Ancient shipwrecks in the popular imagination and in legal and ethical discourse
A few reasons why the cards are stacked against underwater/maritime archaeologists:

1) Treasure hunters and shipwrecks stir the popular and romantic imagination
2) Legal loopholes and difficulties in the regulation of underwater cultural resources
3) Sheer expense and competition from well financed salvage operations
Shipwrecks and treasure hunters in the popular imagination

A cultural hero, bucking the system in pursuit of an adventurous dream
Most archaeologists would agree
How similar, or how different?
Underwater cultural heritage in legal discourse

How to regulate the sea in a world of nation states
Designed to encourage individuals to voluntarily save lives and property at sea: contingent upon their success, salvagers are offered salvage awards (no consideration given to the cultural value of a shipwreck, or if it was excavated by archaeological standards)
Law of Finds (dating at least to English Common Law): if ownership of the ship and cargo lost in international waters has been abandoned (like many historical shipwrecks), then finders keepers.
United Nations Convention on the Law of the Sea (UNCLOS, 1982) has divided the seas of the world into 5 zones
UNCLOS, 1982: coastal nation states do not hold exclusive regulatory rights over underwater cultural/historical resources beyond the Contiguous zone (24 nautical miles from shore).

Beyond the Contiguous zone shipwrecks are subject to International Salvage Law (owned vessels with salvage reward) or Law of Finds (ownership abandoned i.e. for many historic shipwrecks—finders keepers).
**extending nation state regulation over cultural resources to the length of the continental shelf or exclusive economic zone (whichever is widest)**

**introducing a system of penalties and confiscatory powers for material culture recovered in a manner not consistent with good archaeological practice**
As of November 2010, 35 nation states have signed the Convention. This is not a sufficient number of signatories for ratification. The United States, the United Kingdom and Canada are not signatories.
Deep water salvage in international waters (beyond the Contiguous zone)

51,000 gold coins went down with the paddle steamer *SS Republic* (gold cargo is historically documented)

Under ‘Law of Finds’ Odyssey Marine Exploration was granted title and ownership of the ship and its cargo
Deep water salvage in international waters (beyond the contiguous zone)

Odyssey Marine Exploration touts archaeologically responsible salvaging

Gold coins from the Republic on the seafloor (above) and on limpet (right) (Odyssey Marine Exploration)

1. Surface vessel
2. Umbilical
3. ROV
4. Recovery basket
5. Positioning System
6. Gridded shipwreck site

Components of deep-ocean excavation (Odyssey Marine Exploration)
Commodifying the past to study the past?

Non-duplicative ship’s bell is not for sale

‘Duplicative trade goods’ sold to antiquities dealers to finance expeditions (Odyssey has recorded hundreds of shipwrecks around the world)