

## WHY WE CALLED A REFERENDUM

given in the April, 2023 edition of our newsletter (SEAC Journal Image Policy Task Force 2023).

SEAC is a scholarly community, self-organized to facilitate and promote a few key functions including arranging for an annual meeting and publishing members' research. Our elected leadership, in the form of an Executive Committee, volunteers their valuable time to manage these functions for us, to keep us on budget, and to keep everything vibrant and enjoyable. As a democratic community, issues of larger importance are brought to the membership for consideration, discussion, and a vote. That is why our bylaws include a section on referendums, a mechanism by which either the Executive Committee or the members can initiate a vote on the larger issues of the day. The current Executive Committee will insist that nothing they did in establishing the new publication policy was contrary to the bylaws. They are correct, but only in the narrow sense that the bylaws do not require that every policy be adopted by a referendum. This was a consequential issue, and, in a membership-driven

organization like ours, it should have been brought to the members before being adopted. The lack of full transparency in the process (which seems to have been deliberate), and the failure to bring the matter forward for discussion and a vote by the full membership does not, in our opinion, constitute good governance.

We encourage members to do two things. First, consider letting your personal perspective on this issue be known to the SEAC Executive Committee. Second, when the time comes, we urge you to vote in favor of the resolution, that is, to call for re-setting the process of discussion and debate on this issue. We trust the membership to improve this outcome.

### *Reference Cited*

SEAC Journal Image Policy Task Force  
2023 Southeastern Archaeology Journal Image  
Policy. *Horizon and Tradition* 65(1):14.

## On the Importance of Academic Freedom

By Vin Steponaitis

As anyone who follows the news is aware, academic freedom these days is under attack, more so than at any time in the last half century. Unlike in the 1950s, when such attacks came exclusively from the right (in the form of various anti-Communist crusades, Senator McCarthy's being the best known), these days the threats come from both ends of the political spectrum. On the right, we have seen persistent attempts to curtail research on climate change, as well as to prevent the teaching of any topic related to a nebulously defined "critical race theory." On the left, these efforts have generally invoked the equally nebulous concept of "harm," portraying words as "violence" in an attempt to justify their censorship. Both of these trends have been exacerbated and accelerated in

recent years by social media. Both are equal threats, not only to academic freedom, but also to our democracy (Lukianoff and Haidt 2015; Haidt and Lukianoff 2017; Haidt 2022a).

Academic freedom is, at its core, the right to pursue research and teaching without undue interference or intimidation by governments, institutional structures, or public pressure. It protects the ability of scholars to seek the truth wherever it may lead, to teach that truth, and to speak truth to power. Restrictions on academic freedom are common under authoritarian regimes, and for good reason, as freedom to seek the truth gives one the ability to see and understand the world based on evidence, rather than ideology. Evidence-based academic research is just as essential

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to a democratic society as a free press. It gives our society a view of the world (including the past world) that allows us to better comprehend the present and to make good decisions for the future. If we believe that archaeology is a public good, as I suspect most SEAC members do, then we must defend the intellectual freedom to pursue it effectively. Indeed, SEAC's Articles of Incorporation say that our organization's purpose is "to promote and to stimulate interest in the archaeology of the southeastern United States," as well as "to publish and to encourage publication." We are obligated by our own constitution to take these imperatives seriously.

It is against this backdrop that any SEAC endeavor, including the recently imposed publication policy, must be evaluated. So it is useful at this point to review the two major pillars on which academic freedom rests — freedom of expression and institutional neutrality — and to consider how they relate to the issues that SEAC now faces.

### *Freedom of Expression*

The first and most fundamental aspect of academic freedom is the ability to speak one's mind and to publish one's research without fear of censorship or retribution. Perhaps the clearest statement of this tenet appears in a policy adopted by the faculty at the University of Chicago in 2014, and which has since been adopted by faculties at many major universities, including my own. Commonly called the "Chicago Principles," this policy reads (in part) as follows:

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of

mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community [Stone et al. 2014].

Substitute SEAC for "the University," and this policy would apply equally well to our scholarly conference. And the implications of this passage for SEAC are clear: The notion that "harm" caused by words or images should be used as a reason to restrict the publication of legitimate research in a scholarly journal is fundamentally at odds with academic freedom.

Of course, civility and mutual respect are important and cannot be ignored. Members of the general public should not be involuntarily subjected to images that they find offensive. Yet in my experience, most Americans, including many Native Americans, do not object to seeing images of funerary objects. And it is important to remember that SEAC's publications are not sold on newsstands; they are technical publications read by professional archaeologists and their students. Becoming an archaeologist is a choice. No one is forced to read our journal, and anyone who signs up to be a scholar must be willing to adhere to, or at least tolerate, the standards of their discipline. Yes, SEAC should strive to be inclusive, but inclusiveness means everyone — including many members whose research depends on the ability to use images of funerary objects. The religious strictures of what President Hollenbach (2023:13) admits is "a small minority" of our members can be reasonably accommodated without resorting to extreme measures that shut down major areas of basic research. (See, for example, "It Can Be Done Better," pg. 22 in this issue.)

### *Institutional Neutrality*

The second key principle, that of institutional neutrality, was also well articulated at the University of Chicago in a policy document

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commonly called the “Kalven Report” (Kalven et al. 1967). It, too, has been widely adopted by academic institutions across the U.S. It addresses the question of whether universities, as institutions, should take public stands on contentious political issues, and it concludes that in most cases (with the exception of matters like defending academic freedom) such stands are detrimental to the free expression of ideas by members of an academic community:

The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. ...

Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. ...

The neutrality of the university as an institution arises then not from a lack of courage nor out of indifference and insensitivity. It arises out of respect for free inquiry and the obligation to cherish a diversity of viewpoints [Kalven et al. 1967:1-2].

Again, if we substitute SEAC for “the university,” a clear mandate appears. First, SEAC should not, as a matter of policy, take public stands on contentious political issues or disputes involving other organizations. That’s up to individual members, who in the age of social media all have tools they need for making their views widely known. And second, by the same logic, SEAC should not insert itself into the sensitive and complicated relationships that can exist among individual researchers, museums, and tribes. SEAC’s editor is neither elected nor equipped to be a judge or a jury in these matters. Such relationships should be left up to individual researchers. And the idea that basic research must be vetted and approved, often retroactively, by multiple political officials (and yes, that’s what THPOs are) before being published in *Southeastern Archaeology* is about as far from academic freedom as one can get. Institutional neutrality neither precludes nor discourages archaeologists from working with tribes. Such relationships are best developed organically, and will undoubtedly become commonplace as the field moves in that direction. There is no need for SEAC to dictate what these relationships should look like.

### *Closing Thoughts*

It is important to stress that nothing in SEAC’s current publication policy, or in any future policy that may be developed, is mandated by Federal law. Under NAGPRA, tribes have the right to reclaim funerary objects and human remains — the tangible things — and that is as it should be. I was heavily involved in the passage of that law and have always supported it. NAGPRA by itself does not infringe on freedom of expression, because it has nothing to say about the way basic research is carried out, the topics that can be considered, or what can be published. It leaves scholars free to pursue their research, using whatever data are available. But SEAC’s policy operates in a different realm, that of ideas — preemptively shutting down important areas of research by making it impossible to adequately publish them. That is a problem that must be addressed.

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Of course, ethical considerations are also important, but ethics involve balancing competing imperatives. If one believes that the knowledge gained through archaeology is a public good, then one has to balance other concerns against that. The policy matter at hand is whether and under what circumstances scholars can use photographs of objects to learn about the past. Many of these photos have been in the public domain for more than a century. It is not about the objects themselves, or about peoples' health or physical safety. Rather, the question at hand is about the circumstances under which ideas and research about the past can be suppressed. And the bar for doing that, in my opinion, should be extremely high. When not constrained by law, these decisions should be made by individual researchers, without interference from SEAC.

I do not mean to imply that academic freedom and the pursuit of social justice are intrinsically incompatible. Individual scholars can express their opinions, work to achieve their social and political priorities, and pursue research in close collaboration with communities — all of which is good. The problem arises when an organization like SEAC mandates which topics can be studied, and how that research must be done. Jonathan Haidt, a social psychologist who has written extensively about current issues pertaining to academic freedom, points out that every organization has a fundamental purpose, what he calls a telos. The telos of universities and scholarly societies is the pursuit of knowledge. Other organizations may have a different telos. But, in any given organization, when a telos conflicts with other imperatives, it is the telos that must win (Haidt 2022b). If an organization like SEAC does not defend the value of archaeological research and the academic freedom of its members, then who will?

I recognize that neither the Chicago Principles nor the Kalven Report have ever been formally adopted as SEAC policies. But these principles did not originate at the University of Chicago. They were widely understood and practiced across the American academy for decades, long before the

faculty at Chicago codified them. In a sense, they were so ingrained in the fabric of the academy that they didn't need to be codified. This is why SEAC's board never took political stands or tried to dictate to its members how research was to be done. Everyone involved understood that SEAC's mission was to promote and disseminate archaeological research, and, as our Articles of Incorporation state, "to serve as a bond" among its members. They organized an annual meeting, published a newsletter, and eventually started a journal — on a shoestring budget and with an enormous amount of hard work on the part of its early editors. The organization faithfully stuck to this mission, becoming one of the best and most collegial regional societies in the U.S. In recent years it has strayed from this mission in ways that threaten to split the membership and close off many important avenues of research. Our hope is that the discussions prompted by the referendum, and the vote on the referendum itself, will help SEAC get back on a more productive and collegial course.

Recently, I had the privilege of visiting the new Choctaw Cultural Center in Durant, Oklahoma, which features a wonderful exhibit about Moundville — a site I know well, and one to which I have devoted much of my professional career. As I went through the exhibit, I could see how many of the stories being told were ultimately based on research I had published 40 years ago, laying out the ceramic chronology on which the site's timeline depends. Indeed, I felt enormous pride in seeing how my research had informed this exhibit, and how it was now making a difference to the Choctaw people. Yet I was also aware that this chronology depended largely on a seriation of whole pots, mostly funerary objects, publication of which would now be prohibited under SEAC's policy. If that policy had been in place then, my research would never have happened. And it saddens me to think about how many future breakthroughs in knowledge, ones that could make a real difference to Native communities, will never happen unless the current policy is changed.

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## On Looking at Pictures of Funerary Objects

By Vernon James Knight

Three observations:

1. In 2019, I was invited to speak at a symposium at the Montgomery Museum of Fine Arts. The other speakers were professional art historians, and the audience was the museum-going general public. My presentation made two main points. The first point was that significant, internationally important art has been produced in our region over many centuries, by Native Americans. The second point was that, technically and aesthetically, this Southeastern art rivals that of ancient Mesoamerica and South America. The Director of the MMFA praised the talk, as "exactly what this audience needed to hear." I was not aware of any potential objection to

showing such pictures in that setting. Had there been any prohibition on showing pictures of funerary objects, there is simply no way I could have made the points that I did.

2. I was a founding member of the Mississippian Iconographic Workshop (1993-present), a small group that met annually in Austin and San Marcos, Texas. From the mid-1990s we worked on iconographic problems together with Tribal friends; Muscogee, Seminole, Choctaw, and Chickasaw. These were neither members of the political class, nor were they cultural resource functionaries. They were traditionalists, elders, medicine-persons, and storytellers, male and female. In small groups, over days and across years, archaeologists labored