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FORUM

The looting of archaeological heritage

In 2012, in addition to AP Journal Volume 2, JAS Arqueología also published a book in Spain about the looting of archaeological heritage: *Indianas jones sin futuro* (Indianas jones without future), by Ignacio Rodríguez Temiño. We then realised there was an urgent need to debate this issue more thoroughly at an international scale, to show how different things can be and try to find better strategies for the protection of archaeological heritage.

While the forum was being designed, a special issue of Internet Archaeology on looting was published (Issue 33) and new projects started to emerge. This shows an increasing interest in these topics and opens the way for wider debates and perspectives.

At first, we thought metal detecting was the main topic to be discussed. Then we started to realise it was just a small part of a wider problem: looting. This is how we decided to initiate a series of forums for the coming years, with a focus on different aspects of looting, and from different perspectives*.

PART I (vol. 3 – 2013) Beyond metal detectors: around the plundering of archaeological heritage.

PART II (vol. 4 – 2014) Conflict and looting: alibi for conflict... and for the looting of archaeological heritage.

PART III (vol. 6 – 2016) Beauty and money: a market that feeds looting.

PART IV (vol. 7 – 2017) Managing development: from the building of a country, to the destruction of archaeological heritage.

**Participation is open for anyone interested, for both published and unpublished parts. We would like the debate to constantly flow among topics.*

PART IV

MANAGING DEVELOPMENT: FROM THE BUILDING OF A COUNTRY, TO THE DESTRUCTION OF ARCHAEOLOGICAL HERITAGE

With the fast development of major cities around the world, many archaeological sites appeared. The birth and growth of urban archaeology is in some way the birth and growth of a protective system that started to regulate what could or could not be done when building new infrastructures.

In 1966, the National Historic Preservation Act (USA) stated on its section 106 the need to conduct archaeological research in those developments funded by the Federal Government. Soon enough, some States promulgated their own regulations on this line, as well as other countries did. In Europe, the London Convention in 1969 already raises awareness on the destruction and looting of archaeological heritage, and the need to regulate and communicate findings for the good of all. It does not directly refer to construction, but environmental laws would cover this gap.

Nevertheless, the unstoppable construction of buildings, roads, pipes, etc. needed further action. The French model started as a kind of blackmail to developers, according to Laurent Olivier (2016), but in some way worked, although to a high cost for the profession. Archaeologists became diggers whose only task was to empty plots for construction, leaving the scientific role of the profession in Academia. This was not different in many other countries that chose a commercial model. Power was (apparently) with developers.

But how could power be with the developers if laws were with archaeology? This paradox is one of the most interesting topics to take into account in current archaeological practice and archaeological heritage management models need to approach it urgently.

Why? Because together with the alienation of professionals in their practice lays a constant destruction of archaeological heritage.

Sometimes legal, sometimes illegal, the looting of archaeological heritage linked to construction projects is undeniable.

This forum intends to delve into the way different management models cope with the destruction of archaeological heritage linked to construction; in terms of prevention, mitigation, and prosecution.

How does the model deal with threats? What are the consequences of destroying archaeological heritage during construction? Is there a sustainable solution for all this?

Archaeology and development in Taiwan - the case of Hanben¹

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The island of Taiwan is 180 km distance from the coast of China, and is part of a chain of islands in the Pacific Ocean, between Japan and the Philippines. For most of its history, it was inhabited by Austronesian populations until Dutch colonisation opened the way to Southern Han Chinese immigration in the 17th century. After the Dutch Colony was defeated by the pro-Ming Koxinga kingdom (1662-1683), Taiwan was integrated into the Qing dynasty (1684-1894) until it was conceded to the Empire of Japanese (1895-1945). At the end of WW2, the so-called 'retrocession' to the Republic of China (i.e. to the defeated nationalist Kuomintang (KMT) regime of Chiang Kai-shek, opposed to the communist regime) introduced approximately two million 'mainlanders' to the island (25% of the total population of Taiwan by 1949) (Li 2004, 2014; *Manthrope 2005*).

As such, Taiwan inherited mixed populations², cultures and languages (notably Mandarin, Minnan, Hakka, and Austronesians). Yet, the definition of a postcolonial identity in contemporary Taiwan is still an ongoing process and a struggle between forces with different political agendas; often divided between pro-China, pro-Taiwan independence, aboriginal rights recognition, and a large majority of pragmatics favouring the status quo of a *de facto* independent Taiwan with different degrees of sympathy or animosity towards China. It should be noted here that Taiwan is increasingly dependent economically from China, and that an overall 'developmentcentric mentality' (Hsia Chu-Joe cited in Tsai 2012) dominates most political decisions and actions, whoever holds political power on the island.

1 This contribution is a shortened version of a larger publication to come concerning Cultural Heritage Management in Taiwan.

2 Total population of Taiwan in 2017: 23,5 million (2-3% are Aborigines)

The study of archaeology in Taiwan first appeared during the Japanese occupation as part of the empire's colonial agenda. It was developed as an uniquely academic discipline but, since the 2010s some private units are active in the country. Archaeology in Taiwan has been increasingly regulated, notably with the implementation of the 1982 Cultural Heritage Law, and since reinforced through different reforms and aligned with the principle of 'polluter-payer'. University archaeology departments as well as private units can compete to win rescue archaeology contracts from developers. These developers are typically state institutions, such as the Ministry of Transportation and Communications (MOTC). It is in this context that the Hanben case-study has been analysed.



Fig. 1 Map of Taiwan and location of the Suhua highway section and of the site of Hanben, on the path of the Provincial Highway 9 *中文: 臺9線.
Source: Liaon98, modified by the author

The Hanben archaeological site (2012-2017) – in search of a balance between preservation and development

The Hanben archaeological rescue project resulted from the discovery of remains by a team of archaeologists from Academia Sinica³, on the path of the new Suhua highway (蘇花公路), which will be part of the Provincial Highway 9 (台9線) (Fig. 1), connecting the mountainous East Coast to the rest of the highway network of Taiwan. The Suhua highway is a NT\$50 billion project, supported financially and administered by the MOTC, which aims to secure and reduce the driving distance between the cities of Suao and Hualien from 135 minutes to 90 minutes by 2018 (Shan 2015; Anonymous 2015).

With the zone being particularly inaccessible and ecologically intact, *Environment Impacts Assessments* (EIA) were systematically averse to an infrastructure development, and the project was thus put on hold during the 2000s. However, on October 22nd 2010, after a major typhoon, a bus of tourists was buried by landslides on the old East coastal Road #9 (Yilan County), killing 21 people, 19 of whom were Chinese nationals. The MOTC – playing on the emotions of Taiwanese public opinion and using the outrage of Hualien populations asking for a “*safe road home*” as justification – imposed the beginning of the highway project despite the EIA.

This could be interpreted as the well-oiled neoliberal strategy sometimes called “shock therapy” (Klein 2007): using national crises and shocking events such as numerous deaths by accident, to push through controversial or even illegal/anti-constitutional policies while citizens are too emotionally distracted by disasters to make well-thought-out decisions. Consequently, early opponents’ actions were delegitimised, and resistance made ineffective, facing not only governmental pressure but also the pressure exerted by the majority of the population reacting to an unquestionably dramatic incident, over-emphasized by media (potentially complicit while owned by various powers implementing or benefiting from the “shock therapy” itself). As a result, most Taiwanese citizen would forget the major environmental issues created by such a project, and see the highway project as a necessary, vital and urgent matter.

³ A research centre funded by the Taiwanese government – Head of the project: Professor Liu Yi-Chang

It allowed the MOTC's Directorate General of Highways to bypass the previous EIA decisions in only three weeks of time, by allegedly obtaining 'approval' from the EIA committee on November 11th 2010, and by giving the construction monitoring responsibility to the developer itself.

The archaeological discovery

In 2012, after already two years of high-way infrastructure construction, archaeologists discovered a site nearby the train station of Hanben, in the extreme south of the Yilan County, at the border with Hualien County (Figs.1 & 2).

At the end of 2015, the Director of the Hanben archaeological rescue project declared to the media that the site could be dated from the early Iron Age (400 AD to 1100 AD). It was found that the inhabitants of Hanben mastered the craft of iron production, but it seems that these populations could be of foreign origins (from the south of modern China) who were later 'incorporated into Aboriginal communities' (Shan 2015). During the excavation, roads, houses, tombs, fireplaces, ovens, drainage layout, and fields were found in a very good state of preservation (Fig.3). It is very likely that the prehistoric settlement has been preserved in its entirety because of earthquakes and landslides, which sealed and protected the site very deep underground until today. At the beginning of 2016, the situation evolved quite dramatically when an unexpected second layer of occupation was found about 10m under the top-soil. It was dated to be from the Late Neolithic period between 0AD and 400 AD. Only an extremely limited surface of the site has been revealed (Fig. 2) and the full extent of the site is still unknown.

The results of the Hanben excavation could become critical to understand the beginning of the Iron Age in Taiwan, particularly on the East Coast. Considering the quality of the preservation of the site (Fig. 3), Hanben could be compared to the world-renowned archaeological site of Pompeii, in Italy. Just as the ancient city was frozen in time in August 79AD, buried in few hours by the ashes of Mt. Vesuvius, Hanben was equally frozen and preserved under meters of mud around the same period. It is a unique and a rare

case that gives archaeologists the opportunity to resurrect all the aspects of human life at a critical period of transition between the Neolithic and the Iron Age in Taiwan.



Fig. 2 Hanben Project in 2016 - Location of the zone affected by construction work (within the red line), estimated area covered by the archaeological site (green dashes), archaeological excavations conducted (orange), future high-way (blue, built; dashed-blue, not built yet) and actual road #9 (large light yellow line); Source: Public Television Service (PTS) "Our Island" TV Show #841 & Google map 2016, modified by the author.



Fig. 3 Excavation at Hanben site – Public presentations - Source: the author (Picture taken on June 12th, 2016)

Treatment of the site by the different interests groups (media, grassroots groups, government institutions, archaeologists, and politicians) – a true attempt at preservation?

In October 2015, a journalist from the *China Post* newspaper wrote: "Directorate General of Highways Chao Hsin-hua (趙興華) confirmed the delay at the Legislative Yuan, saying that the relocation of archaeological relics at Hanben continued to cause delays and would push back the launch date of the 20-kilometer section from Nanao to Heping. [...] Angered by news of the delay, Hualien County Magistrate Fu Kun-chi (傅崑萁) demanded tax cuts from the central government due to "administrative inefficiency" on the road improvement project" (The China Post, Anonymous 2015).

Here, archaeology is presented and seen as an "issue" (Chiang 2016) by the Hualien County Magistrate, and as a useless and a costly one by other mainstream media. In contrast, other publications coming from various newspapers or independent medias, blogs, and forums, reported citizen protests and their concerns about the loss of Hanben archaeological site (Shan 2016, Taiwan Today - Anonymous 2015). A protest held in January 2016 in front of the MOTC against the destruction of the 'archaeological remains of the Hanben Culture' was largely covered (Lee 2016, Shan 2016 – Fig. 4). A group, the Raging Citizens Act Now (RCAN - 人民火大行動聯盟) has been particularly active in trying to change the destiny of the site, notably by asking: 1) to 'respect the archaeological process'; 2) to change the route of the project; and 3) to allow archaeologists more time to expand the surface of the archaeological excavation' (Lee 2016).

However, 6 months after the protests, the situation in June 2016 was unchanged and could be described as followed: 1) there were no signs from the MOTC of a full understanding of the archaeological process and of the exceptional value of the site unearthed; 2) the communication about the site by archaeologists was heard only very late in the process, so the debate of re-routing the Highway came while the project was already reaching its final stage, making it extremely unlikely to be modified without heavy costs and very significant delays (Shan 2016); 3) one year of archaeological investigation was added to the previous three years

of work, but the initial team from Academia Sinica was dismissed in June 2016, and replaced by a private unit (Archaeo Cultures Co. - 庶古文創) to speed up the process and compress it to 6 months. In the news, it was yet claimed that the second team came in 'addition' to the one of Academia Sinica, but this was indeed false information (Shan 2016). This team replacement ordered by the MOTC's Directorate General of Highway proves again the complete misunderstanding of the archaeological process, which cannot be fragmented as such without greatly damaging both the recording of the site and its interpretation, not to mention that rushing the final investigation (which according to archaeologists should require 3 more years (See Liu, Yi-chang, cited in Taiwan Today 2015) will irreparably damage the integrity of the site.



Fig. 4 Protesters in front of the Ministry of Transportation and Communication - Source: Taipei Times, 21st January, 2016; Photograph: Chang Chia-ming

On May 20th 2016, the Kuomintang (KMT) government was replaced through general elections by the Democratic Progressive Party (DPP), but it was unclear if the position of the new government

– or, more precisely, the position of the Ministry of Culture – would change on the subject. On June 2nd 2016, the Ministry of Culture (MOC) designated the Hanben Heritage site as the 8th national historical site in Taiwan, and associated it, according to certain cultural traits, to the Atayal Aboriginal tribe.

A resolution concerning the site of Hanben, between the Ministry of Culture and the MOTC was attempted on June 23rd 2016. A protest organised by Taiwanese citizens was held in parallel to this reunion in front of the Executive Yuan, in Taipei (Fig.5).



Fig. 5 Encounter between government representatives and protesters supporting the preservation of Hanben archaeological site in Yilan Source: the author (Picture taken on June 23rd 2016, Executive Yuan).

On July 27th 2016, at the Legislative Yuan, a conciliation meeting between the various interest groups involved occurred: Ministry of Transportation and Communications - 中華民國交通部, Ministry of Culture - 文化部, Grassroots groups, some politicians (notably from the New Power Party - NPP時代力量: Freddy Lim 林昶佐), but also architects, engineers, one archaeologist, and scholars of various backgrounds who could contribute to the debate.

This meeting happened, essentially, because of the interventions of one of the members of the legislative Yuan, an Indigenous member: Kawlo Iyun Pacidal- 高潞·以用·巴戀刺 (NPP), from the Amis tribe⁴. During the meeting, the representatives of the MOTC seemed openly hostile to the idea of preserving Hanben, and dissonances and tensions within the Ministry of Culture could be perceived as well. The grassroots people also stated that: *“at the moment we speak, the construction of the bridges was never stopped, and the moment the bridges will reach each other, the purpose of this meeting would be totally nullified”*.

A few months later, during an interview with a well-informed archaeologist in Taiwan, the author received this answer to the specific question: “Could Hanben create a precedent and open a new era for the protection of Cultural Heritage in Taiwan?”

[Carla – Archaeologist in Academia] *“No! Absolutely not... the only thing that is actually changing in Taiwan archaeology because of [Hanben], it’s the public involvement. [...] Grassroots peoples started to realise the importance of archaeology and to understand the specific problems of archaeological sites in Taiwan: i.e. the difficult balance between the archaeological practice, the preservation and the development. [...] These grassroots groups started to pay attention. Now, we are in the process of revising the Cultural Heritage Law and a new version came out last year [2016]. These are the specific regulations, but the guidance to implement that law are still to come. These grassroots people are very involved with this process. [...]”*

In January 2017, to the question of whether Hanben could be saved, the same interviewee stated:

[...] *“Now it’s too late [to save Hanben]. All the construction plans have been passed, so the rescue excavation is going on with the private unit. [...] The bridges [above the site of Hanben] are now almost connected. [...]”*

⁴ The largest indigenous group in Taiwan (approx. 200,000 people), mostly present on the East coast of Taiwan, especially around Hualien City and along the Southern Huatung Valley

Unfortunately, the [decisions makers] all think in a very political manner: Hualien County is all controlled by the KMT but the DPP wants to take it back, so, because all the people living in that area want to have the road built, the DPP cannot take a decision which will alienate the entire population of Hualien... In fact, I suspect that some of the people in the DPP think the site of Hanben is important, but they cannot [do anything] because they want to win the elections next term..."

Hanben archaeological site outcomes - a mixed picture

Ultimately, the attempt to preserve Hanben failed to interrupt the development project, and failed as a model for modifying and rescheduling a project to preserve and promote the archaeological heritage of Taiwan. However, it could be seen as a success in raising public awareness, and in the formation of groups who now better understand the importance of archaeology and who are willing to invest time and energy to defend it. In the future, it might become a lesson for these groups, and the protection of the next 'Hanben' might be better and planned much more in advance with their support.

Nonetheless, the role of archaeologists in the *relation de force* between various institutions is still problematic. The only way for archaeologists to play a significant role in the defence of heritage, would be to protect them from external pressures, i.e. guarantee their independence (financial, professional, political). To do so, a drastic increase in the number of active archaeologists in Taiwan (approximately 40 in 2017) might contribute greatly to avoiding both the pressures and potential conflicts of interest generated by the current obligations of archaeologists to assume many different roles simultaneously; as academics, practitioners (in competition with each other), evaluators in national committees, etc. To avoid the current risk of archaeologists becoming judge and jury, Taiwanese archaeology requires an estimated 400 professional archaeologists – ten times the current workforce.

Finally, to guarantee archaeologists both freedom of speech and cohesion as a group, it could be conceivable to establish a national archaeological body based on the French or Japanese models, sustaining a centralised and autonomous pool of archaeologists for rescue and research activities in archaeology.

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