Treasure hunter, profiteer and researcher

Defining Human Assets for Underwater Heritage Research

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Presently scuba diving is a very prestigious sport combining danger with the beauty of the sea. But diving is also a specialized subject. Most diving sportsmen perform some task while diving, such as photography, exploring caves and rocks, or studying marine life. A diver's greatest interest is going to previously unexplored or unknown places. It is a pursuit driven by imagination and curiosity.

As part of this mysterious world, archaeology is not fantasy, but reality. Today, everyone would like to take part in archaeology because archaeology tells us a story which is remote from our experience.

Historic wrecks: An awareness of their significance

In the study of how man lived in the past, the archaeologist studies scraps of evidence, including artifacts of stone, bone, shell, pottery and other material excavated from sites. From the evidence, archaeologists have learned much about man's heritage.

The cultural exchange between communities has developed very fast since bridges and roads were invented. When people began to transport themselves and their goods along the rivers and the seas, increasingly sophisticated ships were invented to respond to their needs. Thus, another level was added to the communications hierarchy of human society. We can say that ships were invented as a tool, as a means of transport, in the same manner as wheels are used on land. Since then, the history of ships has been recognized as a part of human heritage.

The study of historic wrecks tells us not only the story of ship structure, ship building, or antiques in their cargo. Underwater archaeology studies three main aspects of a ship, related to its function. In summary, these are:

a) The ship as a machine designed for harnessing a source of power in order to serve as means of transport.

b) The ship as an element in a military or economic system.

c) The ship as a closed community, with its owns hierarchy, customs, and conventions. (Muckelroy, 1978)

Therefore, the study of historic ship wrecks can tell us about both the development of seamanship and cultural associations.

Underwater archaeology and treasure hunting: The diving competition

Underwater archaeology is a part of archaeological research, and has quite simple aims. But it is one of the most difficult kinds of field work in archaeology. Underwater work is certainly more expensive than land excavation (McGrail 1984). Underwater archaeological work takes six times as long as other archaeological field work.

The underwater archaeologist uses the same research methods as the terrestrial archaeologist. The objective is linked to the study of Man's use of all types of water ways (lake, river, seas), with its focus on the vehicles of that use, (the rafts, boats and ships), and how they were built and used (from the section of the raw material to the launching). (McGrail 1983)

But the activities in underwater archaeology have to be conducted under difficult conditions. The difficulties of underwater archaeology can be divided in three factors: site, methodology, and archaeological personnel.

The first difficulty is the site, which is never in a convenient situation. There have never been historic ship wrecks sunken near a sunny beach with clear water, smooth surface and comfortable climate. The type of place where ships normally sink, are by definition, dangerous areas with windy, stormy or wavy conditions.

The second difficulty of underwater archaeology is its methodology, or technique. The first part of the research methodology consists searching for the site, which poses difficulties because historic wrecks are usually beneath the sea. Use of radar or seabed sounding in underwater archaeology is still in the same stage of development as use of remote sensing systems in terrestrial archaeology. The best way to approach the site is by diving. Divers have to scan through areas by grid or some other system. The operation proceeds very slowly because in water any activity is slower than on land. This factor should be taken into consideration at all stages of the research project. However, often the operation must be done in a short period of time or stopped periodically in the monsoon season, as occurs in Southeast Asian seas.

The scale of difficulty facing researchers

at the site reconnaissance stage is illustrated by the fact that only a few underwater archaeological sites have been found by historical research. Even though we have modern equipment, such as radar, seabed sounding, and miniature submarine, most sites have been found accidentally by fishing boats.

The last factor is the underwater archaeologist him or herself. The archaeologist must be as well trained as a professional diver, not as an amatuer sports diver. As mentioned before, the underwater archaeologist's place of work is hazardous. While diving for academic reasons, which requires the recording of all archaeological detail, the researchers must be aware of all conditions, taking into account such factors as body buoyancy, the current, or sea tide.

Despite the hard and careful work of underwater archaeologists, the information which historic wrecks may provide can still be destroyed by people with non-academic interest in historic wrecks. These kinds of people include sport divers and treasure hunters, who salvage artifacts from historic wrecks for collection or trading.

Sport divers dive for pleasure and exploration. They have not much diving experience, dive for a short time and have only the challenge of diving techniques as their focus. They have no method for investigation or recording of treasure.

Treasure hunters constitute divers, who by contrast, are interested in archaeology. They search for antiques in a certain area well known as an archaeological site. The treasure hunter is interested neither in boat building techniques, nor seaboards, nor trade routes. What they are looking for are valuable objects. Nevertheless, some have peripheral, albeit, amateur interest in archaeology. Because the underwater site is difficult to approach and is limited by the pressure factor of the sea, amateur divers can not stay long enough to retrieve artifacts properly. Thus, artifacts are removed very quickly from sites without measurement or recording. The information of archaeological significance, such as ship structure, or aspects of seamanship, are lost.

"The treasure hunters see themselves as pursuing a legitimate hobby, motivated not primarily by financial gain but by a desire to find out about the past and to come into tangible contact with it, which makes them equal and equivalent to other kinds of archaeologists," (Pearce 1990).

Their aim is depenent on law or public opinion of correct or moral behaviour. If we give a chance to treasure hunters who call themselves amateur archaeologists, we could expect some kind of result, however crude, because they are working for their own benefit. It is possible to have amateur archaeologists working in this field as volunteer archaeologists, as long as they take responsibility in recording and preserving historic information.

Cooperative research project or treasure hunting?

From the archaeological heritage manager's perspective, volunteers might be viewed in two different ways. On one hand, as a group of people who can act as assistants, or generally, provide manual labor, which is the first of three pillars of the work process (man power, materials and management). The second view is they are a group of people who are interested in underwater archaeology. This latter type of person is useful, among other things, for public relations in underwater archaeological heritage conservation.

Even though volunteers are useful in underwater site protection and research, the volunteer needs much supervision. Given the limited time for a given excavation, it is difficult for directors and supervisors to respond to all the needs and questions of members of the organization. Hence, to be successful, most of the volunteers should to be trained before they start working. Volunteers should be trained not only in the details of the practical work, such as data gathering, filling in recording forms, etc, but should also be given general information regarding the administration, and organization, ethics, etc.

The role of volunteers, in this instance, is dependent upon supervision from the professional archaeologists who have responsibility for the project. Definitely, if archaeological projects are undertaken only by volunteers, no one is likely to be held responsible for unprofessional conduct or for techniques which are academically unacceptable. Such ventures may lead to vandalism, destruction or treasure hunting. Treasure hunters who call themselves amateur archaeologists are becoming more common. They may have a right to call themselves archaeologists but how can we have confidence in the competence of their work?

On this subject, George F. Bass raises an interesting point about treasure hunters who call themselves amateur archaeologists:

"...the treasure hunter might be a good amateur archaeologist, but who would go to an amateur dentist? What is the difference between an amateur archaeologist and an amateur brain surgeon?..." (Bass 1985)

This is a problem that the underwater heritage manager has to consider. The importance of categorizing activities and identifying and allocating suitable tasks for voluntleers is also an assignment for the archaeological heritage manager. In the modern world of archaeology, our store of knowledge increases every day and the trend is towards specialization in various fields, such as pottery, and metallurgy. Sharing experiences and knowledge is today's challenge.

Case study

The *Australia Tide*: A Panama registered salvage ship led by British Captain Michael Hatcher, manager of Divcon International Ltd, a Singapore-based company. Mr. Hatcher, age of 51, and four others were contracted to salvage a sunken wreck in the South China Sea.

February 4, 1992, Thai Marine Police were informed that a foreign ship, named *Australia Tide,* was salvaging a shipwreck in the Gulf of Thailand. The Thai Marine Police co-operated with the Royal Thai Navy to identify that the salvagers were not in international water but in the Thai exclusive economic zone (located 65 nautical miles east of Prachuabkirikhan Province).

Negotiations finished with the 10,287 recovered pieces of Thai ceramics (3,326 from Singhburi kiln site and 5,899 from Sisatchanalai kiln site) being handed over, through the Royal Thai Navy, to the Thai Fine Arts Department. Sadly, the archaeological information about the vessel is lost.

Flor de la Mar: Captain General Alfonso del Albuquerque's treasure ship from Malacca, sunk in 1511 AD in the Indonesian sea.

Robert F. Marx wrote an article in Skin Diver (March 1992) of a treasure chart from Sumatran divers and fishermen. Legal permissions were applied to the Indonesian Government to find and salvage the *Flor de la Mar*. More than 60 salvage companies applied in both Jakarta and Kuala Lumpur.

In January 1989, the Indonesian Government gave permission to P.T. Jayatama Istikacipta from Salim Group in Jakarta. They in turn formed a salvage company in Singapore. After spending a year and US$ 8 million, they still had not found the richest sunken ship wreck in the world.

Risdam: A sunken ship of 1727 was found by Captain Michael Hatcher in 1984, just a few hundred metres off the east coast of Johore, a southern state of Malaysia. Johore cordoned off the site but was too late as three large holes had already been blown in the hull by unauthorized persons.

Geldermalsen: Sunken ship of 1752 off the Riau Islands, south of Singapore. Captain Hatcher celebrated his 1985 discovery of the Dutch merchantship, which gave up a treasure trove of gold bars and ceramic ware. These treasures produced some 5 million sterling at an auction conducted by Christie's in Amsterdam. The Netherlands, claiming to be the legal successor of the East India Company, which owned the ship, took 10% of the proceeds.

Protection facilities in Thailand

1. Thailand has signed the Geneva Conventions on Maritime Law. One of these was the Geneva Convention on Territorial Sea and the Contiguous Zone, 1958 which entered into force in Thailand on August 1, BE 2511 (AD 1968).

Article 1 of the Convention states:

"The sovereignty of state extends beyond its land territory and its internal waters to a belt of sea adjacent to its coast, described as the territorial sea."

Article 24 (2) in Part II of the Convention also limits the contiguous zone where a coastal State may exercise the control necessary to prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea to 12 nautical miles. (However, the United Nations extended these to 24 nautical miles in 1982).

In February 23, BE 2524 (1981), the Thai Government proclaimed an Economic Zone extending 200 nautical miles. The zone was proclaimed for purpose of exercising Thai sovereign rights to exploit and conserve the national resources, both living and non-living in the sea.

Normally, Thailand will apply the Thai Civil and Commercial Code (hereinafter called CCC) as general law except in case where there are specific laws, then those specific laws will apply instead.

Section 1326 of the CCC states that the finding of property thrown into the sea or waterway or washed ashore is governed by the laws and regulations relating thereto.

The provisions in Section 121 of the Navigation in Thai Waters Act BE 2456 (AD 1913) as amended by the Navigation in Thai Waters Act (No. 12) BE 2522 (AD 1979) govern the salvage of sunken ships in Thai waters. Under the Navigation Act, "Thai waters" are defined as all Thai territorial waters which are under the sovereign power of Thailand (Quie & Vachanonda 1991).

Future of Thai heritage under the sea

Underwater archaeology in Thailand is developing. The underwater archeology organization has been upgraded from a sub-section in the research section to regional office units.

The Royal Thai Navy has modified one warship with her crews, *HMS Rint*, for deep water research archaeology, at a cost of 165 million baht. This includes heavy equipment, helium-oxygen dive training and high-technology navigation systems.

The Royal Thai Navy has a programme of sea-guard volunteers. The appending programme is expected to apply to fishermen as well cultural property protection volunteers.

RECOMMENDATION

The States of Southeast Asia should be alert to the cultural heritage protection situation, particularly towards underwater archaeological property. This is not recommended for benefit of any individual or state, but for all of humankind.

The protection of historic sites, both underwater and on land, is essential for underwater archaeological research. Legislation in the region and the United Nations Law of Sea might be a practical guideline for extension of a Cultural Protective Zone to the same breadth as the Economic Zone, to defend Southeast Asia's underwater heritage.

Permission for archaeological wrecks salvage should be granted under the supervision of professional archaeologists. The code of practice for contractors or salvors, if required, should be arranged to fulfill research purposes rather than commercial pursuits.

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