

Indigenous Peoples, Archaeologists and the Research Process

Convenor: Susan Forbes, Te Papa Museum, New Zealand

Indigenous peoples have long been the focus of research conducted by many archaeologists, anthropologists and ethnographers. The vast majority of these researchers are non-Indigenous. Research produces knowledge that, under current intellectual property laws, is legally owned, controlled and disseminated by the researcher. Indigenous communities who share their cultural and intellectual property with researchers are not recognised as being the legal owners of their knowledge and hence, can exert no legal control over who can access or use that knowledge. This can be problematic when the knowledge is of a secret/sacred nature where access would normally be restricted to properly initiated members of the community. Appropriation and misuse of cultural and intellectual property is a major issue for Indigenous peoples.

This focus of this session is on the cultural and intellectual property issues that Indigenous peoples and archaeologists encounter in the course of research. It will discuss both problems faced and instances of where these issues were successfully resolved.

SESSION STRUCTURE

Dangers and Safeguards: Maori Knowledge in Archaeological Research

Caroline Phillips, University of Auckland, New Zealand

At The Interface: Encounters between Maori Intellectual Property Guardians and Archaeological Researchers

Margaret Rika-Heke, Tainui-Waikato and Ngapuhi, New Zealand

Oral Histories - Or How Archaeology Inserts Itself into Indigenous Social Relations

H. Martin Wobst, Department of Anthropology, University of Massachusetts, Amherst, USA

Crossing the boundaries: Developing Indigenous models of museums and archives

Moira Simpson, Flinders University, South Australia

Interpreting Aboriginal Cultural Heritage as part of the Birdsville/Strzelecki experience

Lyn Leader-Elliott, Flinders University, South Australia

Archaeological Conversations with a Hopi Elder

George Gumerman, Northern Arizona University and Elmer Satala, Hopi Cultural Preservation Office

SESSION ABSTRACTS

Dangers and Safeguards: Maori Knowledge in Archaeological Research

Caroline Phillips, University of Auckland, New Zealand

Indigenous knowledge, that body of information held by Indigenous peoples, is a creative process; it is constantly being shaped and reshaped according to the situation. Consequently Indigenous peoples express or emphasise aspects of their knowledge depending on the particular context. Archaeological research also has its own structure, and the researcher will have their own questions and purpose. Often the process of archaeological research involves the drawing together of oral accounts, historical information, physical observations, material objects and archaeological models into an interpretation of the past. Once this interpretation is made it is then disseminated through the academic media.

Issues arise in relation to the context in which the oral accounts, or written history were made; the purpose or relevance of the research; the form in which the interpretations are made; and finally the access, or restrictions, that are placed on the results.

I have been involved in two inter-disciplinary archaeological research projects involving Maori knowledge: one incorporating archival histories, and the second including both oral and written accounts. Using these examples, this paper examines those points of danger where control of the process (not just indigenous knowledge itself) is not in the hands of the Indigenous person or group, and discusses the safeguards that may be put in place to ensure that the knowledge is not misused or misconstrued

At The Interface: Encounters between Maori Intellectual Property Guardians and Archaeological Researchers

Margaret Rika-Heke, Tainui-Waikato and Ngapuhi, New Zealand

In the modern era Indigenous culture has been commodified: transformed into a resource from which industries mine Indigenous epistemologies in the pursuit of marketability and ultimately for socio-economic gain. Indigenous cultural intellectual property has become an increasingly contentious landscape, primarily because of the intersection of diverse business, technological, cultural and value paradigms. In terms of archaeological research generation and praxis, a certain amount of friction has arisen out of conceptual differences relating to what is considered acceptable and what is not. Often cited flashpoints allude to aspects of authorship, access, control, use rights, restriction and dissemination. Indigenous peoples throughout the world are reacting against the marketing of

their intangible heritage. In Aotearoa/New Zealand the best articulation of this reaction, is exemplified by the Wai 262 claim, in which Maori claimants maintain that the New Zealand Crown has breached their obligations under the Treaty of Waitangi to protect the ability of Maori to exercise their rights of control and guardianship over indigenous flora and fauna, other taonga, and traditional knowledge. This paper examines some of the primary cultural intellectual property issues that Maori and archaeologists encounter in the course of research, particularly where matauranga Maori (Maori knowledge systems), taonga (treasures) and wahi tapu (sacred precincts and places of memory) are concerned.

Oral Histories - Or How Archaeology Inserts Itself into Indigenous Social Relations

H. Martin Wobst, Department of Anthropology, University of Massachusetts, Amherst, USA

For good reason, Indigenous populations let archaeologists listen to and record their oral histories. For good reason, too, archaeologists have cheerfully done that. This kind of oral history collaboration looks like a win-win situation for Indigenous populations and archaeologists. Yet, what at first sight appears to be a rare instance of post-colonial synergy and cooperation among equals is full of re-colonizing potential for Indigenous societies. The potential for damage is severe enough to require archaeologists to provide a community's cultural custodians with carefully reasoned statements about the potential for negative social impact, before being allowed to record and publish that community's oral histories. In addition, communities should retain the copyright over such externally published oral histories, and be encouraged to revise them, or withdraw them altogether, as their needs dictate.

Crossing the boundaries: Developing Indigenous models of museums and archives

Moira Simpson, Flinders University, South Australia

In many indigenous societies, community-based approaches to preserving, managing and transmitting tangible and intangible heritage, are being combined with adaptations of conventional museum practices to create new forms of ethnomuseology that utilise culturally different and diverse, but essentially complementary, mechanisms for heritage preservation and interpretation. The operation of culturally-appropriate museums, can contribute to the revitalisation of cultural traditions and strengthening of social unity within the community. However,

spiritual heritage, in particular, often requires great sensitivity, care and control in terms of the curation, conservation and protection of sacred and ceremonial objects and associated cultural knowledge and practices. To achieve this, especially in spaces in which inter-cultural exchanges occur, many culturally-appropriate museums and cultural facilities operate within boundaries of varying degrees of permeability designed to sustain efforts to preserve and renew traditional cultural values and practices and also protect and control access to Indigenous cultural and intellectual property which is sensitive or subject to restrictions.

In this paper, I will consider the ways in which Indigenous approaches to the management and preservation of cultural and intellectual property are being used in parallel with Western museology as part of strategies designed to preserve, revitalise and protect culture, leading to the development of museums and related cultural facilities that operate within Indigenous knowledge systems and social frameworks. While these local models of museums may challenge some conventional notions of museums and their roles, they demonstrate the importance of non-western epistemologies in the creation of cultural facilities that suit local community needs, agendas and cultural protocols.

Interpreting Aboriginal Cultural Heritage as part of the Birdsville/Strzelecki experience

Lyn Leader-Elliott, Flinders University, South Australia

This paper examines some issues relating to inclusion of Aboriginal cultural heritage in a study commissioned by State and Federal government on cultural heritage and heritage tourism potential along the Birdsville and Strzelecki Tracks in South Australia and Queensland. Tourism surveys show low levels of perception of 'Aboriginality' linked to the Outback, possibly connected to the poor representation of Aboriginal cultural association with the study region in tourist literature as well as on the ground. Legislative and administrative considerations led to the omission of Aboriginal heritage from the heritage tourism study, which was required to concentrate on post-settlement historic heritage. The report recommended that the Aboriginal story be told where appropriate, and that this be based on consultation with Aboriginal communities to identify places suitable for interpretation, so that a layered understanding of people and place can be developed.

Significant constraints on including Indigenous cultural heritage in the study framework were imposed by time frames and

separation of government functions for historic and Indigenous cultural heritage, as well as by the time constraints of the survey project. In this project, and in others such as the Yurrebilla Trail, Indigenous heritage is under-represented in interpretation and presentation of Australian cultural landscapes.

Archaeological Conversations with a Hopi Elder

George Gumerman, Northern Arizona University and
Elmer Satala, Hopi Cultural Preservation Office

How does the Hopi Tribe work with Western archaeologists? What does it take to form a collaborative project that involves archaeology and the Hopi Tribe? The Hopi have specific research protocols and a permitting process that places ownership among the Hopi rather than the archaeologist. Any research that involves Hopi must demonstrate a clear benefit to the Hopi people. We discuss the mutually beneficial Hopi Footprints project to illustrate how archaeology and elder knowledge are used to create culture curricula for Hopi schools while also enriching archaeological scholarship and knowledge. The result is a collaborative partnership where both Hopi and archaeologists benefit much more than would be the case if each worked independently.