

NEARCHing Factory

Working Group 3: Professional Regulations and Codes

Working Group 3 was almost entirely given over to (a very lively!) discussion, with only a short presentation by G Wait and the Chartered Institute for Archaeologists to set the scene.

Two things became immediately apparent. First, that different national legal/legislative and policy foundations still leave archaeologists facing very similar situations and problems. Thus the problems we face are pan-European, and will require action that is international in scope. Second, that any consideration of professional codes and regulations assumes the existence of a functioning professional association. This required the Group to more or less agree on 2 definitions.

Professional. A professional is a person formally accredited by a professional body as having acquired the appropriate range and level of skills, whose competence can be measured against an established set of standards, who signs up to a code of ethical conduct, commits to continuing to develop their skills throughout their working life, and agrees to be subject to the oversight of their fellow practitioners. This definition applies to all professions: archaeology is not exceptional. We noted that this usually but does not necessarily mean that a 'professional' is paid to do archaeology, nor necessarily that they have a university degree in the subject.

Professional association. the professional association or institute would be expected:

- to have a code of professional ethical conduct
- to establish and maintain entry conditions for membership
- to require members to subscribe and adhere to the code
- to require members to have demonstrated competence
- to require members to pursue continuing education
- to have an objective and transparent disciplinary process to deal with allegations of unprofessional behaviour
- to promote the development of the discipline
- to represent the profession to governments
- to protect the public/consumer/client from poor practice by members of the institute.

The working group considered that archaeologists should take control over their fate – we should define archaeology and consider the ethical dimension of our work for past and present society.

A European-level professional association is needed.

This is the fundamental medium in our view for archaeologists to define archaeology and act upon the ethical dimensions of our work. Accountability is essential in a professional association, and therefore, a Code of Ethics is needed and a process to investigate and act upon allegations of unprofessional behaviour.

Archaeology should be fully defined as a profession, with no division between public-private, academic-commercial, archaeological specialists of many kinds, etc.

The Group discussed a key function of Quality Control. As part of a professional association, we need to incorporate quality control in

1. Person / members archaeologists
2. Organisations or companies that do archaeology

3. Archaeological processes and
4. Archaeological products, services

For all of this we need a recognized professional association. Readers may well question why we speak of a separate organisation when we have an effective European Association of Archaeologists. The Group considered this, but the responsibilities/duties of a professional association as described above are not things EAA can undertake, it would be very difficult, time consuming and costly for EAA to try and change its nature and governance, and if it did so it would not be the EAA we know and value today.

In discussing the different natures of EAA and a professional association, the Group returned to one of the fundamental issues, which is that Archaeology is, or should be, done for the 'public' benefit. We discussed at length the difference between a Beneficiary versus a Client who pays for archaeological work to be done. Archaeology serves many and different publics, but the 'developer' (e.g. a state or government or a private commercial entity) is not the same as the ultimate beneficiary. These two have different interests – he who pays may not be interested in archaeology, and the people interested in archaeology may not be directly paying for the work.

This creates a very real and worrying 'disconnect' between different clients and beneficiaries, making archaeological work more commercially 'transactional' in nature than would be preferable. However, in reviewing how archaeological work is secured in various European countries (with their differing legal codes and policy systems) did allow the Group to define a ***Key point of implementation where*** Professionalisation is seen in action – and this is a point where the Group thinks that a European professional association has an opportunity to make a significant difference. A professional association must focus on the agreements that establish how and to what standards archaeology must be done – this is the fundamental linkage between a project proponent (developer client) and the archaeologists (whether commercial or state-service) and the state working to secure the benefits of the work for the public. In effect, setting and enforcing standards of archaeological work (e.g. research, field testing, excavation, artefact studies etc.) not only ensures public benefits, but is also the means for archaeologists to advance their profession and their careers – leading to *Archaeologists – employment conditions*. Quality archaeology depends upon skilled people. And the agreements / contracts by which archaeological works are undertaken give us the place to require quality work, and require the archaeological organisations to provide appropriate pay and conditions to employees.

Lastly, the Working Group noted that ***there are things that a professional association cannot deal with.*** In short, different fields of engagement need different roles / actors, and this takes us back to the differences between EAA and a professional association and why, on a European level, we need both. So there is also the need for coordination with other types of (inter-)national organizations - such as EAA and their roles include for example advocacy to governments and an update or revision of the Malta or Valletta Convention among many other things.

The Working Group noted that establishing a professional association is a major undertaking – CIfA being the notable success in this field, after well over 30 years of effort. And the Group noted several smaller professional associations at national levels that are either now no longer functioning at all, or that are and will probably always be too small to achieve their ambitions. A European CIfA with European standards and guidance that is more nuanced to national traditions looks like a more effective course of action, and it was noted that groups in

several European countries are actively considering creating some sort of 'franchise' of CIfA to try and secure the benefits of a professional association without having to wait decades to establish a group de novo.

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