

**The Unbreakable Code:  
Alexandria 20 Years After Mandating Archaeological Preservation**

*Garrett R. Fesler*  
© Alexandria Archaeology Museum  
*Office of Historic Alexandria*  
*City of Alexandria, Virginia*

*Fifty Years of Community Archaeology on the Potomac: Lessons from Alexandria*  
*Session presented at the*  
*Society for Historical Archaeology Conference, Baltimore, Maryland, January 2012*

In 1966 while addressing environmental issues as a gubernatorial candidate in California, Ronald Reagan famously said, “If you’ve looked at a hundred thousand acres or so of [redwood] trees – you know, a tree is a tree, how many more do you need to look at?” Although redwood trees and archaeological sites are vastly different, the sentiment expressed by Reagan about trees often undergirds our conversations about historic preservation and the significance of archaeological sites. Substitute the word “site” for “tree” in Reagan’s comments, and I suspect that most everyone in this room has encountered this kind of attitude before.

It is within this type of context—the folks who don’t “get it,” who don’t value history or archaeology—that I want to consider the Archaeological Resource Protection Code that the City of Alexandria wrote in 1989 and put into full effect in 1992, it being the first local archaeological preservation ordinance of its kind in the country. Here you see the 1989 precursor in all its glory. As a newcomer to the City, I have been pleasantly surprised to find mostly positive reactions to the Code and general citizen support for City-wide historic preservation. At least on the surface of things, the Code has gradually become part of how the City does business. That is quite an accomplishment in this day and age of Tea Party, anti-government attitudes. However, I think we need to recognize that even in a highly evolved place like Alexandria, Virginia the archaeological world is not all rainbows and lollipops. What the City Council giveth, the City Council can easily taketh away, especially in these strained economic times. So what I hope to accomplish over the next few minutes is a bit of a dissection of Alexandria’s preservation Code, how it came into being, how it works, and the economic, cultural, and archaeological impact it has had on the City.

**How the Code Came Into Being**

First let us look back at how the Code was born. The seeds of archaeology were planted in the 1960s as a result of a series of urban renewal projects along King Street, Alexandria’s most historic and iconic artery. In this highly visible setting in the heart of Old Town from 1965 to 1973, rescue excavations took place, and this process gradually ingrained archaeology into the civic consciousness. With the backing of the Alexandria Archaeology

Commission, a formal staff of archaeologists was established in 1977, led by Pam Cressey who stepped into the role as City Archaeologist.

Throughout the 1980s development in Alexandria continued at a brisk pace, threatening, damaging, and presumably destroying archaeological resources. Many of the development projects were private enterprises and did not fall under the federal cultural resource protection laws. To stem the loss of archaeological sites, the Archaeological Commission spearheaded a preservation initiative that culminated in 1989 with the drafting of an archaeological ordinance. Consisting of eight stipulations, perhaps the most crucial language in the ordinance you see here. The trigger for this policy was rather ingenious: it redefined “ground disturbing activity” and made it “unlawful for any person to conduct or permit any ground disturbing activity on land” until site plans have been approved by the Archaeology Department. Three years later in 1992 the Archaeological Resource Protection Code was more formally codified, outlining a five-step review process.

### **How the Code Works**

The Code stipulates that Alexandria Archaeology must review all City site plans that involve ground disturbance and make a determination of the potential impact on archaeological resources. Fulfillment of the Code consists of five basic stages, most of which are fairly similar to the steps that occur in the federal process under Section 106 and 110.

The whole process hinges on the outcome of the “preliminary archaeological assessment.” Using GIS, historic maps, tax maps, settlement pattern data, and other primary documents, we put the project area through a process of due diligence. Guiding us through this assessment are these six principles you see here that we apply to a property, similar to the National Register criteria. Of course, at this early juncture of a project, usually we do not know if any sites are present. Rather, we are really looking for what kind of potential the property may hold for archaeological sites. Do any historic maps show sites on the property? Is the landform conducive for prehistoric settlement? What is the current condition of the property? So, in most cases during the assessment process, we are making educated guesses as to how the six criteria might apply to the property, because unless historic maps definitively show a site in the project area, the only criteria that we can focus on with real data is integrity, and even that is really just conjecture.

Depending upon what turns up during the assessment process, we generally issue one of four directives that you see here. As you would expect, most development types are hoping for one of the first three outcomes. If we determine that the project area has good potential for archaeological sites, then the property owner is required to hire a professional archaeological consultant and move through the process of background research, surveying, evaluating, and if necessary, excavating any significant resources.

It is worth noting here that, although not officially under the Code, our department also reviews building permits and other activities that do not require formal site plans—things

like additions to homes, the replacement of pipes, moving a fence, and so forth. In these cases we do not burden property owners with the cost of archaeology, but if something of significance is on their property we may ask permission to conduct some sort of emergency recovery project or have our staff monitor the ground disturbance activity.

## **The Impact of the Code**

Let us turn now to the effect the Code has had. I'd like to look at three areas. First, the economic ramifications of the Code, then the impact it has had on shaping the social dimensions of the City, and finally the somewhat inscrutable effect the Code has had on the archaeology and the archaeologists that work in Alexandria.

***The Economic Impact:*** I have been working with Alexandria Archaeology for only six months now. In my previous life I worked as a CRM archaeologist for more than 20 years. Back then, I served as an archaeological consultant mostly for developers who frequently harangued about archaeology. Why did they have to do it, what was the point, why does it cost so much, etc., etc. During my short tenure in Alexandria I have witnessed what I interpret to be a general acceptance of archaeology from developers. I'm sure they grumble about it, but the Code seems to have become part of the price of doing business in Alexandria. My sense is that as long as the Code is applied rationally and fairly, and not indiscriminately, it poses no urgent threat to development in the City.

It is important to point out that Alexandria is unique in the sense that it is a relatively affluent community, and if archaeology contributes to a higher cost of living there, it is almost incidental compared to the other factors that play a much more noticeable role in local living expenses. So in that sense, the scale of the economy in Alexandria tempers the financial impact of archaeology. I'm sure the potential out-of-pocket cost of a preservation code would be less diluted in middle class American cities, and because of that, I imagine it would be more difficult to implement, especially in the current economy. Look at Alexandria compared to Peoria, for example. Mandated archaeology probably would not play too well in Peoria.

***The Cultural Impact:*** Take a stroll through Old Town Alexandria and it quickly becomes apparent that the City's history is a source of civic and community pride for many of its citizens. Archaeological projects—many fostered by the Code—and the visible aftereffects of archaeology from historic signs, monuments, and restorations help to reinforce this viewpoint. Most Alexandrians realize that the City's history is a primary part of its allure, a major reason why property values remain high, and why a goodly amount of tourist dollars are spent in the town. The quote you see here is what one of the citizens of Old Town told me recently while standing in line at that Starbucks. This recognition that the City's history is what makes it special seems to be a perspective held by most people in Alexandria. In a small way, then, archaeology and historic preservation under the Code help to knit the social fabric of the community together and create a group identity. As is aptly expressed in this observation by Marcus Garvey, the Code is part of what allows for some citizens of

Alexandria to have a fuller sense of self, a deeper sense of purpose, and a rootedness of place that is not present in other communities.

Is the experience of living in Alexandria richer because of the Code? I think the answer is yes *for some*, but it is difficult to cite a cause-and-effect relationship between the Code and the quality of life in the community. It is sort of like placing a monetary value on a family heirloom. The old rocking chair that once belonged to my grandmother is precious to me, but might get a hundred bucks on EBay. Like that rocking chair, some of the citizens of Alexandria feel more vested in the City's heritage than others, and these different perspectives are often shaped by race, ethnicity, and class. A wealthy family living in an expensive restored home in Old Town has the luxury to reflect on the role that history might play in their lives, whereas a single parent stuck in the projects is living out the vestiges of historical inequality each day, and probably does not have the inclination to feel deeply fulfilled by a connection with Alexandria's past.

***The Archaeological Impact:*** Finally, let's turn to the impact that the Code has had on how archaeology is practiced in Alexandria. For the most part the Code is a rousing success. Dozens of sites have been identified and studied in Alexandria specifically because of the Code. If the Code was not in place, these sites you see here—and many, many others—would have never seen the light of day.

I think the principal archaeological issue that I have been grappling with since coming to Alexandria has been the concept of significance: what is, what isn't, and why. In my pre-Alexandria life, as a CRM archaeologist working within the Section 106 system in most cases, I gradually learned how to play the significance game. I became pretty good at crafting a convincing case for or against significance for each site I dealt with. A strong, well-reasoned significance statement takes hard work to construct, and thinking deeply about significance is like going through a form of intensive archaeological therapy, a process of stripping down a site to its essential truths and asking, "Why does this site matter?" How can each particular site contribute to a better understanding of past history and culture? A knowledgeable and skilled CRM archaeologist plays God with the archaeological record, deciding which sites get studied and which don't. Pretty heady stuff if you think about it, and a responsibility that often weighs heavily.

Since joining the staff at Alexandria Archaeology, I have come to recognize that the standards of significance in Alexandria's Protection Code echo the federal ones, but there are some nuanced differences. Significance at the federal level is centered on research value, whereas in Alexandria public value seems to be the driving force. I think this is because archaeologists didn't decide what the criteria of significance is in Alexandria, but the "people" did—the Archaeological Commission, residents, interested parties, the Friends of Alexandria Archaeology. These people and groups decided that these were the factors that made archaeology sites most meaningful to them. In this respect, archaeology in Alexandria is not so much about defining significance, but recognizing that history and archaeological sites have meaning to people, sometimes meanings that are complex and subconscious on certain levels.

As Alexandria Archaeology moves into its third decade of administering the Code, we do so with two overarching goals. First, to continue to serve as stewards of the City's archaeological record, and to implement the letter and the spirit of the Code for the people of Alexandria. Secondly, but equally as important, we need to help people to make connections between archaeological data and a deeper understanding of history and culture. Some may not care to think more deeply about the meaning of archaeological finds. Knowing something has been found, studied, or preserved may be good enough. But others may be ready to delve deeper into culture change, historical inquisition, and maybe even anthropological theory. In this way, we can continue to foster the public value of archaeology, but also elevate the research value of it as well, making the whole enterprise more engaging and fulfilling to all of us, archaeologist and audience alike.

## **Conclusions**

At the ripe old age of 20, the state of the Archaeological Resources Protection Code in Alexandria remains strong. Dozens of resources have been saved or protected as a result of it. But we can't afford to let it rest on its laurels. We do not want our program or the Code to be vulnerable to the "if-you've-seen-one-site-you've seen-them-all" attitude that I opened with. To fend off the Ronald Reagans of the world, our archaeological work must stay fresh and continue to dazzle. We need to continue to stretch ourselves analytically, using our archaeological expertise to interpret data in creative and publically accessible ways. The Code is a gift, and we need to do our best to make it keep on giving.