

Working with and Working for Indigenous Communities

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With the growth of ethnic and nationalistic awareness across the globe, archaeologists are reexamining the rights of indigenous peoples regarding the control and study of heritage resources, including the excavation of ancestral archaeological sites and human remains. Historically, most indigenous populations have been "politically weak, economically marginal, and culturally stigmatized members of the national societies that have overtaken them and their lands" (Dyck 1992:1). As this situation gradually changes in many countries, indigenous peoples have begun to exercise their political rights with respect to laws governing historical preservation and repatriation. Nonetheless, many archaeologists still operate in a historical and political context in which native peoples are subordinated to dominant cultures, with interruption of indigenous land tenure, suppression of native languages, perception of native peoples as an inferior race, and socioeconomic marginalization of indigenous communities. This situation pertains to all places where indigenous peoples have been subjected to colonial practices, including North and South America, Australia, Africa, Asia, and parts of Europe.

Today an increasing number of archaeologists are beginning to work with indigenous communities in collaborative research or to consult native peoples about the management of heritage resources and historic preservation. In the United States and

other developed nations, many of these archaeologists work for indigenous communities as employees of native governments, often in native-based historic preservation programs. Although working with and working for indigenous communities entail an overlapping set of intellectual and ethical challenges, each of these research contexts is associated with unique issues that archaeologists need to consider.

The chapter has two goals. The first is to offer thought-provoking discussions that illustrate the similarities and differences in the ways that scholars and indigenous communities control heritage resources and value the past inferred from the scientific study of those heritage resources. The second goal is to recommend specific methods to increase effective communication and interaction between archaeologists and indigenous peoples. The chapter does not provide a comprehensive, in-depth analysis of the state of affairs between indigenous communities and archaeologists throughout the world or trace the history of anthropology and its relationship with indigenous peoples, topics treated at length in other publications (Carmichael et al. 1994; Downer 1997; Ferguson 1996; Kehoe 1998; Layton 1989a, 1989b; Lurie 1988; McGuire 1992a, 1992b, 1997; Stone and Molyneaux 1994; Trigger 1980, 1986, 1989; Watkins 2000). Every archaeologist is encouraged to peruse these sources to develop a personal understanding of the complex interaction our discipline has had with native peoples.

Issues of Standing

The issue of who has "standing" is inherent in the relationship between indigenous peoples and archaeologists. Standing is the right of an individual to participate in decision making because he or she is directly affected by an issue. As Rosen (1980:6) commented with respect to archaeology, defining standing answers the question, "Who has the right to excavate, or prevent the excavation of, a recent or ancient burial site, and on what authority is that right to be based?" Through much of the twentieth century, archaeologists considered themselves the principal people with standing to make decisions about the protection and

use of the archaeological record and other heritage resources, and the basis of their authority rested in their credentials as scientists. That standing was recognized by governments and public bodies, who took an archaeologist's advice as to how ancient remains should be dealt with—often with little regard to the concerns of indigenous communities. In the last thirty years, however, indigenous peoples around the world began a concerted effort to increase their role in the decisions about how the archaeological record created by their ancestors should be used in scientific research. As the living descendants of the people who created the sites that are the subject of archaeological research, indigenous people feel they are directly affected by archaeological activities. In their view, this gives them standing in the decision-making process concerning the management and use of the archaeological record, a standing now increasingly recognized by governments and public agencies.

In many countries, recent burials in formal cemeteries may be protected under the common law of the national government, but a similar protection for ancient burials in unmarked interments is often lacking. This was the case in the United States until the passage of the *Native American Graves Protection and Repatriation Act* (NAGPRA) in 1990, which legally recognized the standing of Native Americans in decisions about the ownership and disposition of ancestral human remains and cultural items. The implementation of NAGPRA in the last decade has begun fundamentally to change the way that archaeologists and Native Americans interact in a new structure of power relationships, with archaeologists in closer and more sustained dialogues with indigenous peoples.

In the United States, the changes produced by NAGPRA have been reinforced by concurrent changes in the National Historic Preservation Act (NHPA). The NHPA was amended in 1992 to recognize traditional cultural places as historic properties and increase formal consultation with Indian tribes and native communities during decisions about the management of ancestral archaeological sites and heritage resources. As with NAGPRA, this has increased communication between archaeologists and Native Americans, forcing land managers to consider the cultural concerns expressed by indigenous peoples (Ferguson 2000).

Archaeologists, however, retain substantial power over the heritage resources associated with indigenous peoples. Consequently, many members of descendant communities continue to feel powerless in controlling what happens to their ancestors and the archaeological sites associated with them; they remember how things were done in the past. Persistent differences in the perceived standing of archaeologists and indigenous peoples contribute to preconceived attitudes in both groups that continue to impede effective communication. Some indigenous people think archaeologists are arrogant and insensitive, and some archaeologists think native peoples are antagonistic toward scientific research. Both groups need to work harder to overcome these historical stereotypes by engaging in a more meaningful and productive discourse.

Several questions remain in the minds of many indigenous people and archaeologists: To whom does the past belong? Do the descendants of a founding population have the right to control access to the evidence of their culture, or should access to that archaeological record be open to scientists who have spent their lives learning about humanity? In considering these questions it is important to recognize that they revolve as much around control over resources that exist in the present as they do about the construction or interpretation of the past. Many archaeologists have come to understand why indigenous groups have the right to determine how their close and direct ancestors are treated. But how close and how direct? Some archaeologists continue to question whether indigenous people should have the right to control cultural material that is thousands of years old and believed by archaeologists to be part of the heritage of humankind. There is a hotly contested debate about science in relation to other value systems that every archaeologist has to come to grips with in their own personal and professional development (Clark 2000; Watkins 2000). In resolving these questions in the United States, archaeologists and indigenous people are both legally bound by the tenets of NAGPRA. Outside the United States, local laws apply; few of these provide as much control by indigenous people as NAGPRA does.

Reasons for Involving Indigenous Peoples in Archaeological Research

Native peoples have much to offer for the archaeological study of the past, and there are many reasons for involving indigenous peoples in archaeological research beyond any legal requirement to do so. Indigenous peoples can themselves contribute valuable knowledge to help inform and evaluate archaeological research. This information includes oral traditions about archaeological sites, native classification of natural resources and material culture, knowledge about native technology, and insights about humanistic and spiritual motivations in past human activities. Peer review of archaeological research by indigenous peoples can provide additional hypotheses or explanations that were not considered in research and can help correct the perpetuation of factual errors or cultural distortions sometimes found in earlier anthropological publications. Other reasons for involving indigenous people in archaeology include professional ethics and legal responsibilities for consultation regarding historic preservation and environmental compliance activities.

Archaeologists like Janet Spector (2000), who had little training and few role models to follow in how to involve native peoples in archaeological research, demonstrate that with commitment to collaboration it is possible for archaeologists and indigenous communities to work together, learn from one another, and mutually benefit in the process. Working at Inyan Ceyaka Atonwan (Village of the Rapids), a nineteenth-century Wahpeton Dakota summer planting village in Minnesota, Spector pursued contacts with the descendent Wahpeton community and developed a multicultural and interdisciplinary field program that included instruction in the Dakota language, critical analysis of historical sources, and direct participation of tribal members. The book that resulted from this work, *What This Awl Means: Feminist Archaeology at a Wahpeton Dakota Village*, masterfully combines cutting-edge archaeological theory with a humanistic view of the past (Spector 1993).

Even tribes that have been historically antagonistic to one another can collaborate in research that produces multiple views

of the past, providing a richer postprocessual view of archaeology, ethnography, and tribal history than would otherwise be possible. Hopi, Zuni, and Navajo traditional histories of ancestral occupation of the Jeddito Valley in Arizona, for instance, complement an archaeological perspective and offer a vehicle for communication that results in building a bonded constituency for future collaboration in research and advocacy for historic preservation (Swidler et al. 2000). Archaeologists and native peoples both benefit from this effort.

Relationships with Indigenous Peoples Defined by Professional Ethics

Archaeologists are bound by the ethical standards of their professional associations, ethics that help define equitable relationships with indigenous communities. A chapter on "Archaeological Ethics" by Fowler, Julie, and Salter in the forthcoming *Handbook of Archaeological Theory* provides a historical survey of this topic, and so only those elements directly applicable to indigenous peoples are reviewed here. People who violate ethical standards run the risk of being dropped from membership in the scholarly societies that help constitute their identity as professional archaeologists.

Members of the Society for American Archaeology (SAA) are governed by eight principles of archaeological ethics, three of which are directly related to interaction with indigenous peoples (<http://www.saa.org/AboutSAA/Ethics/prethic.html>). The principle of stewardship values long-term conservation and protection of the archaeological record. Stewardship resonates with native values to protect heritage resources and provides a foundation on which to build long-term personal and professional relationships. Accountability requires good-faith efforts to consult groups affected by archaeological research, with the goal of establishing a mutually beneficial working relationship. Public education and outreach entails communication of archaeological interpretations of the past to the interested public, including Native Americans and other indigenous groups. The ethical principles of the SAA were distilled from long-term professional

concerns about archaeological practice (Champe et al. 1961:137–138; Cummings 1988; Lynott 1997:592–593; Lynott and Wylie 1995; McGimsey and Davis 1977:97–105).

Archaeologists who list themselves in the Register of Professional Archaeologists (RPA) agree to abide by a code of conduct developed to define archaeology as a profession based on morality, responsibility, and competence (<http://www.rpanet.org/>). These archaeologists agree to be sensitive to, and respect the legitimate concerns of, groups whose culture histories are the subjects of archaeological investigations. Many indigenous communities are concerned about the confidentiality of cultural information pertaining to indigenous heritage resources, and registered professional archaeologists have a responsibility to protect nonarchaeological information that an employer or client has requested be held inviolate. Use of confidential information requires full disclosure to and consent of the client.

The World Archaeological Congress (WAC) has taken an active role in defining archaeological ethics relating to indigenous peoples (Ucko 1994:ix; Zimmerman and Bruguier 1994). Members of WAC agree that they have obligations to indigenous peoples and that they will abide by a code of ethics with eight principles and seven rules (<http://www.wac.uct.ac.za/archive/content/ethics.html>). The WAC ethical principles acknowledge that heritage resources and human remains are important to the survival of indigenous cultures; the protection of indigenous cultural heritage is important to the well-being of indigenous people; ancestral human remains, and sites associated with these remains, are important to indigenous peoples; the important relationship between indigenous peoples and their cultural heritage exists irrespective of legal ownership; the indigenous cultural heritage rightfully belongs to the indigenous descendants of that heritage; and there are indigenous methodologies for interpreting, curating, managing, and protecting indigenous cultural heritage. Furthermore, WAC members agree to establish equitable partnerships and relationships with indigenous peoples whose cultural heritage is being investigated and to seek representation of indigenous peoples in agencies funding or authorizing research to ensure their view is considered in setting research standards, questions, priorities, and goals. The WAC

rules require defining the indigenous peoples whose cultural heritage is the subject of investigation, negotiating with and obtaining the informed consent of representatives authorized by the indigenous peoples whose cultural heritage is the subject of investigation, ensuring that the authorized representatives of the indigenous peoples are kept informed during all stages of the investigation, ensuring that the results of archaeological work are presented with deference and respect to indigenous peoples, not interfering with or removing indigenous human remains without the express consent of those concerned, not interfering or removing objects of special cultural significance without express consent, and recognizing an obligation to train and employ indigenous peoples during projects.

Archaeologists who belong to the American Anthropological Association (AAA) subscribe to a code of ethics that recognizes their primary obligations to the people they study and work with (<http://www.ameranthassn.org/committees/ethics/eth-code.htm>). These obligations can supersede the goal of seeking new knowledge and so can lead to decisions not to undertake or to discontinue a research project when the primary obligation conflicts with other responsibilities, such as those owed to sponsors or clients. The AAA code of ethics recognizes that knowledge can lead to social and cultural change, both positive and negative; the well-being of human beings should be respected; anthropologists should work for the long-term conservation of the archaeological, fossil, and historical records; and anthropologists should actively consult with individuals and groups affected by their work to establish a working relationship beneficial to all parties. Anthropological researchers must do everything in their power to ensure that their research does not harm the safety, dignity, or privacy of the people with whom they work, conduct research, or perform other professional activities. The anonymity of people providing information should be protected unless they opt to receive recognition. Informed consent is understood as a dynamic and continuous process that should be initiated in the project design and continue through implementation by way of dialogue and negotiation with those studied. Responsible for complying with the laws and regulations affecting their projects, anthropologists must not exploit in-

dividuals, groups, animals, or cultural or biological materials. Finally, anthropologists should recognize their debt to the societies in which they work and their obligation to reciprocate with people studied in appropriate ways.

Although the ethical standards of the SAA, RPA, WAC, and AAA serve as exemplars of the professional ethics that apply in all countries, many scholarly societies in other countries have their own codes of ethics. It is incumbent on the members of those scholarly organizations to familiarize themselves with the ethical tenets by which they have agreed to abide by virtue of membership in those professional organizations.

Ethical responsibilities to indigenous peoples need to be balanced with other professional responsibilities to scholarship and science—not always an easy or straightforward task. Different values are involved, and these are sometimes hard to reconcile. The scholarly ethics of disseminating knowledge through publication of research often conflicts with the desire of indigenous people to maintain the confidentiality of esoteric cultural information. The assertion of intellectual property rights by indigenous communities can be at odds with academic notions that authors own their research and the writings that result. Resolving these and other ethical conflicts requires open communication and ongoing negotiation throughout the life of a project and, indeed, throughout the life of an archaeologist with a long-term research commitment with a particular indigenous community. As indigenous people gain a more sophisticated understanding of ethical issues and legal rights, so the ethical context of research remains dynamic and subject to change. In the United States, many Indian tribes have begun to enter into formal legal contracts with scholars that define the ownership of indigenous intellectual property and limit the rights of scholars.

Relationships with Indigenous Peoples Defined by Heritage and Historic Preservation Legislation

Many interactions between archaeologists and indigenous peoples in developed nations such as the United States are defined now by formal consultation as mandated by heritage and historic

preservation legislation such as NAGPRA and the NHPA (King 1998). As defined in the federal regulations that govern the NHPA, consultation is "the process of seeking, discussing, and considering the views of other participants, and where feasible, seeking agreement with them regarding matters" arising in the compliance process (King 2000:94). Consultation with Indian tribes and traditional Native American leaders is required at various stages in the historic preservation compliance process. Different laws define consultation in various ways, and archaeologists engaged in cultural resource management (CRM) and repatriation need to thoroughly understand the regulatory framework governing their projects so they can fulfill their legal obligations to consult indigenous communities.

In the United States, Indian sovereignty is a key issue defining the interaction between Native Americans and archaeologists on Indian-owned land. The United States recognizes Indian tribes as domestic dependent nations that retain sovereign powers, except as divested by the United States. As sovereign nations, Indian tribes retain political power over their members and their territory. Consequently, current federal policy in dealing with Indian tribes is predicated on a government-to-government relationship. At the same time, the United States has a trust responsibility to Indian tribes, and this both guides and limits the federal government in dealings with Indian tribes. Indian sovereignty means that all archaeological research undertaken by non-Indians on Indian land requires the approval of the tribal government, and that a tribe retains ownership of all cultural materials found on their land. Archaeologists should recognize that many archaeological collections curated in museums are owned by the Indian tribes from whose land they were acquired and that the permission of the tribe should be obtained before research is done with this material.

The amendment of the NHPA in 1992 authorized Indian tribes to develop Tribal Historic Preservation offices and to assume the historic preservation functions on their land that were formerly the responsibility of a State Historic Preservation officer. For many tribes, the assumption of these responsibilities is an issue of tribal sovereignty: it removes a state official from the decision-making process managing heritage resources on tribal lands, and it

reinforces the government-to-government relationship between the United States and Indian nations. To date, 52 Indian tribes have appointed Tribal Historic Preservation officers, and more tribes are preparing to do this (Anyon et al. 2000; Ferguson 2000). Many of these tribes have hired archaeologists to provide administrative support services to their Tribal Historic Preservation officers.

As tribes in the United States establish heritage management and cultural preservation offices, they are also enacting tribal legislation to control how research is conducted on their lands. As sovereign nations within the United States, this legislation adds another level of regulation for archaeological research. For instance, out of a desire to protect their rights to privacy and intellectual property, the Hopi Tribe has instituted a protocol for research and publication that calls for strict review of academic projects on Hopi lands (<http://www.nau.edu/~hcpo-p/hcpo/>).

NAGPRA has extended indigenous property rights and control over human remains and cultural objects to federal land outside Indian reservations when it is demonstrated these materials are culturally affiliated with a contemporary Indian tribe or native Hawaiian organization or, in some cases, when these items are recovered from judicially determined aboriginal territories. The negotiation of NAGPRA agreements for archaeological research projects initiated after 1990 is another mechanism that has dramatically increased consultation between archaeologists and indigenous peoples in the United States.

Several provisions of the amended NHPA mandate consultation with Indian tribes with regard to historic properties to which the tribes attach religious and cultural significance. Many of these historic properties are outside Indian reservations, and this too brings archaeologists and Native Americans into more frequent contact during research and consultation activities.

Federal, state, and tribal laws, and the regulations promulgated to implement them, are not static; laws are periodically amended and new regulations issued. Consequently, after completion of a graduate degree, archaeologists need to keep abreast of new developments and case law through continuing education programs like those sponsored by the Heritage Management Program of the University of Nevada, or by self-study and assiduous reading of legislative and regulatory mandates.

Scientific and Indigenous Concepts of Heritage Resources and the Past

Archaeologists working with or for indigenous communities need to recognize that native peoples and scholars often have different concepts of heritage resources and their relation to the past. Archaeologists are trained to see the archaeological record as *inanimate* deposits of artifacts and sediments that can be studied to learn about the past. Many indigenous peoples, however, view archaeological sites as places alive with ancestors and spirits. These ancestors and spirits are *animate*, and they have a profound influence in contemporary life. In many indigenous cultures, the boundary between the past and present is not as linear or sharply demarcated as it is in the scientific worldview (Naranjo 1995; Rappaport 1989). Ancestors who lived in the ancient past still reside at archaeological sites, and these ancestors have important, ongoing roles in present-day cultural practices and religious activities.

In the same way, archaeologists have been taught to objectify human remains and treat them as scientific specimens. Although contemporary archaeologists are trained to treat human remains with respect, it is a detached respect: these remains are conceptually reduced to material remnants of humans, and most archaeologists perceive them essentially as sources of data rather than as people. In contrast, most indigenous peoples treat human remains as deceased people who retain a spiritual power that demands respect and special treatment. Human remains are perceived as living ancestors rather than scientific specimens.

Archaeologists need to remember they are themselves anthropologists and to realize that indigenous peoples have viable cultures that are markedly different from that of scientists. Indigenous people have a birthright to their own culture, and archaeologists should not try to force indigenous peoples to think or act like members of a dominant nonnative culture. The concepts of archaeologists and indigenous people are both valid in their respective cultural contexts. One worldview is not necessarily better than the other; each has value. When archaeologists feel that they are not communicating

well with indigenous peoples, they need to think if the problem relates to different conceptions of heritage resources and the past. Archaeologists need to clearly explain their scientific goals and objectives and at the same time to respect the cultural beliefs of other people.

Archaeologists engaged in CRM often find that indigenous peoples consider heritage resources to include much more than archaeological sites narrowly defined by the presence of material remains from past human behavior. Heritage resources include a wide variety of traditional cultural places, including springs, gathering areas, sacred sites, landforms, and other landscape features. Because many of these traditional cultural places are not marked by archaeological materials, they have low—or no—visibility on conventional archaeological surveys. Because traditional cultural places are used in the retention and transmission of indigenous cultures, many native peoples consider these heritage resources as important as archaeological sites. The identification and evaluation of traditional cultural properties require the active participation of indigenous cultural experts, and an increasing number of archaeologists find themselves working with and for indigenous communities in this component of historic preservation.

For most archaeologists, the past is informed by study of the archaeological record, supplemented by information from documentary history when it is available. Many indigenous peoples know the past through traditional histories that are transmitted by oral performances, dances, ritual observances and other means (Echo-Hawk 1993). Although these traditional histories can provide important sources of interpretative data about archaeological sites, archaeologists need to recognize that not all native peoples want their oral traditions used in scientific research (Anyon et al. 1997). The fact that oral traditions are sometimes embedded in ritual or esoteric knowledge makes it imperative that archaeologists using this source of data do so in consultation with indigenous communities and, whenever possible, in active collaboration with native scholars.

Scientific and Indigenous Values of Archaeology

For archaeologists, the principal values of the archaeological record are derived from the scientific data it yields about past human behavior. Although some indigenous people appreciate the scientific values of the archaeological record and what it can teach us about the past, indigenous values for archaeological sites are primarily derived from their association with ancestors and tribal history. These indigenous values may transcend scientific data. The desire to protect the well-being of ancestors associated with archaeological sites and to preserve archaeological sites in situ as monuments that attest to tribal history are often more important to indigenous people than the information that might be gained through archaeological excavation. Inasmuch as archaeological excavation is a destructive process, many indigenous people consider it to be adverse to protecting heritage resources.

Archaeologists who want to accommodate indigenous values can often pursue their research either by focusing on the identification and study of archaeological sites using nondestructive survey techniques or by excavating sites that are already threatened by land development, vandalism, or other destruction. An increasing number of indigenous people think that no archaeological site should be excavated unless it will be otherwise destroyed by road construction, dam building, or some other type of development. In the United States and other countries, archaeologists engaged in CRM routinely mitigate the adverse effects of projects on archaeological sites through scientific data recovery programs. Because it is simply impossible to study every site that is to be destroyed, an avenue opens for creative academic archaeologists to study threatened and endangered sites in a research program that is complementary to CRM and that helps to recover more information that would otherwise be lost.

Given the cultural and spiritual importance of ancestors, some indigenous people want all ancestral graves threatened with destruction by development to be located and moved. In the United States, the reburial of indigenous human remains is often a legal requirement under the provisions of NAGPRA.

Because many indigenous communities allow nondestructive analysis and documentation of osteological material between excavation and reburial, NAGPRA is leading to more rather than less osteological study (Rose et al. 1996). NAGPRA represents a delicate balance between the special interests of archaeologists and native peoples. Implementation of NAGPRA in specific cases can be contentious and messy, witness the Kennewick Man controversy (Thomas 2000), but most archaeologists find the benefits from increased interaction with native peoples that has accompanied NAGPRA to far outweigh any negative aspects of the law. Furthermore, the research needed to implement NAGPRA is forcing archaeologists to critically reexamine the methodological and theoretical underpinnings of their discipline, and this is a valuable intellectual activity.

One aspect of archaeology sometimes not explicitly recognized is the economic benefits that accrue from the employment of archaeologists in universities, museums, government, and CRM businesses. Many indigenous communities recognize this value, and employment of community members is often part of the rationale for developing tribal historic preservation programs in the United States. Archaeologists should employ as many indigenous people as possible in field projects, encouraging them to pursue professional careers in archaeology that will give them full benefits and retirement.

Balancing scientific and tribal values of archaeology is a difficult and challenging task, but many projects in the United States, Canada, and Mexico have successfully managed to do this (Dongoske et al. 2000; Nicholas and Andrews 1997; Swidler et al. 1997). For many years, the SAA has published a "Working Together" column in the *SAA Bulletin* (<http://www.anth.ucsb.edu/projects/saa/>) that explores this issue, which continues in the new *SAA Archaeological Record* (<http://www.saa.org/Publications/thesaaarchrec/index.html>). These projects provide models for how archaeologists and indigenous peoples can work together to attain mutually beneficial goals.

The values native communities place on ancient history and archaeology are evident in their funding and support of both tribal and national museums. The Mashantucket Pequots in Connecticut, for example, used profits from their casino to build

a state-of-the-art museum and research center to bring to life the story of the Mashantucket Pequot Tribal Nation, the histories and cultures of other tribes, and the region's natural history. Furthermore, the Mashantucket Pequot Tribal Nation contributed \$10 million toward completion of the Smithsonian Institution's National Museum of the American Indian, a contribution that was later matched by the Mohegan Tribe, another Indian community in Connecticut.

Consultation, Collaboration, and Control of Research

In working with and for indigenous communities, a continuum of interaction includes consultation, collaboration, and control of research. Many archaeologists consult with indigenous peoples, either informally through dialogue about academic research issues or formally as part of the historic preservation compliance process. Some archaeologists develop collaborative research projects with indigenous peoples as active research participants but continue to play the primary role in developing the research agenda. Those archaeologists employed by indigenous communities as tribal staff or consultants increasingly work in a setting in which native groups control research activities.

All agencies that fund archaeological research exercise some control over that research by setting professional standards, identifying research questions, and determining the scope of work. Indigenous communities that sponsor archaeological research as part of the activities of tribal historic preservation offices or tribally owned CRM businesses exercise similar types of control over research. Indigenous communities employing archaeologists design research by identifying research questions and appropriate methodologies, by working with the archaeologist to implement the research, by reviewing reports before publication, by deciding how and to whom to disseminate information, and by retaining ownership of intellectual property. Indigenous control helps to ensure that archaeological research using indigenous heritage resources is undertaken in an appropriate manner and addresses research issues of importance to the community.

Archaeologists working for indigenous communities have a professional responsibility to articulate and explain the values of scientific archaeology to their employers or clients. They serve as advocates for archaeological and heritage resources in internal discussions with their coworkers and employers. When called upon to do so by the indigenous communities they work for, these archaeologists must be ready to advocate tribal positions to outside agencies and to explain the indigenous values that form the basis for decisions about heritage resources and archaeological research. Fulfilling dual roles as advocates within and outside an indigenous community can be personally and professionally challenging.

Tracks of Professional Archaeology for Indigenous Archaeologists

An increasing number of indigenous people work as professional archaeologists; some earn graduate degrees and are employed by universities, museums, and governmental agencies. Other indigenous archaeologists gain their knowledge through on-the-job training and spend their entire career working for tribal heritage programs. Many indigenous archaeologists who lack academic credentials nevertheless have substantial knowledge and skills, capability to direct fieldwork, and can author reports that meet professional standards. The archaeological profession needs to develop means to value both of these professional tracks and to encourage greater participation by indigenous people in all aspects of archaeology.

Cultural Diversity of Indigenous Peoples

In the remainder of this chapter, we suggest how archaeologists can prepare themselves to work with indigenous communities, and how discourse can be structured to improve effective communication, suggestions based on what we have personally have found effective in Oklahoma and the southwestern United States.

There is no single Native American culture or indigenous culture. In the United States, for instance, there are more than 700 Indian tribes, each with a unique combination of language, culture, religion, history, and cultural values. The same situation pertains throughout the world, and each indigenous community needs to be approached on its own terms. Given the substantial cultural diversity of indigenous peoples, readers are encouraged to adapt the following suggestions to the specific cultural contexts in which they work.

Preparing to Work with Indigenous Communities

1. Develop Research Design

Contemporary archaeological research is predicated on well-developed research designs; indigenous people expect archaeologists to explain clearly exactly what they want to do and why this work is necessary to answer specific questions. Archaeologists working with indigenous peoples should develop programmatic research that integrates existing knowledge with new data to elucidate unresolved issues. In developing projects, archaeologists should address research issues relevant to indigenous communities, as well as of general scientific interest. Research designs need to consider which indigenous communities may be impacted by the study and how these communities will be consulted so they can offer relevant information. Archaeologists need to approach research design with considerable flexibility because indigenous people often have different ideas about the geographical scope or topical issues that need research than do archaeologists. An archaeologist may arrive in the field expecting to implement a stratified random sample to investigate historical ecology in a particular region, only to find that an indigenous community will allow that scholar to work in another area that will not provide the data needed for the original research design. Students (and their professors and funding agencies) need to be able to accommodate a creative and flexible evolution of research design that can be modified to fit the needs and demands made by indigenous groups.

2. Undertake Background Research

Before initiating fieldwork, archaeologists should undertake background research to learn about the indigenous peoples in the geographical area of interest, as well as other indigenous groups that may have lived in the area in the past. In many countries, indigenous populations have been forcibly relocated and thus physically alienated from the archaeological record of their ancestors. Archaeologists should help re-enfranchise indigenous communities by consulting them about their heritage resources in the areas not just where they are now but also where they used to live in the past (Baker 1995). Background research should include social and environmental history, ethnography, and cultural traditions as well as archaeology. Many indigenous communities do not share the same standard of living that archaeologists enjoy, and people engaged in fieldwork need to be prepared to deal with this in a responsible and steady manner.

3. Consult with Indigenous Communities

Before initiating fieldwork, archaeologists should consult indigenous communities that may be impacted by research. For some projects this step may be needed to obtain research permits required by national or local governments. Archaeologists are ethically obligated to undertake this consultation, however, even if it is not legally required. The goal of this consultation should be to refine the research design so it can be implemented in a manner that reduces or eliminates adverse effects on indigenous communities.

4. Invite Appropriate Community Members to Participate

In countries where indigenous communities have politically recognized governments, as the United States, the first point of contact should be with the official representatives of the indigenous government. While respecting tribal or indigenous sovereignty, archaeologists should also try to involve appropriate religious and traditional leaders in their consultation and research. Many indigenous communities have formed cultural

committees or advisory teams to provide advice about archaeological research and consultation activities, and working with these groups of cultural experts is a productive way to involve indigenous people in research. The social organization of indigenous communities can be complicated, with carefully separated civil and religious functions. Archaeologists need to learn about community organization to respect the cultural roles and political rights of elected officials, religious and traditional leaders, appointed leaders, and tribal employees.

5. Identify Work Products and Benefits

Interaction with indigenous communities can result in various work products—signed programmatic agreements and memoranda of understanding related to CRM, documentation of heritage resources, transcripts of oral history interviews, and scientific publications summarizing archaeological research. Archaeologists should identify the work products they will produce and explain how these will benefit indigenous communities. If work products based on research of indigenous heritage resources will produce financial benefits, e.g., book royalties, many indigenous communities now expect to receive a share of these benefits. In negotiating dissertation research with an indigenous community, students should anticipate the publishing of their thesis as a book or scholarly article, and so this possibility should be discussed.

6. Establish Rationale for Consultation and Collaboration

Archaeologists need to clearly identify and articulate the reasons why they are consulting and collaborating with indigenous peoples. Consultation about research issues, a relatively informal process, may result in contractual obligations with indigenous communities. Consultation for CRM is more formal, and archaeologists should clearly identify the legislative and regulatory mandate they are fulfilling. Formal consultation may concern single projects or continuing programs of a government agency. Consultation about management often allows indigenous peoples to provide input although the responsibility for

making decisions rests with outside agencies. The amount of control indigenous people have over archaeological research and managerial decisions needs to be explained.

7. Study Ethnography of Communication

Interaction with indigenous peoples, including consultation, is rarely a meeting of equals. Status and power determine the effectiveness of each party in communication, and these are not necessarily shared evenly. An archaeologist or agency representative requesting consultation can have the financial power to initiate a proposal, whereas the person or group being consulted can have the power to prevent the realization of that proposal, either through aggressive action (opposition) or passive-aggressive action (delaying tactics or lack of support).

The seat of power may shift through the process. An agency representative may begin a consultation meeting in a position of power by emphasizing the agency's role in the development or funding of a project or by emphasizing the agency's ability to prevent a project. However, the indigenous people being consulted can wrest power from the agency by emphasizing their ability to prevent the project from happening or by disrupting the meeting. Inasmuch as negotiation is a part of the process, archaeologists need to be ready either to affirm their position or to make compromises that produce an equitable situation. Effective consultation requires a *controlled ebb and flow of power* between two or more parties meeting for a specific purpose. When one group monopolizes power, consultation often fails.

Communication with indigenous peoples works best when archaeologists are open to suggestions about their work and willing to judiciously accommodate recommendations for making their work or projects more acceptable to indigenous communities. Community-based research programs that involve indigenous people in many stages of decision making will produce good research with benefits for the public. Before and during interaction with indigenous peoples, archaeologists should study the ethnography of communication to understand their role in the social dynamics at play.

Scheduling Consultation with Indigenous Communities

Archaeologists should begin consultation with indigenous communities long before their research or project is scheduled to begin. Effective communication with indigenous communities is a time-consuming process. There is often a need to conduct more meetings than the archaeologist originally anticipated when tribes need to concur with or sign permits for academic research or when consultation is conducted for compliance with historic preservation legislation. Delays in projects can result if the consultation process is not begun well in advance of the date for initiation of fieldwork or construction activities. During consultation it is imperative that archaeologists give as much as they take in negotiations about how to pursue a particular research agenda.

When agency officials move into a new job that will entail ongoing consultation with indigenous communities, they do well to establish working relationships with those communities before specific projects are considered. Meetings can be scheduled in the communities to introduce yourself to governmental officials and tribal employees. When appropriate, ask a colleague in your agency to act as a go-between. If this is not possible, or when your agency is initiating contact with an indigenous community for the first time, call a community representative and ask them to connect you to the person you should consult. Often, the operator of a tribal switchboard will know the person in charge of the relevant program or can connect you with someone who does. Don't be afraid to ask the person you reach on the telephone if they are the right person to talk to. If they are not, they will route your call to the appropriate official or staff member.

Once you establish phone contact, politely request a face-to-face meeting so that you and your indigenous counterpart become more than voices on the telephone. Future communication will be more effective when the parties know each other, and it is more difficult to be rude to someone you know than it is to a disembodied voice. Follow the meeting up with a letter thanking the person you met for their time and offering to help them as appropriate. Never offer to do something unless you intend to

do it, and never agree to do anything that is beyond your physical, legal, and ethical capacity.

When working on specific projects, it is important to maintain regular and periodic communication, especially when long delays occur between consultation and initiation of the work. When new people come into power in indigenous governments, or when tribal officials are replaced by elective or appointive processes, or as staff personnel change, it is advisable to review past consultation and offer to provide your new colleagues with whatever information they need to maintain continuity. This communication can be done via a letter addressed to the governmental official or staff member outlining the project and your commitment to effective consultation. Written communication should generally be followed by telephone contact to discuss the program. The officials and staff of indigenous governments are often extremely busy; your project may not be their highest priority in taking or returning phone calls. When there are difficulties in getting through to the appropriate official or staff member, remain courteous and signal your commitment to effective consultation.

Face-to-face meetings are often needed to discuss specific projects. At these meetings, archaeologists should be prepared to discuss their projects in detail and to provide maps, photographs, and other visual material as effective aids to communication. In some indigenous communities, archaeologists can expect to conduct a series of meetings, involving community members with increasing power and authority; an initial meeting with tribal staff may be followed by a meeting with the tribal council. Or a meeting with local officials may be required before you are allowed to discuss your project in a meeting open to all community members.

It is important to monitor and be aware of the fact that at many points within the consultation process even a minor faux pas can disrupt a meeting or turn a previously productive meeting into one that fails. Many of these mistakes can be prevented, and the process streamlined, through the efforts of an adept coordinator or meeting facilitator who knows the cultures of the participants involved in the meeting. Book learning can never replace experience, but knowledge about the people with whom

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you are dealing will improve social interaction and lead to more effective communication.

Twenty Good Habits for the Researcher

In working with indigenous peoples, archaeologists need to be aware of the cultural differences that affect communication. The following suggestions are based on the experience of the authors in the United States. Common knowledge for archaeologists who work in "Indian Country," they may be useful to people who are new to interacting with indigenous communities. These suggestions are not offered as a cut-and-dried recipe but as a general guide, to be adapted to cultural contexts of the specific indigenous groups archaeologists work with. The suggestions primarily concern formal consultation, with large groups of people meeting to discuss specific projects and issues. In many ways, informal consultation in small group settings is easier because the social interaction is more immediate and easier to monitor, and this facilitates effective communication.

1. Consultation is not a one-time event but *an ongoing process*. Make a commitment to the spirit of consultation and be prepared to negotiate for what you want; at the same time, be prepared for a compromise if that is warranted. Consultation should be based on sustained dialogue rather than debate. For federal managers, understand that the mandated government-to-government relationship with tribes does not mean that the heads of each government will meet at the same table. It means that the tribe has more status than a federal agency or program when decisions are made.

2. Whenever possible, *conduct meetings in the communities* you are consulting, or at a convenient, neutral place if more than one tribe is involved. Face-to-face interaction is preferable to long-distance interaction. Don't expect letters or faxes to work as well as face-to-face conversation. Do not equate a lack of a response with approval or a lack of objection to your project. If you do not receive a response to correspondence, follow it up with telephone calls or with additional correspondence after a reasonable period of time.

3. *Learn the names and positions* of the tribal officials, traditional leaders, and staff you will be meeting. Don't expect that you will always meet with the tribe's chief executive officer—chairman, president, or governor—or tribal council. Indigenous political leaders often delegate responsibilities for dealing with archaeologists to tribal staff. Treat all tribal representatives with the same respect you would provide the leader of the tribe. Some native communities employ non-indigenous professional archaeologists as gatekeepers to help screen researchers and administer protocols. These gatekeepers sometimes have their own methodological, theoretical, and political agendas that may or may not be shared by the community they work for. These gatekeepers are employees of sovereign political bodies, and they need to be accorded the same respect as other tribal officials. Whenever possible, discourse with nonnative employees should be conducted as much on a collegial level—archaeologist to archaeologist—as it is on an administrative level. Nonnative employees can be valuable allies in supporting and representing your work to the native peoples they work for.

4. In large meetings, try to *arrange seating in a circle* or series of concentric circles. This puts no one at the head and no one at the end. If this is not possible, explain the seating arrangements at the beginning of the meeting. Provide coffee and refreshments if it is a long meeting. Sponsoring lunch or other meals is both courteous and an effective way to establish and reinforce social relationships. Sharing food is symbolic of friendship and a pragmatic way to fuel sustained discussion.

5. *Greet people with a handshake* if that is culturally appropriate and possible. Take your cues from other people in the meeting. If you are offered a firm handshake, grip the other person's hand likewise. Sometimes native peoples use only a single, definite shake, other times several shakes. Never "pump the handle." Additionally, the position of the hands in a handshake may not necessarily be web-to-web, that is, the web between your thumb and forefinger touching the web of the hand of the other person. Occasionally the handshake is nothing more than a light touching of the fingers. Both men and women should learn to shake hands in a culturally appropriate manner.

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6. *Stand when you are introduced* to people, and try not to turn your back to anyone you are speaking to. Among some cultures, turning your back on someone is tantamount to shunning that person. If you must turn your back to someone, explain your action and be sure to make it clear you do not want to cause offense.

7. Be open to the desire of native peoples to *open and close meetings with prayers*. Because the topics at many consultation meetings involve cultural and religious matters, prayers may be the culturally appropriate way to open and close a circle of discussion. You do not necessarily need to participate actively in a prayer but you should show respect for the people you meet with by remaining silent, sitting, or standing as appropriate. After the meeting is opened, briefly explain why you have asked the people present to participate. If you are not known to the community, try to be introduced by someone who knows both the community you are consulting and the community you belong to. When you are establishing a new working relationship with a community, make yourself known by good works.

8. When appropriate, *introduce yourself* as a native person would by *providing personal information or family history*. Never introduce yourself solely in relation to your job. If nothing else, tell people where you live. Your job will come to the attention of the people you are meeting with in the course of consultation.

9. When summarizing projects or proposals, *tailor your speech and vocabulary to your audience*. Do not speak down to people, but do use plain English and avoid archaeological jargon. Explain technical terms if you must use them. The frames of thinking used by archaeologists and indigenous people can be strikingly different, and archaeologists face challenges in trying to describe their work in sensible terms. If the community provides an interpreter to translate what you are saying into an indigenous language, speak slowly and regulate the cadence of your speech to facilitate translation. If possible, designate an assistant to take notes so that you are not trying both to write and to listen to people at the same time. Never tape-record a meeting unless you have obtained permission from the participants to do so. Visual material such as large maps, photographs of project areas, and project timelines should be posted around the meeting room or used during a presentation to make it easier for people to

understand the specific impacts a proposed project will have to their landscape and their world. Short, written executive summaries often provide a useful handout that people can use after the meeting to refresh their memories about the information you reviewed with them.

10. *Carefully phrase your questions* in relation to the goals of the meeting. Open-ended questions are often more effective than direct questions in eliciting responses from indigenous people. Do not ask for permission to do something unless the people you are asking have the right to grant you that permission and you are willing to abide by their answer. Be prepared to receive additional responses after a consultation meeting is concluded. Effective consultation may take more than one meeting.

11. *Listen carefully* to the indigenous people at the meeting, and *don't be in a hurry to talk*. There is a role for silence in many cultures, including a respectful silence after a speaker has finished. Don't stare into a speaker's eyes; look to the person's left or right and glance at him or her directly only for brief periods. If you are not certain what respectful discourse amounts to, explain your dilemma to someone at the meeting and ask for advice. Indigenous communities appreciate the attempts of outsiders to respect their cultural practices.

12. *Be ready for long speeches* rather than simple back-and-forth conversation. When listening to monologues, use verbal and nonverbal cues to signify that you are listening. Do not interrupt the speaker. Nods of the head or a noncommittal "hmm" let the speaker know that you are paying attention to what is being said. Once the speaker has finished (and following a respectful silence), try to recapitulate the speaker's concerns as you understand them and give the speaker an opportunity to correct your understanding. It is imperative you let indigenous people know you are not limiting their opportunity to comment and that they can add to their comments at any time they desire.

13. Be aware of and respect the *different leadership functions* of traditional leaders and elected officials. Learn about the people you are consulting but do not try to become one of them and do not try to make them one of you. Pay attention to differences in the social status of the people you are interacting with, but treat all people respectfully. Tribal elders often deserve special treatment,

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and everything possible should be done to make them comfortable. Many indigenous communities have political systems governed by factional politics, and archaeologists need to consider whether they are being used as political pawns in political issues that have little or nothing to do with their research. In general, it is best not to become aligned with one faction but to work with everyone. The family an archaeologist chooses to live with or visit or the places an archaeologist is taken by individual members of an indigenous community may have profound yet concealed political implications.

14. *Don't try to shepherd the group* too much toward your goal, but gently steer the discussion back to the topic at hand if it gets far afield. Try to keep the topic of the consultation focused on a single issue, but be prepared to let the tribal members vent frustrations about what seem to you to be unrelated issues. Try to consult about one project at a time rather than taking a shotgun approach, where many different projects are discussed.

15. *Pay attention to nonverbal cues* such as body language. Crossed arms and legs may signify closure of a discussion. Finger-pointing is considered to be rude in many indigenous communities. Find out if sitting when speaking signifies a lack of respect; if it does, stand when you speak. Arrange tables and other furniture in the meeting room to reduce the physical and social boundaries between the participants, and try to avoid tables placed across the front of the room that separate speakers from the audience.

16. Recognize that there may be *differences between decision-making processes* in indigenous and dominant cultures. Decision making in the dominant culture is often a hierarchical process, with decisions made by an elite class that is obligated only to consider the comments of other groups. In contrast, many indigenous communities have consensus-based decision-making processes, where discussion continues until all community members have had their say and a general agreement is reached.

17. Respect *gender-specific roles and responsibilities* that are culturally prescribed in many indigenous communities. Seek advice on whether there are any restrictions in what men and women may consider in public meetings. Do not place indigenous people in socially and spiritually dangerous positions by

asking men or women to talk about issues or handle artifacts in a manner that might violate social conventions.

18. When you close the discussion period of a consultation meeting, *summarize the progress* that has been made, and let people know that they can continue to offer comments after the meeting is over. Speak honestly about what you can and cannot do and about what you will and will not do.

19. When the consultation meeting ends, *stay in the room awhile and mingle with the people* who attended the meeting. Respectfully talk with people in a quiet manner. Take cues from those around you, and let the indigenous people in charge of the meeting place help you find the appropriate time to leave.

20. When you have returned to your office after a consultation meeting, immediately *write an official thank you letter* to the indigenous people who sponsored the meeting, a letter of appreciation to those tribal officials who attended, and a written summary that presents your understanding of what was accomplished at the meeting. These letters serve to document what happened and what agreements were reached, as well as to reiterate project deadlines and other important points.

Being aware of the cultural differences between indigenous people and members of the dominant society can make it easier to navigate through the maze of consultation activities. Remember that effective consultation takes practice and involves listening, public speaking, and conflict resolution, as well as a desire to make a project a success for all involved parties.

Suggestions for Indigenous Communities and Research Subjects

The following 10 suggestions are offered to help indigenous people more effectively consult with archaeologists.

1. Treat *consultation as an ongoing process* rather than a one-time event. Consult, don't debate. Believe in the spirit of consultation and be prepared to negotiate for what you want. Whenever possible, request that the consultation meeting be conducted in your community so that all interested people may

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attend and participate. Understand your political rights and responsibilities in the government-to-government relationship.

2. Whenever possible, *assign the tasks of tribal liaison with archaeologists to someone with a paid position.* Volunteers are wonderful, but they are often overworked and always underpaid. Indigenous communities are well served when they maintain consistency in the personnel assigned to specific duties. When the person responsible for a particular program changes, notify relevant agencies and archaeologists so they know whom they should contact when they need to consult the tribe in the future. Maintain sufficient records to provide continuity in the information needed by tribal leaders when personnel changes.

3. *Maintain periodic contact with archaeologists* in the federal, state, and local agencies with whom you consult. When you receive correspondence from an agency consulting with you, acknowledge the receipt of that correspondence. If extra time is needed to review an action, request an extension. Failure to communicate might be viewed as either approval or lack of objection to a project. Always ask for and write down the name of the person you are speaking to during telephone conversations relating to consultation.

4. *Make written notes* about everything you think is important to serve as an aid in memory. These notes may help other community members who become involved in a project understand what happened in earlier meetings. Request copies of the notes and minutes taken by archaeologists at a meeting, as well as any tape recordings or written summaries that are prepared. Ask questions about any technical terms that you do not understand, or request additional information as the need arises.

5. *Be aware of the differences in how decisions are made* in your community and in the agencies you are consulting. The decision-making process of a governmental agency may be hierarchical, and the archaeologists you meet with may not be the people in their agencies who make decisions. These decisions may be made by higher-ranking agency personnel to whom the archaeologists report.

6. *Make only commitments that your community can meet.* Speak honestly about what you can and cannot do and what you will or will not do.

7. Try to *learn about the people with whom you are consulting* to establish a good working relationship. Be aware of the official duties and limitations of the archaeologists you consult.

8. During consultation initiated by your community, *develop documentation* that supports any requests you make. Federal and state program managers and archaeologists need to know how your proposals will affect their programs. Be sure to identify the areas where tribal requests will benefit or harm governmental programs.

9. If there are delays in federal or state projects, *find out what the problem is* and if there is anything your community can do to help get the project back on schedule.

10. *Make it easy for federal and state agencies to consult* with your community. Provide these agencies with information about whom they should contact in your community, what the procedures are for scheduling consultation meetings, and suitable locations where meetings can be held. By making it easier for agencies to contact and work with you, you will be able to cut through the "white tape" of governmental bureaucracy.

Conclusion

The suggestions made in this chapter provide starting points for the various groups involved in consultation about archaeological projects and CRM. A *controlled ebb and flow of power* is the basis for effective consultation, and it is imperative that archaeologists understand the cultural differences that can unwittingly impede the dialogue they seek. Members of indigenous communities are often dismayed to enter a consultation meeting and find chairs organized in neat rows, with government officials sitting behind a line of tables on a raised dais across the front of the room. Community members may be offended if young people take precedence over elders when the meeting begins. By paying attention to cultural differences, archaeologists can help design consultation meetings to facilitate more effective communication.

It is imperative that all archaeologists examine their interaction with indigenous communities and strengthen these relationships if

they wish to continue working with the cultural remains of First Nations throughout the world. As a discipline, we need to develop symbiotic, rather than parasitic, relationships and we need to integrate the values and needs of the indigenous peoples into the scientific agenda of archaeological research. If we fail to do this, we run the risk of finding our scientific activities increasingly curtailed by native peoples. If we successfully involve indigenous people in archaeological research, we will enrich our discipline and increase our understanding of the past.

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