



NEW ZEALAND
ARCHAEOLOGICAL
ASSOCIATION

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION NEWSLETTER



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2. An Antiquities Agency

While there is little doubt that the case for some formal state antiquities agency is soundly based, there must be some hesitation over the reality of seeking a full government department. A division within a present department, say the Department of Scientific and Industrial Research, or the Department of Internal Affairs (cf. Wildlife Division) would properly serve the purposes which are proposed.

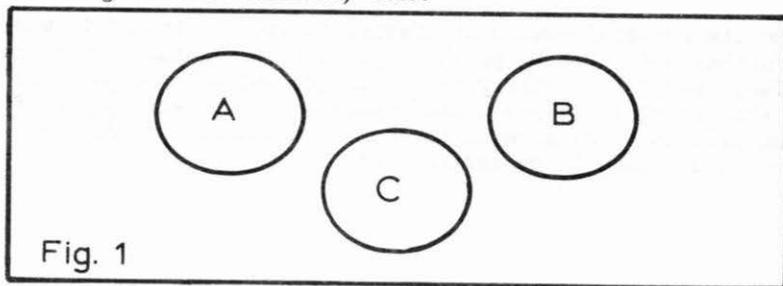
3. National Registers

It would seem to be obvious that no scheme for the protection and conservation of archaeological sites and artefacts could ever be successful without the prior and continuing compilation of effective national registers. It is important, however, that the registers be seen, not as a device to enable the Crown to eventually lay claim to the registered items, but as a positive means of assembling a useable record of the evidence of our prehistory.

4. Prohibition or Control

It is on this question with regard to artefact trading that the proposals of Park *et al.*, may most sharply be questioned. Public attitudes towards the private ownership of artefacts (or stamps, old coins, or vintage cars) would seem to be so strong, and the pool of artefacts presently in private ownership so large, that it would seem to be unrealistic to believe that there will ever be sufficient public support for any proposal that '... private ownership (of artefacts) should be replaced by public ownership...'

What we have with artefacts at the present time is a universe consisting of three subsets, thus:



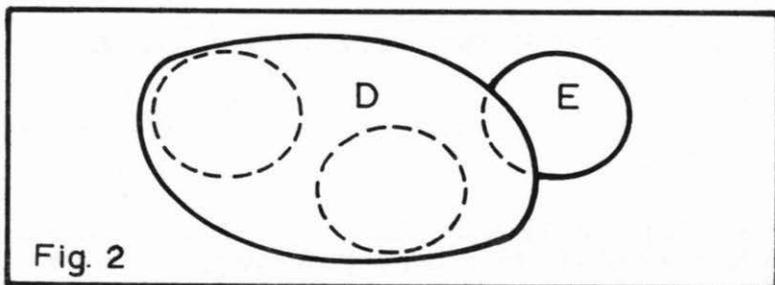
where A = all those artefacts held in public ownership

B = all those artefacts held in private ownership, and

C = all those artefacts not yet recovered from their archaeological context, and hence legally owned by the landowner.

What we desire to achieve is twofold. First, we must prevent set B from being added to, and secondly, we must prevent further deliberate but unscientific excavation of archaeological sites. Progress towards both of these ends can be made by the provision that all artefacts not registered in either A or B by a specified date be deemed to be the property of the Crown, and that it be an offence to knowingly disturb such property (i.e., to deliberately excavate them), without the appropriate permit. Such a concept, which differs from the Park et al. proposals in that it would leave a defined body of artefacts in private ownership and available for trading under the controls defined by legislation, would be a major departure from the present situation where ownership of newly discovered artefacts is determined by right of ownership of the land, and where permission to 'excavate' may freely be given by the landowner to any person. Artefacts discovered during legitimate, licensed excavations, would, as Crown property, eventually be placed in the appropriate public institution, as would other artefacts fortuitously discovered as surface finds, or during ordinary land utilization processes. It might be said that there appears to be no overall solution to the problem of the disturbance of sites by farming or by development projects, and the question is too wide to be fully discussed here. However, a recent British Act might be mentioned. This is the Field Monuments Act 1972 which provides for compensation to be paid, at set scale rates, to land-users who agree not to plough or to plant trees on scheduled field monuments on their land. The compensation is for loss of use, and is agreed to on a year-to-year basis, the only obligation on the land-user being that he agrees not to carry out ploughing or planting on the site without giving the Ancient Monuments Commission three months' notice. Such a principle may very well have application in New Zealand, but it again would necessitate the compilation of a National Register of Archaeological Sites.

From the privately-owned artefacts, sub-set B, the State would obtain further artefacts by purchase or gift, but a legitimate 'pool' would always remain to satisfy the desire to collect and possess. Without this provision there would appear to be a great danger of provoking illicit excavation on an increased scale. Hence the following situation will be arrived at:



where D = those artefacts held in public ownership, comprising all of former sub-sets A and C, and a continually increasing portion of the former sub-set B.

E = all those artefacts remaining in private ownership and therefore available for controlled trading.

It is at this point that the National Register of Artefacts becomes important, for it is essential that E not be added to from C. The point of registration by a specified date is not to enable artefacts to be taken from E to D, but to prevent movement from C to E, because such a movement would be the result of clandestine and illicit excavation of sites. The date (and the threat) serves as the carrot (or the rod) to ensure that artefacts are registered. It also follows that the only artefacts which could be legally traded would be registered private artefacts. It should be noted that the act of registration itself would have an advantage for the owner in that the artefact would thereby acquire a form of 'pedigree' which would, in some cases, tend to enhance the value of the artefact. In addition, as no excavations would be possible except under permit from the antiquities division, not even the landowner himself would be able to legally carry out undesirable excavations.

5. Jobs for archaeologists

The aim of the proposals is to establish a new structure in response to a new need. The State has not previously had an antiquities service, and if the need can be justified (and we think that it can) then it follows that new staff drawn from university graduates will be required.

6. Public education

The eventual success or failure of this effort to provide for the protection of archaeological materials and sites will depend on the existence of a large body of informed and sympathetic public opinion, and every opportunity will have to be taken to put the evidence and the case before all sections of the public.