage. While this reinforces the responsibility of professionals to think about how their work might be used and manipulated by regimes, how this might be addressed in terms of ethics and ethical approaches was not discussed.

Ethical issues raised in this Rwanda example (including Giblin 2015) centre around the myriad ways in which the results of archaeology can be used to support political ends that we disagree with, or that are used to support new nationalist narratives that we disagree with. It also touches on the issue of working with victorious regimes who may have gained their victory through horrific war crimes; how do we decide what our limits are for working with such a regime?

A good example of this need for archaeologists to take responsibility, and which additionally highlights the sheer complexity of archaeological heritage projects in post-conflict environments, is provided by the extensive mining and Buddhist site of Mes Aynak, Afghanistan (Curvers 2017). At Mes Aynak, the archaeology projects were part of a series of programmes established in Afghanistan during a period of post-conflict optimism in the mid-2000s. The laudable aim of the programmes was to rebuild a completely fragmented and war-torn community through the generation of wealth and sustained economic growth by extensive investment in renewed mining at the site. The archaeological importance of the site necessitated the instigation of numerous associated projects designed to achieve multiple outcomes, including building governance, improving social cohesion and protecting cultural heritage. Multiple institutions and groups were involved in planning and financing this project, including the Afghan government, the World Bank and private international companies (including mining companies), with implementation of the heritage aspects handed to local and foreign archaeologists. Curvers (2017) catalogues in some detail the ensuing high-level discord between the different stakeholders: the lack of fit between the global standards and interests of a large, disparate number of international organizations compared with the goals of a marginalized Afghan government, and the needs and priorities of local archaeologists and communities. He noted the foregrounding of international ideals at the expense of a local community which did not relate to or understand the necessity

to preserve the archaeology. Mes Aynak is an example of what can happen when there are numerous competing agendas, different values and many barriers to clear and open communication.

Beyond a general aspiration to help local communities (which in practice seemed to consist primarily of employing local men as unskilled excavation labour), the wider project aims of at least some of the government and private sector players could have been further developed with recourse to ethical principles. However, such principles were not explored or expressed in any depth in any of the plans. Consequently, there was little in the way of a tangible ethical commitment to hold stakeholders to account. As Tarlow (2001, 248) points out, ‘... genuine ethical dilemmas [occur] when contradictory or incompatible values collide . . .’, and perhaps inevitably, as the Mes Aynak example suggests, such situations are both hard to predict in terms of scale and impact nor can they be adequately anticipated by a pre-determined code of ethics. This example raises many issues and questions around ethics in post-conflict situations. Firstly, it highlights the need for an ethical dimension to be made explicit and enacted on within post-conflict archaeology projects. Secondly, while archaeologists might raise such issues and try to get them included on all agendas and as part of the work of all stakeholders, this clearly does not mean all parties will agree about what is ‘ethical’ nor that they would adhere to any such agreements. Given the characteristics of the Mes Aynak project, the seemingly incompatible aims and outcomes of the work, that is, the dissonance between the objectives of the international and local stakeholders constructing an effective workable set of ethical principles applicable to all archaeological concerns, would be difficult and far from guaranteed. This is a situation in which archaeologists must manifest their own ethical standards (after thinking through what they find acceptable or not), embed them in project design and be prepared to enact and defend such positions (Meskell 2005, 127). It is also important for archaeologists to remember the needs of local communities and ensure these are identified, valued and recognized in project design, although there are situations where community needs and interests may run counter to the needs of other stakeholders.

These brief examples serve to highlight just some of the many ethical dilemmas that underlie archaeological work and the maintenance of archaeological heritage within post-conflict environments. Each example has dominating interconnected ethical issues that reflect local factors as well as others which can be said to be common to post-conflict situations. Many of these ethical issues have been highlighted in a range of non-post-conflict studies in both archaeology and the field of critical heritage studies. However, there is a requirement to examine in-depth often for the first time, and sometimes to elucidate anew, the particular and wide-ranging nature of ethical requirements of increasingly prevalent, evolving and diversifying contemporary post-conflict environments.

Post-conflict ethical challenges

Within post-conflict situations there will always be questions around priorities for supporting, stabilizing and rebuilding societies, and the extent to which archaeological heritage issues should be addressed while there may be issues addressing critical human needs, including a fully functioning infrastructure (discussed in detail by e.g. Newson and Young 2017b; Stanley-Price 2007). In some post-conflict situations, archaeology can arguably be considered something of a luxury and not an urgent need. Of course, as immediate needs are met, and a ‘post-conflict’ milieu can continue for a very long time, various stages of regeneration are to be anticipated. The very nature of many post-conflict situations also means there is often an urgency around stabilizing, demolishing or rebuilding the built and archaeological heritage. Such actions may take place with little, if any, central control or planning and in some situations may be exacerbated if there is a lack of local specialist skills in core disciplines whether archaeology, conservation or architecture (see post-war Beirut for example, Perring 2009; Sandes 2010). As demonstrated by the examples of Angkor Wat and Mes Aynak (and also in many other places, including Syria), there may also

be funding issues where available money for activities such as reconstruction, excavation and community involvement is often tied to particular donor aims (e.g. Cunliffe 2014; Curvers 2017; Winter 2007). It is also worth remembering that being involved in post-conflict (and conflict) heritage projects provides a living for many archaeologists; thus, being entirely objective and ethically neutral is questionable. As disinterested and altruistic as we may wish to be and believe we are, we have stakes in any project and its outcomes, too (Meskell 2005, 128).

Moving on from these initial concerns, it is clear that a great deal of international heritage discussion over many years has been dominated by the Western view of heritage and how it should be valued. Angkor Wat demonstrates this with the leading role of UNESCO and its concept of World Heritage, underpinned by the ethics and values formulated in protocols and charters, constituted since the mid-20th century (Stark 2020; Winter 2007). Concomitant to this is the understanding and expectation that highly trained experts should take the lead on heritage (Meskell 2018; Smith 2006; Young 2019). As a profession, we are getting better at recognizing the claims and knowledge of different communities and stakeholders, and that outlooks, attitudes and agendas can vary greatly even within the same context. How this recognition of diversity is shared and put into practice in post-conflict situations is very difficult indeed; ensuring that recognition of unique context and ethics are embedded in all elements of project planning would help to provide a bespoke, more inclusive approach to post-conflict archaeology projects (Horning 2019a; 2019b; Meskell 2005, 145; Meskell and Pels 2005). Leading on from this is the vital question of ownership of archaeology and archaeological heritage within post-conflict environments. There are ethical issues to be considered in the control of archaeology, and the benefits to be gained by this, for example in financial terms through tourism, and in other ways, for instance through explorations of identity and sense of place. While hyper-local schemes to obtain financial benefit from cultural heritage tourism are laudable, without infrastructure and political support they often face long-term uncertainty, as a study of an attempt to establish archaeology and ecotourism in rural Laos demonstrated (Källén 2015). Such schemes are also often small scale, and most tourist revenue continues to go to major private, often international businesses and the government. Foregrounded ethical planning and responses are required to ensure communities gain access to their own heritage, so, as stakeholders, they have a say in the extent of tourism and/or financial intentions for their heritage and increased agency in other areas.

As the examples show, and as has been rightly pointed out by numerous scholars, archaeological heritage work is never politically neutral (Hamilakis 2007; 2009; Moshenska and González-Ruibal 2015, 7). The outcome of conflicts in terms of who emerges as the winner or the political leader/s is often an ethically charged area. If the post-conflict political leader is one who has committed war crimes, even genocide, against their people, or otherwise acted in manifestly unethical ways, should archaeologists be working with such governments in post-conflict situations, and if they chose to do so, would they be colluding with and furthering the legitimacy and agendas of these governments by association? We have seen examples of this ethical problem in many places, including in our examples above. Moreover, it is relevant at this point to flag another post-conflict situation, that of Syria, where this issue is currently divisive and likely to remain complex (Munawar 2019). Given this major concern, and many other related ethical issues, questions arise on how archaeologists might engage with a post-conflict post-COVID Syria. Ideally, an ethically led engagement would follow on from an agreed transitional settlement as currently envisaged by most of the international community.

Work within Syria on heritage projects has already begun, with Russia taking the lead among international involvement, and many internal groups are also already assessing and rebuilding damaged heritage (al-Azm 2017; Al Hassan 2017; Plets 2017). If there is not an agreed transitional settlement and the current regime remains in power, archaeological practitioners will have to weigh up the ethical issues directly resulting from this. This includes resisting any attempts to be co-opted into projects which might further the political agenda of particular groups within Syrian society, regardless of short-term benefits being offered. As in any very sensitive

environment, work that supports overt political agendas could have negative impacts on the professionals themselves and on the stakeholder communities they work with, and against whom cultural developments could be used (Giblin 2015; Moshenska and González-Ruibal 2015, 9). As Viejo-Rose points out using the examples of the Spanish Civil War and the Bosnia–Herzegovina conflict, who has power and control of rebuilding is very important ‘because they determine who has the power and legitimacy to assign guilt, to construct the memory of conflict and to readjust the boundaries that define the collective’ (2013, 128).

Moving discussion forward

In the reality of working with archaeological heritage, communities and governments in post-conflict situations, there are, of course, no easy solutions for ethical issues and no straightforward package of ethical approaches which can be applied across the board. Many who work in post-conflict areas need to proceed with great circumspection to be permitted to work there at all, and to achieve anything of benefit for communities, other stakeholders and the archaeological heritage itself. Anyone who works in post-conflict areas (and we include ourselves here) is only too aware that making compromises is a constant aspect of all work; therefore, an ethical approach must be carefully tailored to individual scenarios. In our globalized, COVID-19-affected world, which faces major environmental challenges among others, there are significant ethical issues we may no longer feel able to compromise on. The ways in which professional archaeological practice has been challenged and undermined by central and politically powered groups in identifying, excavating and recording contested mass graves in Zimbabwe (Chipangura and Silika 2019) are a striking and disturbing example of such a situation.

In pushing forward the discourse on post-conflict ethics there are several interconnected avenues that need to be pursued, and which can be divided into two broad groups: formal, collective agreements on one hand and individually inspired action on the other. In the first group there are a number of initiatives being developed which seek to implement internationally agreed codes of practice that might apply to archaeological heritage within a post-conflict environment (e.g. Lostal and Cunliffe 2016; Moffett, Viejo-Rose and Hickey 2020), and which should encourage consideration and discussion of post-conflict ethics. Such initiatives are vital in creating a basic foundation upon which concerted post-conflict ethical approaches can be constructed. However, it is important to acknowledge that international laws on post-conflict archaeological heritage will not on their own provide complete solutions. For example, a key limitation to many such laws is that they logically, and implicitly, accept that within a post-conflict environment a democratic and/or responsible authority will have jurisdiction when the reality is often much more complex (cf. von Billerbeck and Tansey 2019).

A second collective action arena on post-conflict ethics that could be used to encourage Albarella’s (2009, 111) ‘open and mature debate’ is through conferences. Of course, post-conflict solutions to heritage have become a regular feature of the conference circuit; however, few have focused outright on post-conflict ethics, the subject often making only an oblique appearance (e.g. Sayej, Schiff and Ijla 2022; Schipper 2013). Consequently, there is an urgent requirement to make ethical issues in post-conflict environments a central concern, not only in closed round-table events and at board and committee meetings but also in open sessions where ethical issues might be the subject of presentations, and successes, failures, challenges and concerns can be discussed, and ideas shared. Leading on from this, while archaeological institutions such as the Society for American Archaeology (SAA), the Archaeological Institute of America (AIA) and the World Archaeological Congress (WAC) have set ethical standards and guidance at a professional level, with some institutions explicitly including guidance around conflict, this has yet to occur for ethics in post-conflict environments, a situation that needs to be addressed. Furthermore, the establishment of such institutional ethical codes is itself a subject for discussion as to their effectiveness and

many shortcomings, as many academics believe that institutional codes tend to restrict approaches to what are undoubtedly complex issues and situations (Moshenska 2008; Tarlow 2001). As with all collective actions, potentially difficult and contentious discussion can be subject to restrictions and suppression to consolidate established norms and dominant paradigms, and such tendencies need to be resisted.

If we scale down to an individual level, perhaps it is time to reflect carefully on all aspects of our work with the objective of thinking through some of the possible ethical impacts. We would all like to think that our work in archaeology is of value to the communities and countries where we work. To accomplish this, being open about our aims and ethical principles in any project might well be the best starting point. For, in doing archaeology, we cannot prevent our work being utilized by others in a myriad of ways, with the result that our work will have both positive and negative outcomes for different groups.

Recent in-depth discussions of the frames of reference for communities and archaeologists working in collaborative projects have gone a long way to articulate the interests and outcomes of all participants in these activities (Clark and Horning 2019; Wylie 2019). Such explicit recognition and action need to be undertaken in post-conflict projects. Expanding upon this point, there may well be project situations where acting or not acting will both cause harm. The 'do no harm' directive in medical ethics for those working in conflict and post-conflict zones is something archaeologists should prioritize within their own ethical engagement (Horning 2019b; Sen, Hussain and Al-Faisal 2016). Doing least harm may seem to be the most ethical approach, but there may well be circumstances where we need to take opportunities and forge ahead even though we are aware that not everyone will agree with our course of action. Such ethical openness, then, offers the potential for archaeologists and other stakeholders in a post-conflict project to take effective ownership of their actions.

Another key notion is to consider that ethics are contingent and must be shaped by context when trying to think through their role in post-conflict archaeology. This does not mean that there are not ethical questions and common areas of ethical concern that should be debated and explored by those working in very different types of post-conflict situations. Ethics are not about compliance; they cannot be audited with a list of clear, specific things that need to be done or avoided, and where we simply follow this list for an 'ethical' project and outcomes. Ethical approaches must be contextual, but they also need ongoing critical debate and evaluation (Meskell 2005, 145; Tarlow 2001, 247). As this paper has suggested, while there is a pressing need for ethical standards and principles to be established and adopted in all areas where archaeological work is being carried out, there is also a requirement for situational flexibility. This situational flexibility needs to extend further to include temporal flexibility, or the recognition that the nature and complexity of conflicts are likely to change as much in the coming 70 years as they have over the past 70 years, and this will necessarily mean that post-conflict situations and challenges will change over time as well. What drives ethical debates now may not be quite so relevant in 10 or even 5 years' time. If ethics are contingent, and if archaeologists need to be ethically self-aware, self-critical and self-evaluative, how can we take steps to help this to be actualized? Holding archaeologists accountable for recognizing the need for locally rooted ethical approaches to multiple aspects of work in post-conflict situations is one way forward. By explicitly including ethical issues and possible ethical approaches in all project designs, funding applications and other planning actions, archaeologists are then offering a set of standards to measure progress throughout the project stages until completion.

Conclusion

Discussion around ethics in post-conflict environments is particularly important given the number of conflicts of different forms current in the world today, and the number of post-conflict

nations and situations where archaeologists are involved. Among the numerous post-conflict archaeological heritage ethical issues, we list below just a sample of the types of ethical questions, many of which intersect and would benefit from fruitful discussion:

- How might telling new nationalist stories about the past impact minority groups, and how might these impacts be ameliorated?
- How do we resist archaeology being co-opted to political ends that run counter to our own beliefs, recognizing that beliefs, like ethics, are individual and contingent, and should therefore be explicitly expressed in project design?
- How do we square the ethics of working with a victorious regime that may be accused of war crimes against its own people?
- How are refugee/displaced peoples impacted, and how might they be involved?
- How does an over-arching trend towards restoration impact on communities?
- How can archaeologists best engage with local communities at all stages of archaeological work?
- What responsibility do archaeologists have towards ensuring that communities benefit financially, politically and socially from local heritage? And where does this responsibility end when a project ends?
- Project-based work currently dominates post-conflict archaeological work, but are there ethical alternatives that could better support longer-term sustainability?
- Is being accountable a good starting point in post-conflict archaeology, and how can the idea of accountability be incorporated into project planning, funding and reporting?
- Globally, ethics are culturally variable, and archaeologists will bring different ethics and ethical standards to post-conflict work. For instance, what happens if perceived non-Western and Western ethical stances collide?
- Should Western archaeologists re-think engagement in traditional top-down, expert-led projects? Does involving colleagues from the post-conflict country they are working in contribute to more ethical and equal working practices?

Of course, many aspects of these questions have been considered before. However, there has been no sustained and explicit embedding of such questions within many post-conflict archaeological projects: this needs to change. Ethics in post-conflict archaeology is a very difficult and challenging subject, but one that requires continual renewal, contemplation and adaptation. There must be a recognition of the primary position of ethics within a post-conflict environment. Part of this recognition is the awareness by archaeologists that their work in post-conflict situations can have very profound and long-term consequences for communities and minority groups. These consequences may not accord with professional archaeological heritage aims, or project aims, but this disparity between aims and reality exposes the need for understandings of the potential ethical issues and the need for ethically engaged planning and practice. Given the prospect of increasingly dynamic post-conflict environments, professionals involved in projects need to seize the initiative and consider explicitly articulating nuanced ethical concerns for the sustainability of archaeological heritage.

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