

# ARCHAEOLOGY SOUTHWEST *magazine*

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Although Preservation Archaeology begins with the active protection of archaeological sites, it doesn't end there. We utilize holistic, low-impact investigation methods in order to pursue big-picture questions about what life was like long ago. As a part of our mission to help foster advocacy and appreciation for the special places of our past, we share our discoveries with the public. This free back issue of *Archaeology Southwest Magazine* is one of many ways we connect people with the Southwest's rich past. **Enjoy!**

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# Archaeology Southwest

Volume 15, Number 3

Center for Desert Archaeology

Summer 2001

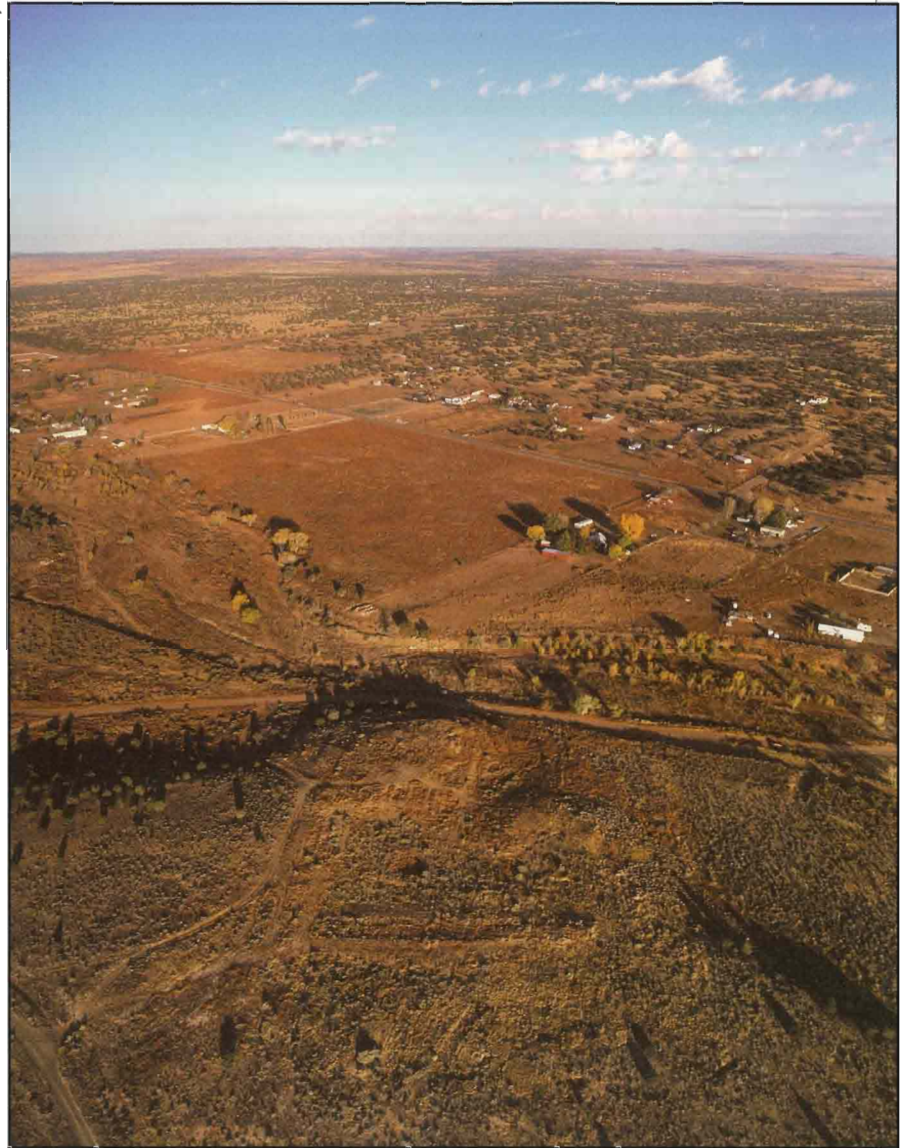
## Threats to the Past

William H. Doelle,  
Center for Desert Archaeology

**D**ESTRUTION AND vandalism are not pleasant topics for archaeologists. Unfortunately, the need to discuss them is great. The scale and reasons for destructive acts are variable. For example, in March 2001, the Taliban purposefully destroyed two magnificent statues of Buddha in Afghanistan. Despite international protests, these 1,500-year-old monuments – which were carved out of rock and stood over 100 feet high – were intentionally destroyed. Press reports in March of this year quoted a local resident: “I could see the Taliban soldiers firing anti-aircraft weapons at the two statues.” That half a year later U.S. Special Forces would be on the ground in Afghanistan, the targets of the same weapons used against the ancient Buddhas, would have been inconceivable last March. The destruction of these statues demarcates one extreme in a continuum that runs from “archaeological terrorism” to “naiveté” as reasons that destruction occurs. Our responses must be conditioned by the knowledge of where the perpetrators fall along that continuum.

Responses to vandalism can be diverse. Detection is necessary if punishment or remediation is to follow. Ultimately, education is the key tool for combating this problem. The articles in this issue cover multiple fronts. The importance of education programs for individuals and families – so that they can become the ultimate sources of prevention – cannot be overemphasized. Informed individuals are working each day as site stewards in Arizona’s state-wide program, and other southwestern states have initiated programs. Training of law enforcement personnel is also needed and, in some

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*Fourmile Ruin, the largest fourteenth-century site in the Show Low area, has been systematically looted for many decades. The architecture and general site layout are still somewhat intact and are visible in the foreground (see also page 6).*

areas, new laws may be required. Momentum continues to build on all of these fronts.

As we discuss the Southwest, we cannot forget that the scale of our thinking must be global, because the market that drives much vandalism has become worldwide.

Archaeology Southwest  
is a Quarterly  
Publication of  
the Center  
for Desert  
Archaeology



## Saving the Mimbres

Chris Turnbow, *Museum of New Mexico and Laboratory of Anthropology*

**D**ESPITE THE passage of antiquities laws and an increased focus on public education, federal and state archaeologists report that the looting of New Mexico's archaeological sites is on the rise. The worst cases involve commercial looters, who sell their finds on the market. Examples from northwestern New Mexico include the bulldozing of proto-Zuni pueblos near Grants, the loss of intact cultural deposits in dry caves near Farmington, and the sawing out of rock art panels in the Dinetah (see below).



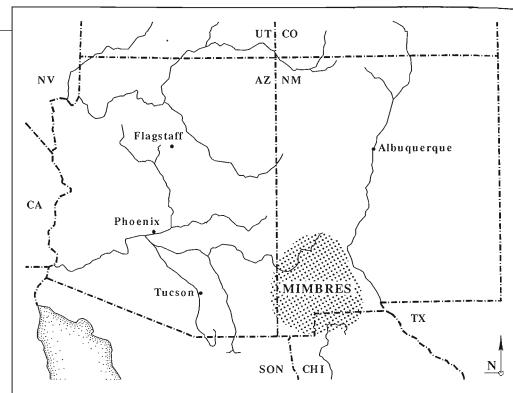
*Navajo Ye'i. Top: photograph taken in 1974; bottom: photograph taken in 1999. (Photographs courtesy of James Copeland.)*

Commercial looting is not difficult to understand. Today, collectors from around the world are willing to pay exorbitant amounts for museum-quality antiquities. Given the astonishing prices fetched by some rare specimens, private collectors see their investments as world-class art and may not know or care that they were looted or that historic value and knowledge were lost in the process.

Encouraged by ever-increasing prices for antiquities, commercial looters raid archaeological sites, searching for

the objects that bring large amounts on the market. Plundered objects are quickly passed along directly to private collectors or sent to dealers who act as middle-

men. In many cases, these items are illegally acquired but are represented to buyers as having been legally obtained from private lands. The illicit antiquities market has also moved onto the Internet, where everything from potsherds to high-end artifacts is sold through online auctions and catalogues. This shift to e-trading has had the disastrous effect of increasing the rate of site destruction worldwide.



*The Mimbres culture area in southwestern New Mexico.*

### Mimbres Archaeology in Peril

Nowhere in New Mexico has commercial looting been more devastating than on Classic Mimbres pueblo sites in the southwestern portion of the state. The Classic Mimbres culture, dating between A.D. 1000 and 1150, is considered unique among pre-contact North American cultures because of its figurative paintings executed on the insides of bowls. These vessels, most of which have been removed from burials located under the floors of dwellings, depict the customs, lifeways, and worldview of a people who left no written records.

The desire of private collectors to own these exceptional painted bowls has led looters to excavate Mimbres habitation sites for almost 100 years. In the late 1800s, well-intentioned citizens were digging Mimbres archaeological sites to fill their curio cabinets and satisfy the demands of East Coast collectors and museums. But through time, some hobbyists turned into full-fledged commercial looters. By the 1960s, nearly all Mimbres pueblos had been damaged by looters, and some sites had been almost completely destroyed. By the end of the decade, commercial looting became even more devastating. Mechanical equipment was used to strip off the overlying rubble to expose floors and burial pits, and bulldozers obliterated entire Mimbres sites.

Although the Antiquities Act of 1906 and, much later, the Archaeological Resource Protection Act of 1979 provided some measure of deterrence to looting cultural resources on federal and tribal lands, most of the large Mimbres pueblos were located on private property, which had no similar protection. By 1989, looting was so severe

in the Mimbres area that the New Mexico legislature passed the so-called “Burial Bill” (Section 18-6-11.2 NMSA 1978 of the Cultural Properties Act). This law made it illegal to knowingly and intentionally excavate an unmarked human burial on private and state lands without a permit from the Historic Preservation Division.

However, in the months leading up to the implementation of the “Burial Bill,” looters raced into action to beat the deadline. Over 50 sites were dug on private land near Reserve, and artifacts from these sites were sold to overseas buyers. In the Mimbres Valley, a property owner divided a previously unrecorded Mimbres

pueblo into three parcels and sold them to looters. Each of the new owners, intent on personal gain, bulldozed his portion of the site to extract marketable artifacts.

### Taking Action against Looters: A Case in Point

During the fall and winter of 1999–2000, looters began to pillage Classic Mimbres pueblo sites in isolated portions of the Gila Wilderness Area. At least seven important Mimbres sites were damaged during this period. Situated deep within the Gila National Forest and protected by federal antiquities laws, the sites were thought to be somewhat safe from the looting that was rampant on other Classic Mimbres settlements.

The devastation brought upon these pueblo sites by the looters cannot be overstated. Over the course of months, these thieves ripped through large portions of the sites, destroying most of the scientific information contained within them. The looters churned through collapsed roofs,



*Above: An aerial view of one of the largest Mimbres sites, Old Town Village, shows extensive cratering by looters. Deep trenches at upper left and lower right are bulldozer cuts. Below: The fifty-room village known as Rock House was plundered by heavy equipment in the 1970s. (Photographs courtesy of Steven A. LeBlanc.)*



Paul Minnis

intact floors, hearths, and cultural materials in search of burials under the floors. When found, the graves were robbed of their bowls and other funerary objects, and the bones of the Mimbres dead were cast aside on spoils piles.

Fortunately, a hiker happened upon one of the sites on January 21, 2000. Even at a great distance, he could see the freshly dug potholes that pockmarked the Diamond Creek site. Recognizing the unscientific nature of the digging and the loss of important cultural information, the hiker quickly reported the site damage to the Forest Service.

The Gila National Forest law enforcement officers and archaeologists

took the case seriously. In a systematic and determined fashion, the officers investigated the crime scenes at the Diamond Creek site and the nearby East Fork site, which also had been excavated by the looters. Evidence was carefully collected for later criminal prosecution. As a last step, the officers set seismic sensors along a path that the looters used to drive into the area.

At 7 a.m. on February 23, 2000, the looters made their first mistake of the day by driving their pickup truck into the Gila Wilderness Area. The sensors sent out an alarm to the ranger station, and the officers were quickly dispatched. Oblivious to the trap, the looters went to the East Fork site armed with shovels, picks, probes, and a 44-caliber revolver. In fact, they were so absorbed in their digging that they did not notice the officers quietly approaching the scene, taking photographs, and moving in for the arrest. The trio included two brothers, James Quarrell, 62, and Mike Quarrell, 66, and their nephew, Aaron Sera, 31, all from Deming.

When they were caught, a very angry Mike Quarrell remarked, "I'm going to take my licks this time and be a lot more careful next time." His relatives had received only 40 days of community service for a similar case 25 years before, so he probably was not expecting a stiff sentence, if he was convicted at all. After all, many people in southwestern New Mexico view digging for pots as a pastime, rather than a crime.

During a search of the trio's residences, law enforcement officers found several relevant items, including bags of artifacts, but no whole pots. A scrapbook showed the Quarrell brothers and friends posing at looted sites with shovels, beer, and a human skull. A GPS unit (a handheld survey device) contained the coordinates for seven locations within the Gila National Forest. Unfortunately, when investigated, all represented Mimbres pueblo sites that had been recently looted.

Although circumstantial evidence suggested that the trio were responsible for looting all seven sites, they were charged with conspiracy and damage only in connection with the East Fork site. The Quarrell brothers pleaded not guilty, while Sera pleaded guilty to a lesser charge.

The case was important for federal authorities, native people, and preservationists. A conviction would send a message to looters across the country that the courts and public viewed their activity as a crime against citizens of the United States. Considering the amount of evidence, an acquittal would signal that the law was not being taken seriously.

The Quarrell case went to federal court in Las Cruces in October 2000. Federal attorneys vigorously argued the case, stating that what these men had done to the East Fork site was no different from breaking into a display case at the Maxwell Museum of Anthropology in Albuquerque. After a brief deliberation, a jury composed of ranchers, small business owners, retirees, and a housewife found the Quarrell brothers guilty on both counts. They recognized the seriousness of the crime and the loss of the cultural information and our nation's cultural heritage.

On August 23, 2001, the judge sentenced the Quarrells to a year and a day in prison and ordered each to pay \$19,615 in damages. Additionally, the men were to forfeit their digging tools, a truck, and the revolver taken during their arrest. No previous looters of Mimbres artifacts had received such a stiff sentence.

Combating the problem of looting across the Southwest is not easy. Legislation alone cannot stem the tide of archaeological site destruction for monetary gain. This recent Mimbres looting incident, however, shows that stronger enforcement of antiquities laws, more severe court sentences, and a better-informed public are making a difference in the protection of our nation's cultural heritage.



*In the winter of 1999–2000, commercial looters damaged at least seven Mimbres pueblo sites within the Gila Wilderness Area of southwestern New Mexico. In May 2000, seven archaeologists from the TRC Company and the U.S. Forest Service loaded their excavation and camping equipment on Forest Service pack animals and hiked several miles to the Diamond Creek site, the most severely damaged site. For the next five days, emergency work involved preparation of a site map, including details of all potholes and site stratigraphy. The team also completed in-field analysis of artifacts and then stabilized and backfilled all 15 potholes. A Forest Service law enforcement officer recovered evidence for the criminal investigations.*

# Law Enforcement Training Seminar

*Patrick D. Lyons, Center for Desert Archaeology*

*Martin E. McAllister, Archaeological Resource Investigations*

*Mary L. Estes, Arizona Site Steward Program*

**M**ANY OF ARIZONA'S archaeological resources are monitored regularly by more than 700 volunteer site stewards, who report looting and vandalism. The Arizona Site Steward Program – created, sponsored, and managed by the Arizona State Parks Department (ASP) and the Arizona State Historic Preservation Office (SHPO) – has been very successful in thwarting illegal activities at sites throughout the state, and a number of stewards have participated as witnesses in federal criminal trials. Unfortunately, state and county law enforcement agencies have been less responsive than federal authorities to reports of illegal activities involving archaeological resources and human remains.

To foster better communication among site stewards and local law enforcement agencies, the Center for Desert Archaeology has formed partnerships to plan workshops taught by archaeologists and experts in the investigation and prosecution of crimes involving antiquities, human remains, or both. In June and October 2001, Center staff – working with representatives of ASP and SHPO and Martin E. McAllister, owner of Archaeological Resource Investigations (ARI), a consulting, training, and damage assessment firm based in Missoula, Montana – hosted meetings of representatives of a number of federal and state agencies to develop two types of training sessions. The first is a four-hour introductory seminar designed for law enforcement officers. The second is a more in-depth two-day seminar geared toward individuals from agencies specifically responsible for cultural resources and the enforcement of environmental statutes.

Those who attended the planning meeting compiled the following list of topics for the two-day workshop,

scheduled for 14 and 15 May 2002 at the Cliff Castle Casino, in Camp Verde, Arizona:

- ♦ Archaeological Crime and Artifact Collecting and Trafficking Networks
- ♦ Arizona Archaeology (brief overview)
- ♦ The Archaeological Crime Problem in Arizona
- ♦ Federal and State Laws and Regulations Protecting Archaeological Sites and Materials and Human Remains in Arizona
- ♦ Archaeological Crime Scene Investigation
- ♦ Testifying in Court in Archaeological Violation Cases
- ♦ The Arizona Site Stewards Program
- ♦ Archaeological Crime Prevention

The intended audience for both workshops includes county sheriff's deputies, Arizona Game and Fish officers, other state and local law enforcement officers, archaeologists employed by state and local government agencies, and state and county prosecuting attorneys. The two-day session will be taught by Martin E. McAllister; Wayne Dance, Assistant United States Attorney, District of Utah; Mary L. Estes, Arizona Site Steward Program, SHPO; John Fryar, special agent, Bureau of Indian Affairs; John H. Madsen, senior research specialist, Arizona State Museum; and Stephen Udall, Apache County attorney. Both the four-hour session, which is slated to be part of the 2003 annual meeting of the Conservation Law Enforcement Association, and the two-day seminar are approved for continuing certification credit through AZPOST, the Arizona Police Officers' Standard Training program. The Center and its partners hope eventually to be able to offer these workshops annually.

## About the Authors

**Todd W. Bostwick** has been the Phoenix city archaeologist since 1990, with his office located at Pueblo Grande Museum. He is responsible for managing all archaeological projects for the City of Phoenix.

Since 1991, **Mary L. Estes** has served as the state program coordinator for the Arizona Site Steward Program, sponsored by the Arizona State Historic Preservation Office and the Arizona State Parks Department.

**Martin E. McAllister** has operated a private archaeological consulting and training firm, Archaeological Resource Investigations, since 1985. He is consulted regularly on archaeological violation cases by archaeologists, criminal investigators, and prosecuting attorneys.

**Chris Turnbow** is an archaeologist and the assistant director of the Museum of New Mexico's Laboratory of Anthropology and Museum of Indian Arts and Culture. He is currently leading a team of professional and avocational archaeologists in research on Mimbres occupations in the Upper Gila River drainage, including the recently looted sites discussed in this issue.

**Scott Van Keuren** is assistant curator of anthropology at the Natural History Museum of Los Angeles County. He has been active in the archaeology of the Mogollon Rim area for eight years.

# Shumway Ruin and the Original Site Stewards of the Plateau

Scott Van Keuren, Natural History Museum of Los Angeles County

**T**HE SILVER CREEK drainage became a focal point of ancestral Pueblo aggregation by A.D. 1300. Large masonry pueblos once dotted the landscape that now features ranches and towns such as Show Low, Heber, and Snowflake. Originally visited by Jesse Walter Fewkes of the Smithsonian Institution in 1896, the Fourmile and Pinedale ruins have fallen prey to looting in recent decades. The legendary Showlow Ruin, where in 1929 Emil Haury discovered the wooden beam that bridged the gap in the Southwest tree-ring chronology, was wiped out by the expansion of modern Show Low. With the destruction of these pueblos and many smaller villages, several centuries of the prehistoric archaeological record in the Silver Creek area have nearly vanished.

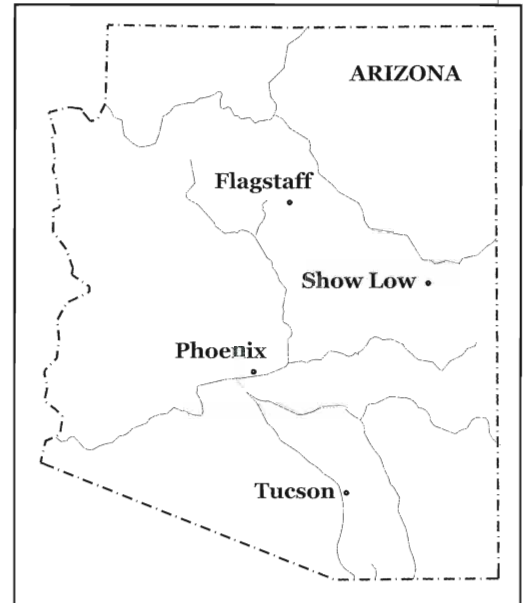
Two large villages are intact today, due in large part to the efforts of the Southwest's original site stewards: local private landowners. After visiting Bailey Ruin as part of the Beam Expedition of 1929, Haury attributed the pristine condition of the 200-room pueblo to the watchful care of the adjacent landowners. Their vigilance continued, and in 1992 when University of Arizona archaeologists began a long-term research project in the region they found

Bailey Ruin relatively untouched since Haury's visit.

Some 25 km east of Bailey Ruin, the larger Shumway Ruin exists today due to similar efforts by local landowners. The site is typical of late masonry villages in the Mogollon Rim area. Because it sits on a sandstone shelf overlooking a broad

expanse of well-watered farmland, Shumway Ruin was probably a prime destination for migrant households, much like Fourmile Ruin, its sister village to the north. Pinedale Black-on-white and Pinto Polychrome hint at an initial occupation sometime around 1300, with the construction of a core roomblock around a plaza or possibly a great kiva. An L-shaped roomblock delineating a larger rectangular plaza was gradually added as more households joined the settlement during the fourteenth century. Gila and Tonto polychromes, Fourmile Polychrome, and other late pottery types demonstrate that Shumway Ruin was among the few large villages inhabited until 1400, when Pueblo peoples deserted the region. As such, the site may hold the key to understanding socio-economic reorganization in the area prior to regional abandonment.

Shumway Ruin has been largely unstudied outside of brief visits by Walter Hough in 1901 for the Smithsonian Institution and Arizona State University archaeologists in the 1970s. With support from the Center for Desert Archaeology and the Arizona Archaeological and Historical Society, and with the permission and cooperation of the landowners, I began mapping the pueblo earlier this year. Although Hough's map shows



Sites discussed in this article are located in the Show Low vicinity.



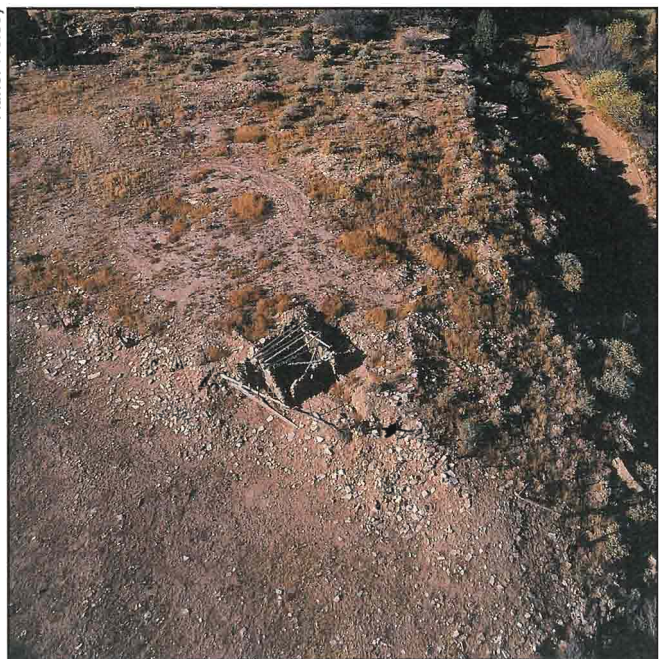
Detail of pothunted roomblock at Fourmile Ruin.

©Adriel Heisey



*Above: Shumway Ruin displays a subtle pattern in this aerial photograph. The vegetated area to the right of the fence line contains the intact portion of the site. Below right: This detail shows where rooms were removed by heavy machinery in the area below fence line. The standing walls represent an excavated room in the preserved portion of the ruin.*

50 rooms, I would now expand this to 300 rooms, making Shumway Ruin one of the largest Pueblo IV period sites in the drainage. Since Hough's visit a century ago, the site has been damaged by irrigation canal construction, and a small portion of the pueblo that lies on an adjacent plot of land has been bulldozed. The current landowners of the main portion of the site closely guard it against looters. We cannot forget that it is through their stewardship, in addition to the collective preservation efforts of the National Forest Service, the University of Arizona, and other agencies that the endangered archaeological record of the Silver Creek drainage endures.





# Saving Ancient Images: Hohokam Rock Art Conservation

Todd W. Bostwick, City of Phoenix

## THE SOUTH

Mountains in Phoenix contain a large quantity of Hohokam rock art, some of which has been vandalized by the carving and painting of modern names and initials. In recent times, spray-paint graffiti has become the single most common form of damage to these petroglyphs. The standard response by the City of Phoenix has been for park rangers to cover the graffiti with paint that matches the natural rock, sometimes further obscuring ancient petroglyphs in the process.

As an alternative to this approach, a conservator, J. Claire Dean, and I conducted an experiment in the cleaning of a rock art panel damaged by spray-paint graffiti. This elaborate Hohokam panel was covered (“tagged”) with graffiti that identified the taggers and their crew name.

Because we had limited funding for this experiment, we chose a commercial graffiti removal product, instead of implementing the kind of complex and lengthy cleaning program often designed by conservators. The selection of this product, called Graffiti-B-Gone, was based on several important criteria: it is environmentally safe, it is inexpensive and easy to obtain, it is easy to apply, and it can be washed off with water.

With the assistance of some Arizona site stewards, we cleaned the panel using Graffiti-B-Gone, handheld water sprayers, brushes, and cotton cloth. Before we cleaned the whole panel, we experimented with a small portion of it, documenting our work in detail. Our work was highly successful, completely removing the graffiti.

A chemical analysis of Graffiti-B-Gone was conducted at our request by Michael Schilling, of the Getty Conservation Institute. He determined that this product has a slightly acidic nature and is composed primarily of

Todd W. Bostwick



City of Phoenix Ranger Dan Gronseth examines graffiti spraypainted on Hohokam rock art that is more than 750 years old.

various plant products, including flax. Although Graffiti-B-Gone worked very well in removing graffiti from the South Mountain rock art, it may not be appropriate for other rock art sites, and knowing its composition helps assess its strengths and weaknesses. For example, the rock in this area is a hard granodiorite material, and as a consequence

the rock art panel was not abraded by the brushing that was required. In addition, the hot, dry weather evaporated the organic residues left by the Graffiti-B-Gone. In contrast, petroglyphs created on softer rock, such as sandstone or limestone, could be damaged by brushing. Softer rock also will absorb the cleaning product

Todd W. Bostwick



Above: Close-up of the partially cleaned panel.  
Right: Materials used in cleaning.



and become stained. In addition, using an organic-based commercial product on a rock art panel may prevent future dating of that panel. None-

theless, the quick removal of the graffiti from the South Mountain rock art through the use of an easy-to-apply commercial product may act as a deterrent to additional graffiti and further vandalism of nearby rock art.

The conservation of rock art is a complex process, but fortunately in many cases it can



*After cleaning, the rock art panel has been restored nearly to its original condition.*

be successfully accomplished. All rock art cleaning programs should begin by testing the specific techniques or products to be used and then developing a treatment design based on individual rock substrates, the graffiti involved, and the prevailing local environment.

## Archaeology and Crime Scene Investigation

*Martin E. McAllister, Archaeological Resource Investigations*

**T**HE GOAL OF both archaeology and crime scene investigation is to reconstruct past human behavior from physical evidence and the context of this evidence. This parallel goal is reflected in their methodologies. Criminal investigators generate hypotheses about criminal behavior and collect evidence and data to test these hypotheses. The methods used by criminal investigators in the investigation of a major felony crime scene should be very familiar to archaeologists:

- ◆ Although usually less formal than a research design, a crime scene plan is developed to collect physical evidence and data about the context of the evidence.
- ◆ The crime scene is processed by identifying and collecting physical evidence and documenting contextual data through techniques including note taking, mapping, and photography.
- ◆ The physical evidence and data collected are submitted to the crime lab or other facility for analysis.
- ◆ A technical case report is prepared on the findings and conclusions of the collection and analysis process.

If these methods are successfully employed, the modern human behavior represented by the crime scene is reconstructed, just as very similar methods can allow archaeologists to reconstruct prehistoric or historic human behavior.

It is not surprising when archaeologists and criminal investigators find that they have a great deal in common. They are, after all, doing much the same thing.

## Updates from Recent Issues

The Winter 2001 issue of *Archaeology Southwest* featured the seven recent national monuments of the Southwest. On January 25, 2001, the Mountain States Legal Foundation filed suit against then President Clinton to have four of the Southwestern monuments set aside along with two others. On November 15, 2001, a hearing related to this case was held. Stuart Binstock, the Society for American Archaeology's new manager of government affairs, attended the hearing and described the decision as follows:

The interesting thing about the case is that the Judge heard arguments for the Motion to Dismiss Mountain States' case and then said, "Wait here for about 20 minutes, and I will have a decision for you." Twenty minutes later, he returned and very clearly laid out that President Clinton had complied with the Antiquities Act and the Act itself was a constitutional delegation of the power to the President by Congress.

Issuing an oral decision is rather rare, and some have speculated it reflects the judge's assessment that the Mountain States Legal Foundation had not stated a claim of any substance. Nevertheless, an appeal may follow. Updates will be provided as necessary.

Bernard L. Fontana wrote to correct several facts in our Spring 2001 issue. He writes:

Father Kino spent four or five days at San Xavier in 1700 – not in 1701 — supervising the laying of foundations for what he hoped would be a large church (p. 2). It is well documented that the church was never built, which means that the church built by Father Espinosa in the 1750s was actually the first structure at San Xavier that could properly be called a "church" – not the "second" (p. 4).

It's an interesting sidebar that Kino recruited workers from San Xavier to help with construction of two very large adobe churches at Remedios and Cocospera, possibly one of the reasons they never got around to building a church at San Xavier until a half-century later.

# Protecting Our National Treasures

*Tobi Taylor, Center for Desert Archaeology*

**T**HE OTHER ARTICLES in this issue of *Archaeology Southwest* concern themselves, by and large, with site vandalism and looting. However, illegal digging is only one of the activities that compose plundering; the sale of these stolen objects is often the unhappy conclusion. The Illicit Antiquities Research Centre (IARC), established in 1996, reports that “the volume of this trade has increased enormously over the past twenty years and is thought to have caused the large-scale plundering of archaeological sites and museums around the world.” Unfortunately, there are no easy solutions to this serious problem. High-profile auction houses, such as Sotheby’s, regularly sell prehistoric items, for ever-increasing prices; online auction services, like eBay, allow their clients to offer culturally sensitive materials for sale; and private individuals advertise their artifacts in newspapers and magazines.

Tom Kolaz, a Museum Fellow at the Arizona State Museum, in Tucson, has been monitoring the sales of ethnographic and archaeological items on eBay over the past few years. Kolaz remarks, “Some sellers [of prehistoric materials] are well aware of the law and always add to their description of the object that it was excavated from private land...Others, who have no idea that dealing in objects from public land is illegal, will not say anything about the provenience. Neither eBay nor any agency polices such listings. Some private folks who follow eBay auctions will write to people who have such pieces, and will tell them that it is illegal to sell items from public lands. Most sellers ignore the information, while others will actually add it to their auction description or pull the item before it sells.”

My own recent review of artifacts for sale on-line on eBay revealed that arrow points and pottery were readily available from the Anasazi, Hohokam, and Mogollon culture areas of the Southwest. None of these materials exceeded \$1,000 in asking price, and most were well under \$100. This tends to corroborate the recently published comment by Alex Barka, Chief Curator of the Dallas Museum of Natural History, that “The global reach and instant accessibility of the Internet, which serves us so well in other areas, here has simply served to democratize the antiquities trade. Everyone has access to a dealer or auction house; commercial antiquities dealers and auction houses are never more than a few mouse clicks away.”

Scholars agree that education is a major factor in deterring looting and the sale of illegally obtained artifacts. While educational efforts need to include the full continuum of artifact sales – from the low to the high end – the upscale market often presents special problems that

require special solutions. Some of the most sensitive items appear only in the catalogs of dealers and auction houses.

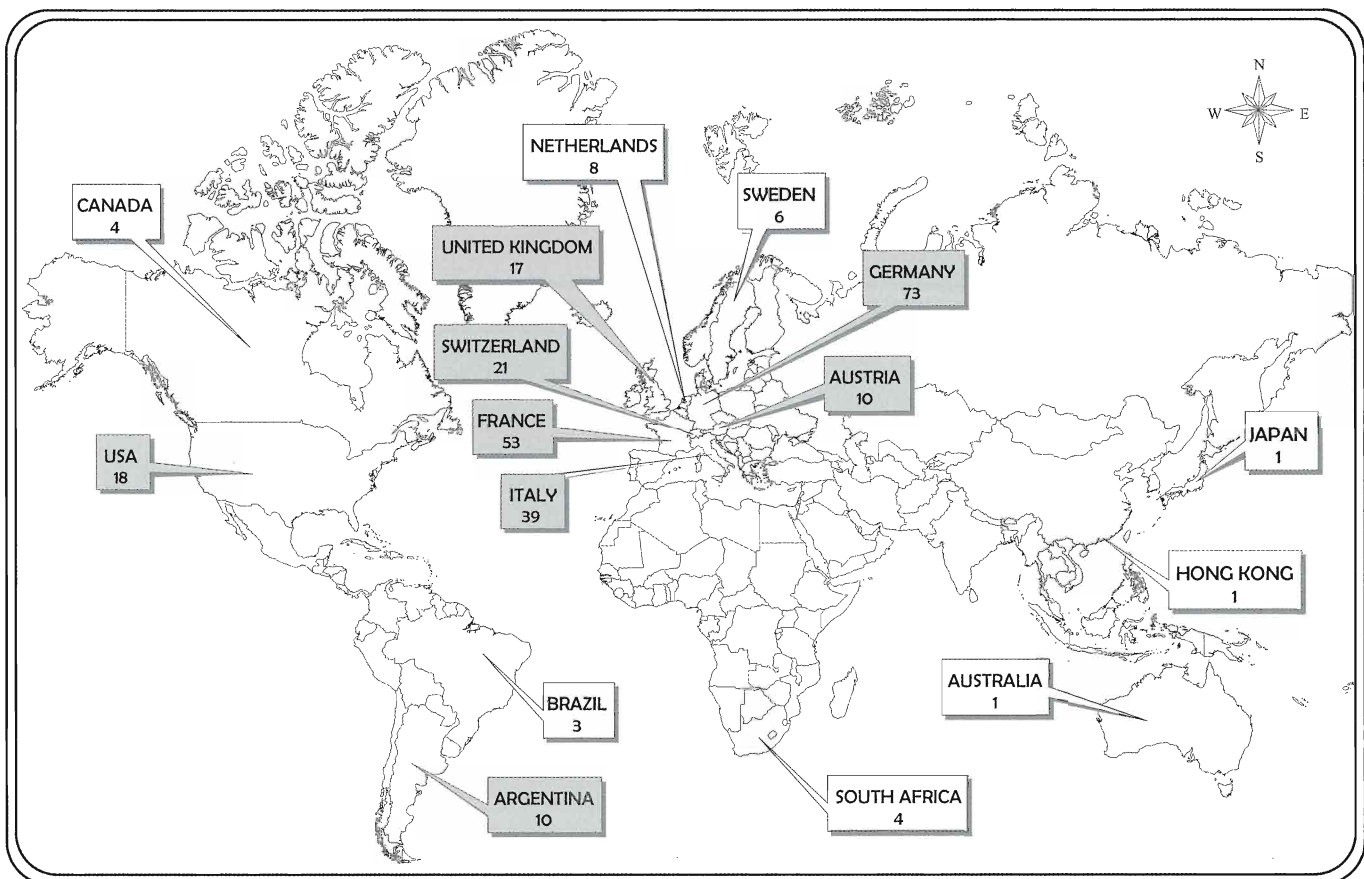
There is some evidence that as Americans have become more aware of their cultural patrimony, American buyers have grown more wary of buying prehistoric materials, for fear that they will be confiscated. Unfortunately, foreign collectors are purchasing more and more of these items. There are no restrictions on their doing so, because the United States lacks a national treasures law that would keep antiquities from leaving this country. Rennard Strickland, Dean and Phillip H. Knight Professor of Law at the University of Oregon, remarks, “The sales from major auction houses, upscale dealers, and individuals with rare native materials would suggest that there is a substantial movement [of items] from the United States to Europe, Asia, and Africa.”

According to Strickland, national treasures laws operate in this way: “The country of origin has the right to retain [its] historic artistic patrimony, and the nation (or individual citizens of the nation) have ‘first rights’ to retain.” An export license is the mechanism that provides control over what can leave the country of origin. Before the license is issued, the nation has a right to purchase the object.

For example, in 2000, the French government enacted its own national treasures law. This law stipulates that if an object is deemed to be of sufficient cultural importance to be denied an export license, the government has 30 months in which to make an offer, at international market value, to purchase it for a public institution.

The owner of the object has three months in which to decide whether to accept the government’s offer. If this offer is rejected, then both the government and the owner each pay to have an independent appraisal done, and a joint report – produced by appraisers working on behalf of both parties – must be produced within three months. If the appraisals differ, a third appraiser, appointed by a court, will prepare a report on the object’s value. If this last offer by the government is rejected by the owner, the government will deny the object an export license. Conversely, if the government makes no offer within the stipulated time frame, the object must be granted an export license.

Although a law of this kind reduces the number of important objects exported, it is not foolproof. Strickland says that “many wonderful artistic treasures have been retained by the use of this device, but others are passed over and leave the country of origin.” He also notes the Native American Graves Protection Act, or NAGPRA, has



This map shows the number of auction houses present in countries around the world. Countries with 10 or more auction houses are highlighted. The concentration in Europe is notable. (Source: IARC website.)

been useful in keeping some Native American objects in this country, but adds that he would also “strongly endorse” national treasures legislation for the United States.

When asked about a course of action that would advance the case for such legislation in the United States, Strickland suggests that a good starting point would be a conference of Native American tribes, museums, interested collectors, and associations, because “any hope for legislation would require a broad coalition.”

For more information on worldwide looting, see the IARC’s website, at <<http://www.mcdonald.cam.ac.uk/IARC/home.htm>>. For information on the United States government participation in international cultural property protection, such as U.S. Customs restrictions, visit the State Department’s website on international cultural property protection, at <<http://exchanges.state.gov/education/culprop/>>. Alex Barka’s article can be found at <<http://www.saa.org/publications/saabulletin/18-1/saa13.html>>.

See the Center for Desert Archaeology website for more information: <<http://www.cdarc.org>>

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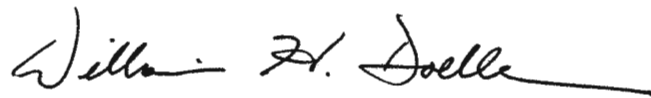
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## Back Sight

**WHO IS BEST** suited to care for privately owned archaeological sites? This question is asked regularly among Center staff.

Over the past year, I have met with people in Farmington, New Mexico; Springville, Arizona; and throughout the San Pedro valley east of Tucson. Based on what I have seen and heard, I firmly believe that community-based stewardship is the most effective approach to protecting archaeological sites. Individual property owners who care about the archaeology on their property are the basic building blocks of community-based stewardship. The private landowner who protects the Shumway Ruin (see pages 6–7) is a clear case in point. On the San Pedro River, we see many ranchers and other landowners who are committed to preserving the sites in their care.

However, single landowners are not a community. When an entire community shares a concern for its local archaeology, the power of stewardship increases many-fold. On the San Pedro, the Center is working with members of three different Natural Resource Conservation Districts (NRCs). These are the local land-use communities, and



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*This fourteenth-century site is typical of so many where the landowner has not become a steward who is concerned with site preservation. It has been bulldozed to near oblivion, and recent backhoe trenches represent a search for final remnants.*

additional eyes and ears of site stewards into their rural “neighborhoods.” Second, we are working to create a program that will help to train law enforcement personnel in cultural resource law. A key target for this training are Game and Fish employees, who spend most of their time “on the ground” in the rural settings of the San Pedro.

It is a huge challenge, but the process has begun. When communities know about their local archaeological resources and care about their preservation, the ideal framework for long-term stewardship exists.

they hold monthly or quarterly meetings. Center personnel provide regular updates on our research results, emphasizing our preservation goals whenever possible.

We also listen to other community concerns. It is surprising how often members of these communities express frustration over trespassing, illegal dumping, pothunting, vandalism to property, and harm done to their cattle. In these rather remote locations, getting a timely and effective response from law enforcement personnel is often next to impossible.

The Center is working on two fronts. First, Center employee Jacquie Dale has assumed leadership of the San Pedro site steward region. NRC members express positive feelings about putting the

**back sight (băk sīt)** *n.* 1. a reading used by surveyors to check the accuracy of their work.  
2. an opportunity to reflect on and evaluate the Center for Desert Archaeology's mission.

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