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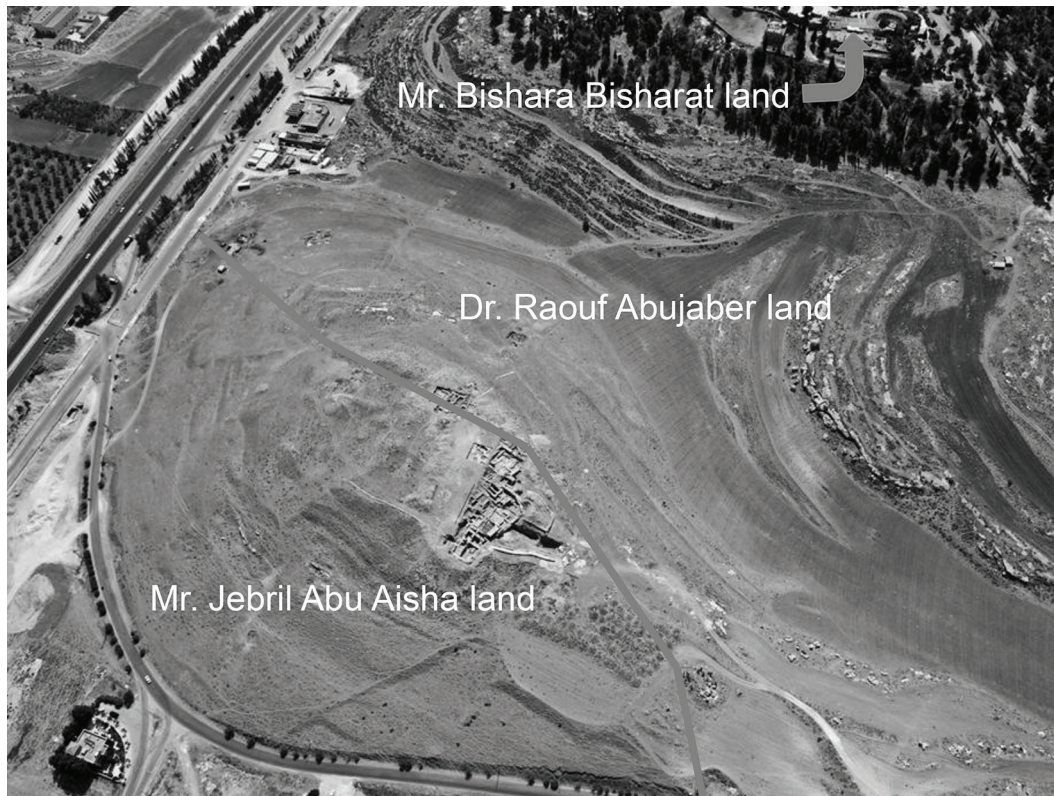
## **Who Owns This Part of the Past? Protecting Tall al-‘Umayrī’s Cultural Heritage**

Archaeological ethics cover a range of issues, interests, and intentions. Among these, the concern over “ownership” of archaeological sites is significant. While not always at the center of attention in archaeological ethics conversations which are often concerned about illicit excavations and the illegal trade in artifacts, ancient *Talls* and settlements hold high value as repositories of human cultural remains, without which modern scholarship would be unable to reconstruct much of the past.

Who “owns” these archaeological sites, this part of the past? Do they belong to private parties? To governments? To special-interest groups like foreign scholars? To the people of Jordan? To the world? Or is there some kind of formula one might utilize to parcel out degrees or levels of ownership within a tent full of vested stakeholders? This article will trace the history of sorting through the issue of the “ownership” of Tall al-‘Umayrī, explore legal and economic dimensions to

the discussion, and raise the major ethical issues surrounding responsibilities for “this part of the past” (FIG. 1).

Some might ask: What’s the big deal? Why is this an issue? Why not simply negotiate and pay an annual rental fee? Why not dig and be gone? And, of course, publish before we perish? The answers to these questions have to do with the ethics of archaeological research which demand best practices in the “recovery, analysis, interpretation, preservation, and presentation of human cultural remains.” Encapsulated within these marks of quotation is a multifaceted definition of archaeology which has emerged and expanded over nearly 45 years in the field. Decades ago, archaeologists could be quite satisfied with recovering, analyzing, and interpreting excavated material culture. But the notion of preservation developed traction as archaeologists and anthropologists recognized the moral obligation not only



1. Tall with land-owner dividing line and arrow to Bisharat land at Site 84.

to dig up sites and artifacts, record and digitize records, run artifacts through rigorous and extensive lab analyses, process the hermeneutics undergirding our best efforts to understand function, and pursue the demanding and seemingly eternal steps toward publication of finds, *but also* to conserve, consolidate, restore, and preserve these remains for generations to come. Add to this the obligation to present the results of our research for professional and popular education in order to expand knowledge of our world, but also to serve as a preventive against the destruction and loss of global cultural heritage, and one begins to capture a more comprehensive definition of our marching orders if we hope to fulfill 21<sup>st</sup> century ethical imperatives.

The answers also reveal the at times ragged-edged intersection between: 1) protecting ancient cultural remains AND 2) protecting the property rights of modern land owners. Over the years of negotiating with land owners at Tall al-'Umayrī, this dual mantra has been pronounced and consistent (Mr. Bishara Bisharat, owner of the land on which Site 84 is located has no issues with archaeologists working on his land). Best practices in the modern world of the Middle East, grounded firmly on the bedrock of ethical principles of cultural heritage preservation and the ethical principles surrounding the rights of landowners, demand absolute adherence to these two requirements. And therein lies our dilemma.



2. Panel at January 2014 Tall al-‘Umayrī event.

### January 2014 Symposium

In January, 2014, at a symposium in the new Jordan Museum dedicated to sorting through the issues involved in, and hopefully working toward, solutions for the challenges we faced at Tall al-‘Umayrī, and organized by Sharifa Nofa Nasser and myself, a distinguished panel of specialists and friends of Tall al-‘Umayrī considered our options regarding one of the best preserved Bronze and Iron Age sites in the country (FIG. 2). Following a presentation of the major contributions of the Madaba Plains Project excavations at Tall al-‘Umayrī to our understanding of these publicly under-represented period sites in Jordan’s landscape, panelists approached the problems from a variety of perspectives, some very personal, others academic, ethical, and/or economic. For brief reports and a list of panelists, see the La Sierra University online news announcement<sup>1</sup> and the winter 2014 issue (2:1) of *La Sierra Digs*, the newsletter of the Center for Near Eastern Archaeology at La Sierra.<sup>2</sup>

Toward the end of the symposium, HRH Princess Sumaya bint El Hassan brilliantly articulated a vision statement



3. HRH Princess Sumaya at Tall al-‘Umayrī event.

about our responsibility for the preservation of archaeological sites, in particular Tall al-‘Umayrī. Excerpts from her comments are as follows: (FIG. 3).

- “We cannot underestimate the urgency of acting now to save Tall al-‘Umayrī from damage and destruction as Amman spreads inexorably southwards. And we must ask ourselves, how harshly will our descendants judge us if we fail to secure the imprint of so many millennia of history?”

<sup>1</sup> See <https://lasierra.edu/article/jordan-museum-meeting-opens-door-for-saving-la-sierra-dig-site/>.

<sup>2</sup> See <https://lasierra.edu/fileadmin/documents/cnea/newsletter/cnea-newsletter-winter-2014.pdf>.

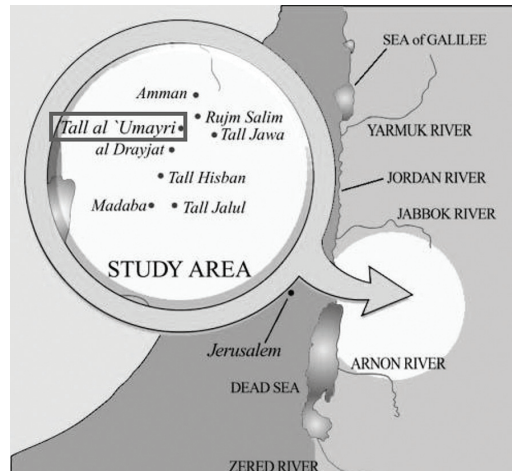


- “It is vital that we raise awareness now about Tall al-‘Umayrī and its rich cultural heritage, for both local and foreign visitors. We owe it not only to ourselves to preserve this great historical resource, but also to the world. For this is a treasure that we act as custodians of for the benefit of all mankind.”
- “We share our territory with the physical remnants of human ingenuity, of creativity and of a dogged determination to survive. But these abundant material remains of lost and faded communities are also impressive reminders to us that we occupy our part of the earth, not as outright owners, but as custodians.”
- “I commend you all for your dedication to preserving and securing our national and global heritage. We must unite to ensure that we all become a small part of this site’s long history, and not recorders of its demise.”

The symposium concluded with public commitments from the two landowners of \$700,000 each, as long as the government follows through with supplying the funds for the remainder of the purchase price. Unfortunately, nothing has materialized over the past two years to meet the financial challenge, leaving things without resolution.

### Tall al-‘Umayrī

Remarkable for the state of preservation of its architectural remains from across the Bronze and Iron Ages, Tall al-‘Umayrī (FIG. 4) has made numerous important contributions to our understanding of Jordan between its prehistorical and classical periods. A summary of major finds includes the following:



4. MPP study area map.

- *Early Bronze Age*—Before the Early Bronze settlement in the middle of the 3<sup>rd</sup> millennium BC, the largest occupation area during the entire history of the site, nomadic groups buried their dead in megalithic dolmen structures, at least two of which are represented at Tall al-‘Umayrī, one whose contents were completely preserved *in situ* (FIG. 5). Twenty-eight individuals were interred, including eight adults and 20 sub-adults, many suffering from various pathologies (osteomyelitis, arthritis, lipping, cribra orbitalia, dental abscesses, osteoarthritis, osteophytes, cancer/systemic diseases), metabolic disorders (anemia, osteoporosis), and injuries (fractures, breaks). Ongoing analyses include C-14 dating, aDNA (ancient DNA), and forensic facial reconstruction.
- *Middle Bronze Age*—Although only exposed on the western part of the Tall, the Middle Bronze Age is represented in the site’s





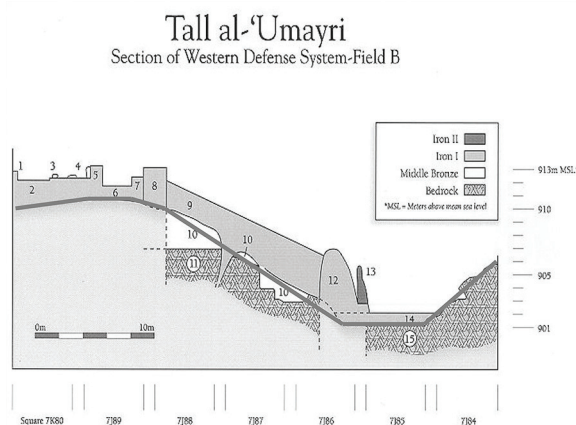
5. Early Bronze Age dolmen.

well preserved defense system, consisting of a 5 m-deep dry moat, a massive 35° rampart which rose 10 m and then crested at the top, along which line towers had been strategically placed (FIG. 6).

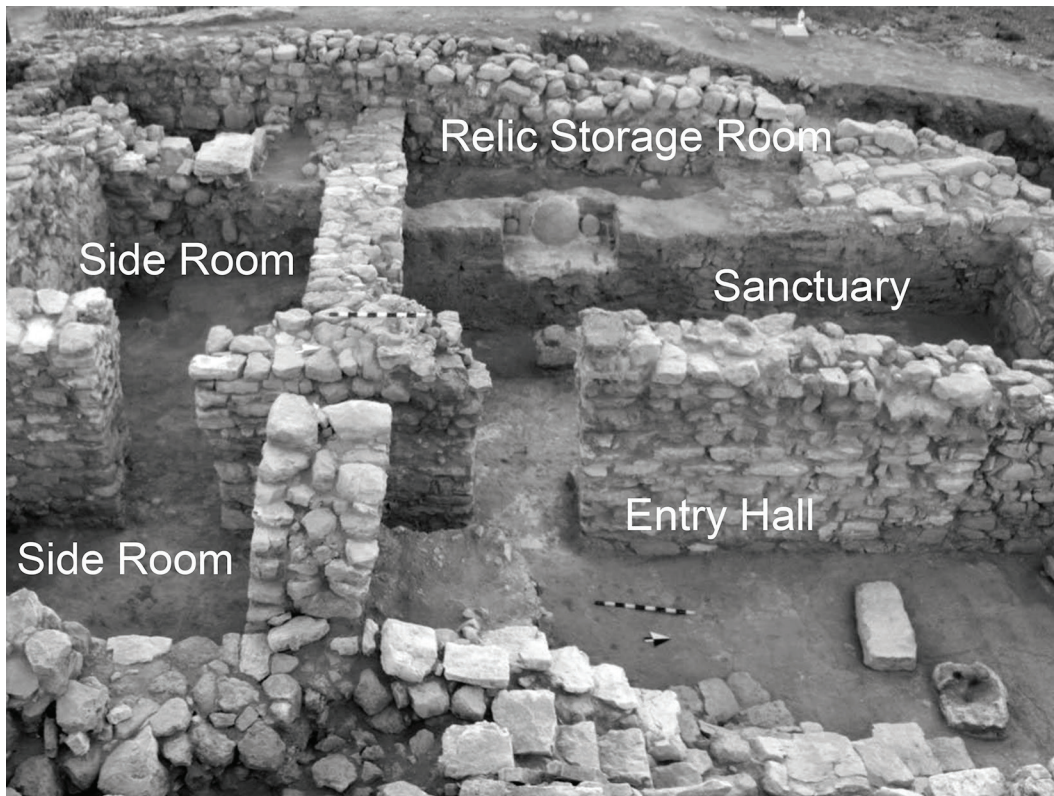
- *Late Bronze Age*—Characterized by limited settlements in the central highlands of Jordan, the Late Bronze Age nevertheless accorded

Tall al-‘Umayrī an extremely well preserved temple complex, complete with entry hall with standing stones, two adjacent rooms, the main sanctuary with an altar in front of a cultic niche containing five standing stones and various cultic implements, as well as a favissa for storage of a dozen crude clay figurines (FIGS. 7–8).

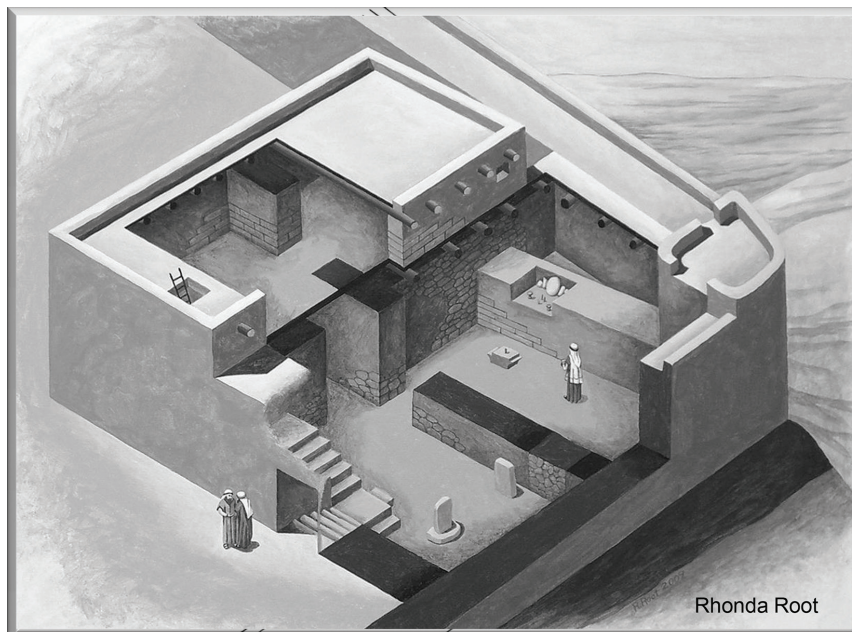
- *Iron Age I*—Thus far the signature period of occupation at Tall al-‘Umayrī, the Early Iron Age produced the best preserved “four-room” or pillared house anywhere in the southern Levant, completely encased in the mudbrick destruction debris of the second story when it collapsed under violent conditions (FIGS. 9–10). The structure was part



6. Middle Bronze Age defense system.



7. Late Bronze Age temple complex.

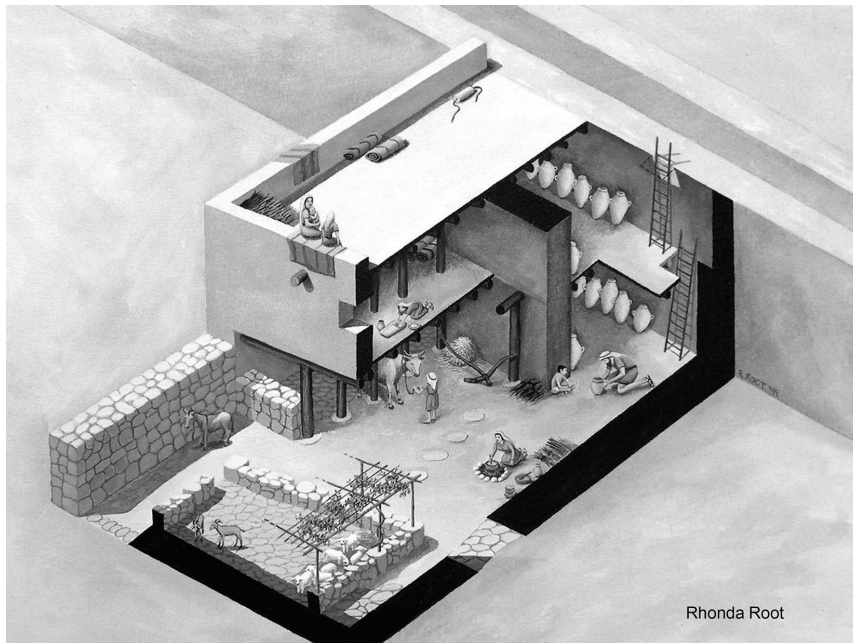


8. Late Bronze Age temple painting by Rhonda Root.



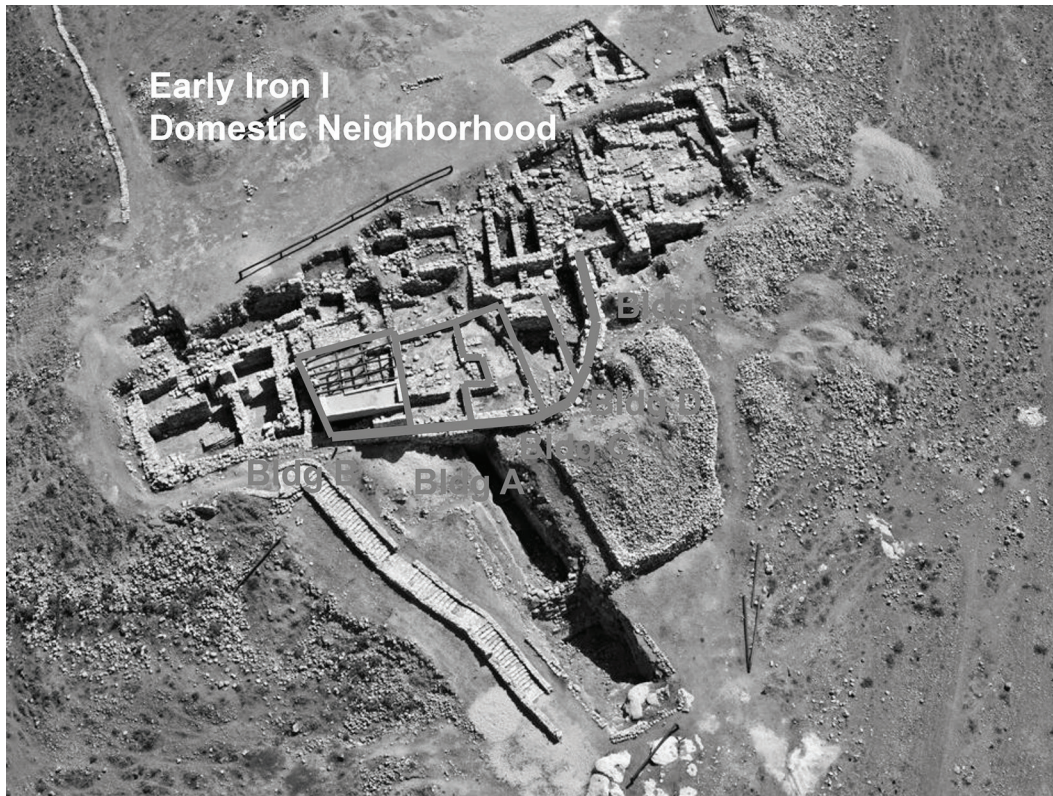


9. Early Iron I four-room house partially reconstructed.



10. Early Iron I four-room house painting by Rhonda Root.





11. Early Iron I western neighborhood.



12. Late Iron II Site 84 farmstead on Bisharat land.

of a larger western neighborhood of several houses excavated to this point, and the period was represented across the *Tall* (FIG. 11). A later “four-room” house, expanded beyond the typical four-room structural footprint, appeared mid-12<sup>th</sup> century, following a site-wide destruction.

- *Iron Age II/Persian Period*—Following diminished settlement activity during much of the Iron II period at Tall al-‘Umayrī, a resurgence occurred in the late 7<sup>th</sup> century and early 6<sup>th</sup>. This period saw the construction of numerous domestic structures as well as a large administrative complex, likely controlling agricultural production at a series of farmsteads in the surrounding hinterland, including Site 84. Lying 2 km south of Tall al-‘Umayrī, Site 84 encompassed a fortified farm building and scores of agricultural features necessary for the production of wine (FIG. 12).
- *Late Hellenistic Period*—On the southern edge of the *Tall*’s acropolis was established an agricultural complex in the 2<sup>nd</sup> c. BC, complete with domestic and storage facilities.

### American Legal and Ethical Standards

In responding to the ethical dilemmas surrounding the preservation of Tall al-‘Umayrī, a wider perspective might help. Since the foreign partners of the Department of Antiquities in the excavation of Tall al-‘Umayrī are North Americans, primarily from institutions located in the United States, we often look for parallels in our own country to the guidelines of Jordan. Here are citations of relevant legal guidelines from Hutt *et al.* (EMPHASIS mine):

- The Historic Sites Act of 1935

(HSA) declared a “national policy to PRESERVE FOR PUBLIC USE HISTORIC SITES. . . OF NATIONAL SIGNIFICANCE FOR THE INSPIRATION AND BENEFIT OF THE PEOPLE” (16 U.S.C. § 461).

- The Historic Sites Act delegates to the Secretary of the Interior the authority to survey HISTORIC AND ARCHAEOLOGICAL SITES, buildings, and objects to determine which may possess “exceptional value as COMMEMORATING OR ILLUSTRATING THE HISTORY OF THE UNITED STATES” (16 U.S.C. § 462 [b]).
- The Secretary is also authorized to ACQUIRE, “BY GIFT, PURCHASE, OR OTHERWISE,” NATIONALLY SIGNIFICANT PROPERTIES (16 U.S.C. § 462[d]; Hutt *et al.* 2004: 23).

Thus, there exist deep-seated moral obligations, grounded in American values, to preserve national heritage for the benefit of the people and the nation’s historical priorities. However, United States guidelines do not grant collective ownership of antiquities to the citizens of the country; for the most part they privilege those who own the land in the removal and ultimate ownership of excavated materials (EMPHASIS mine):

- Moreover, while the Act does make it unlawful “for any person or his agent or employee” to excavate archaeological sites on private land with the use of mechanical earth-moving equipment without a permit, [§ 18-6-11(A)] the Act DOES NOT REQUIRE THAT A LANDOWNER “OBTAIN A PERMIT FOR PERSONAL EXCAVATION ON HIS OWN LAND, provided that no transfer of ownership is made with the intent of excavating archaeo-

logical sites as prohibited in this section, and provided further that this exemption does not apply to marked or unmarked burial grounds” [§ 18-6-11(E)]. This section has been interpreted to mean that NO PERMIT IS REQUIRED IF THE OWNER OF PRIVATE PROPERTY IS CONDUCTING THE EXCAVATION. . .

- *Regulation of Cultural and Historic Resources on Private Land*  
With the exception of human burials and skeletal remains (see Section 2.1.2), regulation of CULTURAL RESOURCES ON PRIVATE LANDS PRESENTS A GREATER CHALLENGE than such regulation on state lands, primarily because of the friction between those who advocate broad application of private property rights and those who hold to the idea that cultural items found on the land are part of a national patrimony (Hutt *et al.* 2004: 78).

On another level, the role of UNESCO in preserving sites of historical and pre-historical significance is captured in this citation (EMPHASIS mine):

- In 1976, UNESCO adopted its *Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas*. [[www.unesco.org/culture/laws/historic/html\\_eng/page1.shtml](http://www.unesco.org/culture/laws/historic/html_eng/page1.shtml)] “Historic areas” were defined to include “historic and architectural (including vernacular) areas,” such as “groups of buildings, structures and open spaces INCLUDING ARCHAEOLOGICAL AND PALEONTOLOGICAL SITES, constituting human settlements in an

urban or rural environment, the cohesion and value of which, from the archaeological, architectural, prehistoric, historic, aesthetic or sociocultural point of view are recognized”—presumably by some cognizant authority. The overall thrust of this recommendation is to encourage a sort of holistic planning and preservation; IT URGES THAT HISTORIC AREAS BE CONSIDERED IN THEIR TOTALITY, AS COHERENT ENTITIES, AND PROTECTED FROM FRAGMENTATION (King 2004: 210).

The holistic approach advocated in this citation sets out conceptual best practices for conservation efforts globally, and it speaks profoundly to efforts at Tall al-‘Umayrī to preserve the site’s material culture, its geographical setting, and the theoretical constructs by means of which we seek to understand it better.

However, there is also a caveat from American policy and practice (EMPHASIS mine):

- Considering THE SANCTITY OF PRIVATE PROPERTY RIGHTS IN THIS COUNTRY [THE UNITED STATES], it is not surprising that UNESCO’s recommendations about requiring people to report finds and confiscating stuff not declared have fallen on deaf ears. FOR THE MOST PART, U.S. ARCHEOLOGICAL LAWS AND REGULATIONS APPLY ONLY ON FEDERAL AND FEDERALLY ADMINISTERED TRIBAL TRUST LANDS AND TO SITUATIONS IN WHICH THE U.S. GOVERNMENT PROVIDES NONFEDERAL PARTIES WITH SOME KIND OF ASSISTANCE OR PERMITS (King 2004: 275).

American legal traditions and guidelines



capture, on the one hand, an extensive, comprehensive, and holistic vision of its national patrimony, anchored in the fundamental principle of universal value to all citizens of the country. However, they also hand over ultimate ownership of cultural heritage located on private property to landowners and not to the state.

### **Ethical Statements of Archaeological Organizations**

While all archaeological organizations have adopted and publish the ethical principles under which they operate,<sup>3</sup> the institution most relevant for these discussions is the American Schools of Oriental Research, the premiere archaeological organization overseeing many of the excavations in Jordan through its Committee on Archaeological Policy (CAP); the Tall al-'Umayrī project has been CAP-affiliated from its inception. Here are segments of this policy (EMPHASIS mine):

*Statement of ASOR Policy on Preservation and Protection of Archaeological Resources<sup>4</sup> as passed by the ASOR Board of Trustees 18 November 1995; modified 22 November 2003*

#### I. Preamble

- A. ASOR's policy is based upon and derived from the principle that ITS PRIMARY RESPONSIBILITY IS ONE OF

STEWARDSHIP OF THE ARCHAEOLOGICAL RECORD. STEWARDS ACT AS BOTH CARETAKERS AND ADVOCATES. The archaeological record consists of ARCHAEOLOGICAL SITES, archaeological collections, records, and reports. IT SHOULD BE USED FOR THE BENEFIT OF ALL PEOPLE, and not be treated as a commodity to be exploited for private enjoyment or profit. ASOR AND ITS MEMBERS WORK FOR THE PERPETUAL PRESERVATION AND PROTECTION OF THE ARCHAEOLOGICAL RECORD, and actively promote public understanding and support for these goals.

#### II. Preservation of Sites

Archaeological sites are a non-renewable resource, each containing unique information about the human past. THE LOSS OF SITES PRESENTS PART OF THE WORLD'S CULTURAL HERITAGE THAT CAN NEVER BE RECOVERED.

- A. THERE IS AN URGENT NEED WORLDWIDE TO DOCUMENT THE ENDANGERED ARCHAEOLOGICAL RECORD BEFORE IT IS LOST FOREVER. ASOR supports and encourages its members to undertake efforts to document the archaeological record through surveys, inventories, and other means.
- B. DIRECTORS OF EXCAVATIONS SHOULD PLAN FOR APPROPRIATE POST-EXCAVATION SITE PROTECTION IN THEIR INITIAL RESEARCH DESIGNS. Such plans must take into account the natural conditions affecting the site and the demands of

<sup>3</sup> For example, Archaeological Institute of America Code of Ethics ([https://www.archaeological.org/sites/default/files/files/Code%20of%20Ethics%20\(2016\).pdf](https://www.archaeological.org/sites/default/files/files/Code%20of%20Ethics%20(2016).pdf)) and Professional Standards ([https://www.archaeological.org/sites/default/files/files/Code%20of%20Professional%20Standards%20\(2016\).pdf](https://www.archaeological.org/sites/default/files/files/Code%20of%20Professional%20Standards%20(2016).pdf)); American Anthropological Association (<http://www.americananthro.org/ParticipateAndAdvocate/Content.aspx?ItemNumber=1656>); Society for American Archaeology (<http://www.americananthro.org/ParticipateAndAdvocate/Content.aspx?ItemNumber=1656>).

<sup>4</sup> Visit <http://www.asor.org/excavations/policy.html>, but also see: <http://www.asor.org/about/policies/conduct.html>.

multiple uses.

- C. Unplanned development poses a threat to archaeological sites worldwide. ASOR ENCOURAGES A PARTNERSHIP AMONG GOVERNMENTS, ARCHAEOLOGISTS AND DEVELOPERS TO MAKE AND EXECUTE PROPER PLANS TO PRESERVE THE ARCHAEOLOGICAL RECORD. ASOR URGES THE UNITED STATES GOVERNMENT, UNESCO, AND THE UNITED NATIONS TO PLAY A LEADERSHIP ROLE IN EFFORTS TO PROTECT THE WORLD'S CULTURAL HERITAGE FROM UNNECESSARY DESTRUCTION THROUGH DEVELOPMENT.

These ethical guidelines focus on the moral obligation of stewardship over the archaeological record we are investigating. This is particularly true, in the cited sections, of archaeological sites, of the urgent need to carry out research before sites disappear or are destroyed, of the pressing demand to pre-plan site protection following excavations, and of the collaborative, growing international imperative of protecting sites from “unnecessary destruction through development.” Tall al-‘Umayri qualifies on all scores.



**Department of Antiquities  
Hashemite Kingdom of Jordan**

13. Department of Antiquities of Jordan logo.

### Antiquities Laws of Jordan

While supplemented occasionally, the primary legal formulation of regulations concerning antiquities in Jordan (FIG. 13) appears in: “Law No. 21 for the Year 1988—The Law of Antiquities—Definitions and General Provisions.”<sup>5</sup> From this document, the following excerpts relate to antiquities sites (EMPHASIS mine):

#### Article 2

The following words and terms set out in this law shall have the meanings assigned to them below unless the context denotes otherwise.

#### 7. Antiquities:

- a. Any MOVABLE or IMMOVABLE OBJECT which was made, written, inscribed, built, discovered or modified by a human being before the year AD 1750 including caves, sculpture, coins, pottery, manuscripts and other kinds of manufactured products which indicate the beginning of the development of science, arts, handicrafts, religious traditions of previous civilizations, or any part added to that thing or rebuilt after that date.

#### 8. Antique site:

- a. ANY AREA IN THE KINGDOM THAT WAS CONSIDERED AN HISTORIC SITE UNDER FORMER LAWS.
- b. Any OTHER AREA THAT THE MINISTER DECIDES THAT IT CONTAINS ANY ANTIQUITIES

...

#### 9. Immovable antiquities:

<sup>5</sup> Online source currently unavailable on the Department of Antiquities website: [doa.gov.jo](http://doa.gov.jo). Also see updated regulations for excavations in Jordan (effective 1 January 2016) at: [http://doa.gov.jo/en/Uploads/Regulations\\_Eng.pdf](http://doa.gov.jo/en/Uploads/Regulations_Eng.pdf).

These are FIXED ANTIQUITIES THAT ARE CONNECTED TO THE GROUND whether built on it or existing underground including antiquities underwater, and those in territorial waters.

IT ENTITLE HIM TO PROSPECT FOR ANTIQUITIES THEREIN.

- e. IT IS PERMISSIBLE TO APPROPRIATE OR PURCHASE ANY REAL ESTATE OR ANTIQUITIES WHICH THE DEPARTMENT INTEREST REQUIRES THE APPROPRIATION OR PURCHASE THEREOF.

Article 3

- a. THE DEPARTMENT will carry out the following:
  2. THE APPRAISAL OF THE ARCHAEOLOGY OF OBJECTS AND ANTIQUE SITES AND EVALUATION OF THE IMPORTANCE OF EVERY PIECE OF ANTIQUITY.
  3. The administration of antiquities, ANTIQUE SITES and antique protectorates in the Kingdom, THEIR PROTECTION, MAINTENANCE, REPAIR AND PRESERVATION, BEAUTIFICATION OF THEIR SURROUNDINGS AND DISPLAY OF THEIR FEATURES.
  4. THE SPREAD OF ARCHAEOLOGICAL CULTURE and the establishment of archaeological and heritage institutes and museums.

While Jordanian antiquities laws resemble those of other countries, including the United States, particularly in this context in the enlarged conceptual framework of value to the entire country, even if not as clearly stated, the major, and I would say extremely positive, point of departure is the clear sense that private ownership of property in Jordan carries with it absolutely no privileges of ownership of cultural remains, moveable or immovable, found thereon or therein. And it is precisely at this intersection of antiquities laws with property laws that questions about the ultimate survival and protection of Tall al-'Umayrī reside.

Who owns this part of the past? Is it private landowners/developers who plan to sell lots for construction of new homes or businesses, who see archaeological activity as devaluing their investments? Or is it the people of Jordan whose national patrimony is embedded in this *tall*? And how do we come to a resolution which protects both cultural heritage and landowners?

Article 5

- a. OWNERSHIP OF IMMOVABLE ANTIQUITIES SHALL BE EXCLUSIVELY VESTED IN THE STATE. No other party may own these antiquities in any way or challenge that states right to such ownership by delay or any other means.
- d. THE OWNERSHIP OF THE LAND WILL NOT ENTITLE THE LANDLORD TO WON [OWN?] THE ANTIQUITIES PRESENT ON ITS SURFACE OR IN ITS SUBSURFACE OR DISPOSE THEREOF NOR SHALL

**The Stakeholders**

The continuing quest to unpack, sort out, and resolve these questions takes us to the many and multifaceted layers of stakeholders whose time-honored investments in this issue are deep and extensive:

- *The Hashemite royal family*—They are the guardians of the cultural resources of the Kingdom, some (HRH Prince Hassan bin Talal



and HRH Princess Sumaya bint El Hassan, in particular) with long-term personal interest in the MPP-‘Umayrī excavation results and plans for conservation and presentation of the site.

- *Parliament*—They carry legal responsibility for protecting and preserving Jordan’s considerable cultural heritage.
- *Ministry of Tourism and Antiquities*—Theirs is the responsibility, for moral and economic reasons, of protecting and presenting Jordan’s cultural heritage to Jordanians and the wider world.
- *Department of Antiquities (DoA)*—They are tasked with the primary responsibility of ensuring best practices in the recovery and protection of Jordan’s cultural heritage.
- *Amman Region of the DoA*—They have been given specific responsibility for the DoA’s interests in the region of Amman.
- *Madaba Region of the DoA*—They provide the repository for artifacts excavated in the Madaba region, including the Madaba Plains Project site of ‘Umayrī and are in the process of establishing a regional museum where ‘Umayrī’s finds will be displayed.
- *Greater Amman Municipality (GAM)*—The municipality includes Tall al-‘Umayrī within its borders and has long been interested in this site along the Airport Highway as the southern archaeological gateway into Amman.
- *Land owners*—Theirs represents the major financial investments in the land of Tall al-‘Umayri for family and economic reasons.
- *Bunayat families*—They represent the labor force at Tall al-‘Umayrī

and earn income for the village of between \$5,000 and \$7,000 per season (ca. \$100,000–\$125,000 since 1984), and are now far into the second generation of workers at the project. From their stories has grown an ethnographic study: Community Ethnographic Project at Tall al-‘Umayrī.<sup>6</sup>

- *Jordanians*—They enjoy economic benefits from each season (\$50,000–\$60,000/season, with an estimate of \$900,000 since 1984); they also carry moral responsibility for the country’s cultural heritage. And for the thousands who visit Amman and Ghamadan national parks each week during the summer, who can also stop by Tall al-‘Umayrī since it is located between them, the site provides an immersive educational experience as a living source of information on the under-represented Bronze and Iron Ages in Jordan (FIG. 14).
- *Archaeologists working at Tall al-‘Umayrī*—Theirs is the scholarly and moral responsibility to recover, analyze, interpret, preserve, and present findings according to best practices.
- *Archaeologists working in Jordan*—They all provide collaborative and mutual support for the joint archaeological endeavors we undertake in Jordan.
- *The world*—The people of the globe are beneficiaries of our contributions to the growth of knowledge and the responsible use and protection of Jordan’s cultural heritage.

These stakeholders—the royal family,

<sup>6</sup> See: <http://www.madabaplains.org/umayri/cepu.htm>.



14. Tall al-'Umayri, between Amman and Ghamadan National Parks.

governmental ministries and departments, educational institutions, local communities, regional populations, and global entities—form a powerful coalition of the ultimately concerned. What happens to Tall al-'Umayri affects them all, affects us all. It is not the only Jordanian archaeological site impacting numerous overlapping and interfacing circles of interest and influence, but it is one of them, and for our purposes in this presentation, the focal point of our attention which might make a difference for other “immoveable” archaeological treasures in the country.

Not only a coalition of the ultimately concerned, these stakeholders also represent a potential collision of vested interests.

Possible contact points of success or failure include gain or loss for private owners, archaeological research, tourism, educational institutions, in terms of local economies, and among other sites constituting the country's national patrimony.

### Next Steps

History, we hope, will come down on the side of cautious collaboration. Nothing happens in the context of complicated issues like this one without shared commitments to resolving the problems. We are all friends. We are all dedicated to finding some kind of resolution that: 1) preserves the cultural heritage of Tall al-'Umayri and 2) protects the interests of landowners. What

we lack are the resources to purchase the land and place its title into the hands of the Department of Antiquities.

Over time several options have emerged for generating the necessary revenue for a transaction of this nature. If we could prioritize them, our list would begin with an outright purchase of the property, which is becoming more expensive by the year, a purchase involving perhaps the Ministry of Tourism and Antiquities, the Department of Antiquities, the Greater Amman Municipality, perhaps with the help of international donors. But we have also discussed government land trades as part of a workable arrangement. And landowner donations, which have already been pledged. In the end, successful action will likely involve some combination of these possibilities.

Two undesirable options include maintaining the status quo, which is unsustainable and costly with no long-term benefits to landowners and perpetual uncertainty for excavators, and expropriation of the land which carries

legal limits as well as negative diplomatic outcomes.

In the context of ICHAJ 13 in May of 2016, two deadlines loom. Landowners set 31 December 2016 as the time for negotiations to close. The Madaba Plains Project excavation leadership has said that 30 June 2017 represents the final date before which we need to make other plans if Tall al-‘Umayrī is no longer available to us. It is impossible for us to maintain focus on responsible research goals when we are not allowed to excavate on major parts of the *Tall* and when we do not know what to expect for the next season.

Of course, anything is possible and the optimist in all of us continues to hold out hope. In spite of the potential for bleak outcomes, we maintain hopeful openness to:

- Ongoing excavations at one of the best preserved Bronze and Iron Age sites in the country
- Development of the Raouf Abujaber Archaeological Park as an enjoyable, immersive educational center



15. The 2016 excavation team at Tall al-‘Umayrī.

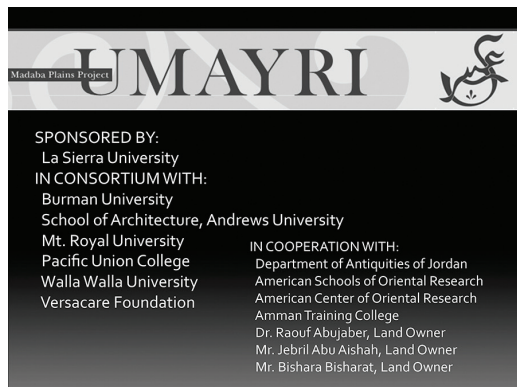


for citizens of Jordan, especially Amman, and foreign visitors

- Creation of the southern archaeological gateway into the Greater Amman Municipality
- Satisfaction that we have been good custodians of the considerable cultural heritage of Jordan represented at Tall al-‘Umayrī
- Satisfaction that we have been honest and fair with those long privately invested in the land (FIG. 15)

### Acknowledgements

The authors wish to acknowledge the support and contributions of the major Madaba Plains Project-‘Umayrī sponsors and supporters represented in FIG. 16.



16. Sponsors and supporting organizations.

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For more information on Tall al-‘Umayrī, see volumes 1–6 of the preliminary reports, *Madaba Plains Project-‘Umayrī*, published by Andrews University Press in Berrien Springs, MI, and seasonal reports in the *Annual of the Department of Antiquities of Jordan* and *Andrews University Seminary Studies*.

