

**Oneida-Archaeologist Relations:**

**A Utilitarian Perspective On Cooperation Between American Indians And Archaeologists**

**Honors Research**

**Stentor Danielson '02**

**(Note: Information from interviews has been redacted in accordance with the stipulations in the consent forms used for this research.)**

## Introduction

When issues of archaeology and repatriation arise, American Indians<sup>1</sup> often ask, “How would you like it if someone dug up *your* ancestors and put their bones on display?” The intent of the rhetorical question is, of course, to make the listener try to see the situation from an Indian point of view.

However, I would answer this question in the opposite way to what its askers would assume. I would not have a problem with my late grandfather, for example, or any other immediate ancestor being dug up in the name of science (more distant ancestors are outside the scope of the question, as 10th century Vikings are in many ways more foreign to me than 21st century Oneidas). The real Marshall Danielson is, as far as I’m concerned, either gone forever or in the heaven he believed in so strongly. His grave is only a convenient disposal site for the lump of carbon he dragged around for 70-odd years until Parkinson’s disease took it from him. Perhaps this is just an outgrowth of the Western mind/body dualism. But it explains why I feel little concern over what others would see as callousness or disrespect to the dead.

I see in this hypothetical situation a deeper question. I would be very surprised if anyone wanted to dig up one of my immediate ancestors, and skeptical that there was any reason for it beyond making a point about the excavation of burial sites. The question then becomes one of value, or benefit – who gains what from each possible use of the remains? As Dixie Henry said, “Sometimes we get so caught up in that [digging and documenting] and we lose track of the value people see in it” (Breidenbach 1999). My grandfather’s bones have no value for me stuck in a coffin and buried six feet underground. But I also see little value to be gained from dragging

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<sup>1</sup> While the term “Native American” is often considered more politically correct, I have used “American Indian” and “Indian” throughout this paper in order to remain consistent with the usage in official publications of the Oneida.

them back up (though perhaps I could think of some scenario, such as a study of the effects of Parkinson's disease).

American Indian remains present us with the opposite problem. They have great value to archaeologists, who can learn a large amount about the past through them. At the same time, the proper treatment of human remains (treatment that generally does not include scientific study) has great cultural value for Indians. The issues I have raised are not limited to human remains. They extend to sacred objects or sites – anything which has value both to archaeologists and Indians.

This focus on value in looking at relations between Indians and archaeologists (and potentially other issues) is important enough to this discussion that I will give it a name: the utilitarian perspective. The name comes from the utilitarian philosophy, most famously advocated by Jeremy Bentham (1789) and John Stuart Mill (1863). Utilitarianism judges all things by their contribution to maximizing utility: the greatest net benefit for the most people for the longest amount of time.

In this paper, I will present an analysis of relations between American Indians and archaeologists. I will set the theoretical stage through a survey of the situation throughout the United States, based on the published opinions of archaeologists and Indians. From this, I will draw out two important components of a utilitarian perspective on this issue: respect and trust. I will then apply these ideas to a case study of relations between the Oneida Indian Nation (one of the Haudenosaunee, or Iroquois, nations) in upstate New York and archaeologists working in aboriginal Oneida territory. This case study will be constructed through interviews with archaeologists from the area and published statements from Oneidas as well as some personal

observations. I will seek to understand what the status of relations is and how the actors involved see the choices before them.

The outcome of this analysis is a strategy for organizing relations between archaeologists and American Indians based on the utilitarian principle of maximizing utility. Respect – the equitable consideration of all benefits and burdens derived by all parties from various treatments of remains – and trust – the expectation of receiving respect and cooperation in maximizing utility – are the key ways in which better relationships can be fostered.

## **The Utilitarian Perspective**

### *Ethics And Interpretation*

The utilitarian perspective is both an ethical principle and an interpretive stance for anthropology. As an ethical principle, it is merely an extension of general utilitarianism into the anthropologist's professional life. The general theory, as stated by Mill, is "The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure" (1863: 2). While Mill uses the terminology of "happiness," "pleasure," and "pain," it might be more accurate to refer to "benefits." Because benefit is inherently subjective, the only way to determine it is to look at what the beneficiary values, as people tend to value that which they believe to be beneficial (Mill 1863: 2). In anthropological terms, each course of action is to be weighed according to its ultimate benefits

and costs to the people being studied, the academic community, governments and agencies that support the research, and the researcher him- or herself.

As an interpretive stance, a utilitarian perspective provides a critical viewpoint for the observer. A utilitarian perspective instructs us to look at cultural systems in terms of the benefits and costs imposed by certain courses of action. In this way, it provides a consistent approach to the two sides of Bruce Knauff's "critical humanist" sensibility. Knauff maintains that anthropology should both "document and valorize diversity" and "expose and critique inequality" (1996: 48, 50, 51). Nothing of Knauff's paradigm is lost under the utilitarian perspective, as a diverse set of cultural practices have proven beneficial and desirable to the people in question, and inequality, particularly involuntary inequality, has consistently shown itself to have negative consequences. But utilitarian anthropology expands on critical humanism, as it is not only diversity that is valorized and not only inequality that is critiqued. Utilitarianism directs us to examine the effect a practice has on individuals and society.

We should remember not to confuse the use of utilitarianism here with other uses of the word. The word "utilitarian" is often used (as in Scott 1998) to refer to something that is dull and functional, excluding intangible concerns such as aesthetics and spirituality – a formulation at odds with the encompassing concept of value under philosophical utilitarianism. This problem was recognizable even in Mill's day (1863: 1), but then as now there was no better word for his philosophy than the established one.

### *Practice Theory And Utilitarianism*

The utilitarian stance can be refined by taking it within the context of practice theory. On its own, a utilitarian stance can lead to a moralizing outlook on culture. Because utilitarian ethics

instruct us to direct our actions toward the greatest net benefit for the most people, it becomes easy to look at a situation and see the acts of all involved as good or bad based on whether they are ultimately consistent with the principle of utility. However, the benefits of a refined understanding of a social situation ultimately outweigh anything that may be gained by moralizing from outside.

Practice theory, as outlined by Ortner (1984), is a viewpoint concerned with the relationship between the actor and the system – how particular individual actions operate within the social context of norms, power relations, etc.

Putting a utilitarian stance in the context of practice theory addresses Ortner's (1984: 151) question of motivation by looking at the benefits and burdens that accrue to each actor (be it an individual or an institution) and how those motivate actions. On the surface this is similar to "interest theory," at which Ortner levels several valid criticisms. However, these criticisms do not sink a broader conception of motivation as rooted in the actor's perception of his or her best interest. The heart of her criticism is that interest theory assumes pragmatic rationality on the part of the actors. Essentially she sees the utility being pursued according to interest theorists as being utilitarian in the dull popular sense of the word, not in Mill's encompassing view of pleasures or benefits. But just because an action is not motivated by careful rational consideration (such as Bentham's felicific calculus (Phillips 2000)) does not mean the actor is not seeking his or her perceived benefit. The decision to consider a situation rationally and think carefully over the options is motivated by the actor's interests as well. It is easy enough to make a quick, even subconscious, judgment that there is nothing to be gained by breaking habit, or that a certain course of action will not be productive to investigate. A rationalized description of a process does not necessarily mean that the process is carried out in a rationalized way, any more than a

grammar textbook implies that people formally consider rules about split infinitives and the subjunctive mood in everyday speech (see Scott 1998: 143). Finally, there is the impact of socially constructed norms. As violation of norms can bring psychological confusion and dissonance as well as social disconnection, it becomes in the actor's best interest to follow them if possible, even if the norms themselves are not utility-maximizing. Indeed, social norms often serve to reduce the conflict between short-term individual interests and long-term social interests by causing individuals to internalize the benefits and costs to society (or at least the benefits to the dominant group that is impacting the development of norms). This internalization can be self-imposed as well, which is in essence what proponents of utilitarianism are seeking – that we internalize an ethical imperative that rewards us for seeking the common good. We must keep in mind that what people think they want is not always what will satisfy their desires the best. But from a practice theory standpoint, it is the professed desires, even if they are ultimately self-defeating, that are important, as they are what drive actions.

The point was made well in the context of archaeological demographics by George Cowgill. He criticized studies of ancient population trends that saw population change as strictly adaptational, finding an optimal solution to the economic problems imposed by the local ecology and level of technology. He advised us to keep our focus on human decision-making processes:

There is always something wrong if we attempt to understand a change (or for that matter, preservation of the status quo), without being able to suggest plausible (if not strictly testable) answers to the questions “People in what situations, if any, saw good in this?” and “People in what situations, if anyone, saw harm in this, and, if they saw harm, why did they fail to prevent it?” (Cowgill 1975: 506).

We have always to ask, *who* is experiencing the stress, *who* is in a position to do something about it, and *why* might they see it to be in their interest to do what they do? (Cowgill 1975: 507, emphasis in original).

Once an analysis is performed from this practice-utilitarian viewpoint, it is then possible to return to the moral level in order to draw out a direction for the future. A true utilitarian would never be satisfied with knowledge solely for knowledge's sake, though the third clause of the principle of utility ("...for the longest period of time") allows a long-term perspective that avoids precluding study that does not have an immediate application. Utilitarianism thus gives us a framework under which to think about the proper course of action suggested by what we have learned.

## **The Value Of Archaeology**

### *Subjectivity Of Value*

One of the most often asked questions in American Indian-archaeologist relations is, "What does archaeology have to offer Indians?" (Ferguson, Watkins, and Pullar 1997). It is clear that archaeology has some value to archaeologists, or they would never have entered the field in the first place. Pyburn and Wilk stress that, in addition to this personal benefit, archaeologists must justify their work in terms of its benefit to the greater society (2000: 79, also see Ellick 1999). The existence of archaeological materials and the ideological justification for archaeology are necessary but not sufficient causes for archaeological investigations. Archaeologists seek some benefit from their work, benefits which can range from the seemingly benign satisfaction of curiosity, to the selfish advancement of their careers and prestige, to a politically charged



quest for evidence to back up an ideology. The society that supports such work also finds value in archaeology.

Some would challenge this claim, however. The World Council of Indigenous Peoples (WCIP) charges,

The dominant society does not need those bones; it is not in need of the economic activity generated around the Indian artifacts dug up with them; and society does not need the kind of “knowledge” (scientific or otherwise) that it purports is generated from the study of these bones (WCIP 1990: 504).

But the WCIP position misses the point of value. Value is a subjective quality. It is possible that the value placed on archaeological materials is based on mistaken logic, and that is an issue that must be addressed. For example, assertions about the vast amount of information that can be extracted from human remains are undermined by observations that most of the remains currently curated by museums “just sit on a shelf in a damp basement” (Henry 1996: 27), and in many cases are not inventoried or provenienced in a way that would allow meaningful study. Baker et al. would challenge that view, stating that the lack of research is due only to a lack of researchers (2000: 82). Under a utilitarian perspective, misrepresenting the real value one would gain from a course of action (deliberately or inadvertently) is detrimental to real progress, as it leads decision makers to weigh inaccurate values. But the fact remains that archaeologists and their supporters do value their occupation and the knowledge gained from it. How much value can be derived remains to be considered, and varies from excavation to excavation and excavator to excavator.

Just as it is inappropriate for non-archaeologists to define the value seen in archaeology by archaeologists, so too is it inappropriate for non-Indians to define the value seen by Indians in

archaeological materials. Only the person doing the valuing can make a truly fair assessment of the degree of value being experienced. However, this is based on the assumption that all actors will be honest with themselves and others about their values. Outside criticism of values can be useful in keeping people honest by calling them on unlikely or inconsistent claims.

### *Archaeology's Value To Indians*

Many American Indians would charge that archaeology is of no value to *them*. There is a common refrain that “we know our past; we don’t need archaeologists to tell us things we already know or try to contradict the truths we know about ourselves.”

Ferguson et al. list a number of benefits brought to American Indians by archaeology: historical information, evidence for land claims, aid in management of cultural resources (such as when development threatens Indian sites), promotion of sovereignty, financial stimulus from the employment of heritage managers, and the education of young Indians (1997: 240-241). A similar list is presented in Ferguson (1999: 36).

Some Indians would dismiss these benefits (Garza & Powell 2001: 42). Historical information and education can be seen as privileging scientific knowledge, which they see as being of little relevance to Indians, over traditional knowledge that has already answered the questions they have about their past. Van Pelt, Burney, and Bailor assert, “The discipline of archaeology as developed by the nonnative culture is not a useful method of teaching about tribal culture” (1997: 169). Indians also sometimes feel that archaeological knowledge misrepresents their people (Ladd 2001: 113). Zimmerman goes farther, challenging the distinction between the past represented in the archaeological record and the present: “There is no need to investigate the past because it is already known and felt. The past and the present are not separate” (1990: 411).

The utility of archaeology in land claims and sovereignty is premised on the continuing domination of Indian culture by Western culture, which accords disproportionate value to evidence accumulated through Western methods of study – using its power to demand that Indians fight it on its own terms. Were Indians treated properly, the “no value” camp argues, there would be no need for archaeology to prove points to the dominant culture.

Physical anthropology is often justified in terms of medical benefits that can be derived from study of ancient bones. However, these advances have had little impact on the quality of Indian life (Yellowhorn 1995: 128). Pearson challenges that in 20 years of working with archaeologists, she has only heard of three cases in which useful medical knowledge came about from such study (discussion of Pearson 1990: 408).

Other American Indians find such assessments of value convincing. Some tribes view archaeology as a useful tool. Speaking of remains that belonged to the Colville Confederated Tribes, Arlene Fredin said “it was our responsibility to return some dignity and respect, by using science to return an identity to these people. We felt it was important to know who we were taking care of” (1990: 293).

A further consideration is value that does not derive directly from the archaeological process. Pullar stresses the need for follow-up with the community affected by archaeological investigation: “a common compliant [sic] about anthropologists is that they come to a village, impose on local hospitality, ask numerous questions, take up a lot of people’s time gathering information and then leave – never to be heard of again” (1990: 272). It is legitimate for archaeologists to offer additional value (most easily offered economically, though there are other values that can be rendered) to a tribe in order to shift the value calculation. Archaeologists receive additional compensation regularly – for example, from developers who need a survey

done in order to comply with legal or ethical requirements. So there is little reason why other compensation should not be offered (though it will not necessarily be sufficient to sway the tribe) to improve the value of archaeology to the tribe.

Many American Indians feel that archaeology, in general or in some forms, has a strong *negative* value for them. One of the most common points is that scientific study of human remains is dehumanizing to Indians, defining them as specimens to be studied rather than living people and cultures. The impact is made more jarring by the seeming disproportionate focus of physical anthropological study on Indian remains instead of non-Indian remains, thus singling Indians out to be dehumanized in this fashion (Pearson 1990: 398-399). Archaeology has become symbolic of racism against Indians in many quarters (Bray 2001: 2). Trope and Echo-Hawk give a history of injustices committed against Indians in the name of archaeology – including some, like the work of Dr. Samuel Morton, that were explicit attempts to justify racism (2001: 11). Physical anthropologists refute this idea, asserting that they do see their specimens as people (Baker et al. 2001: 71). Doubtless there are many Indians whose fears could be assuaged to some degree by a better understanding of physical anthropology. But it remains true that violation of sacred rules makes some Indians feel dehumanized, and anthropologists have little control over what the wider public makes of their work. These concerns, like any others, must be considered.

Many American Indians also see dangers to them in political use of the information gained through archaeology. Though explicit justification of racism has been put aside, Indian remains can lead archaeologists to conclusions that Indians may find detrimental to their position in American society. For example, investigations relating to the Bering Land Bridge theory are sensitive because they foster the “we’re all immigrants” sentiment that Indians sometimes see

used by non-Indians to rationalize the theft of the continent by European settlers (Yellowhorn 1995: 136).

A survey by Klessert and Holt (1990) can give us some perspective on how prevalent these various attitudes are around the nation. This survey naturally does not account for the impact of NAGPRA and other changes of attitude in the 11 years since, and it suffered from a very high non-response rate, but it is the only data at hand to give us a sketch of the situation. Archaeologists were split 42 percent to 40 percent on whether tribes saw archaeology as detrimental or beneficial, but 54 percent of the tribes reported seeing archaeology as beneficial and 31 percent were indifferent. This discrepancy points out the need for a utilitarian perspective. Choosing the best course of action requires an accurate assessment of what value others affected by a proposed action see in its outcomes.

The question of the value of archaeology to American Indians is therefore one that cannot be answered on a national scale or in a temporally comprehensive way. We can only ask the tribe in question at the time in question. And even then, there is bound to be disagreement among members of the tribe.

### *The Value Of Non-Archaeological Treatment*

The flip side of the issue is, what value is there in non-archaeological treatment of American Indian remains? By non-archaeological treatment I mean any treatment of archaeological remains that inhibits their study by archaeologists. This includes both prohibition of primary excavation and reburial of previously excavated materials. Many archaeologists would answer that non-archaeological treatment is at best of no value, at worst of a great negative value. Archaeologists are sensitive to the fact that their data supply is limited and

constantly decreasing as sites are destroyed for development or study (decreasing with reference to any specific past time period, that is, as continued human activity is making new modern sites every day). Thus, any practice that would remove data from the realm of potential study is viewed as destruction of valuable information. Stapp and Longenecker refer to this as a “pie mentality,” which sees Indians as taking away some of a finite number of resources, rather than opening up new opportunities (2000a: 20). The justification for this mentality is weakened by reviews of papers published in the *American Journal of Physical Anthropology* and *American Antiquity* showing no decline in the small number of papers making use of American Indian remains following the implementation of NAGPRA (Killion & Molloy 1999: 22).

The particular value of non-archaeological treatment of archaeological materials to Indians varies from tribe to tribe. The most commonly described value is religious. Indian religious and cultural practices are disrupted when certain sacred objects are kept from them. For example, the loss of several important wampum belts has created problems for the execution of ceremonies for the Haudenosaunee Confederacy (Henry 1996: 51-53). Social ills have also been linked to the loss of control over material heritage. The Zuni attributed recent natural disasters to the removal of the Ahayu:ta, more commonly but somewhat inaccurately called “War Gods,” from their shrines (Ladd 2001: 107). Henry cites the example of Haudenosaunee masks, the loss of which Pete Jemison, a Seneca leader, blames for conflicts among the Haudenosaunee (1995: 21). Even those of us who are not followers of an Indian religion can recognize that, at the very least, the possession of items of cultural patrimony can exert a strong psychological influence on their owners, even if we are skeptical of the explicit sacred power in them. Also, there are political benefits to tribes in using control over their past to offset their marginalized power in American society (Goldstein 1992: 66).

## **Integrating Indian And Archaeological Concerns**

### *Respect And Trust*

A utilitarian viewpoint on archaeology leads us to two ethical principles: respect and trust (Stapp and Longenecker 2000a: 18, Goldstein 1992: 61). A utilitarian perspective directs us to consider the value as seen by the valuer, and to weigh that value with respect to its magnitude in the sight of the valuer, regardless of what type of value it is or who is valuing it. This equitable consideration is the essence of respect. Respect is opposed to a cultural imperialism (employed by archaeologists as well as Indians) that asserts the inherent superiority of one form of knowledge or use.

The distinction between equitable and equal consideration is important. Equal consideration would give each person the same vote, regardless of the degree of impact the course of action would have on him or her. Equitable consideration, however, means that the values of the parties involved will be weighted according to their strength, but not their type. For example, a deep religious conviction may be favored over curiosity about ancient dietary habits not because religion is superior to archaeology, but because in this instance violation of a religious belief has a greater impact on the well-being of the believer than being deprived of a data set does on the well-being of the archaeologist.

The basic requirement for respect is an accurate understanding of the value others place on archaeology. An unfortunately small number of archaeologists – estimated by Goldstein at 10 percent (1992: 68) – have had real contact with the Indians whose ancestors they are studying. A small number of Indians have gone on to be trained as archaeologists, and returned home to work

for the benefit of their tribe. The number of Indian archaeologists remains very small – less than half a dozen at the beginning of the last decade (Goldstein 1992: 66). There is a great need for more such people, who can more easily see and thus weigh both sides of the issue (Klessert & Downer 1990: 429). There is a growing trend toward employing Indians as laborers and assistants on excavations (Yellowhorn 1995: 136). On top of the economic benefits (which can be significant in some of the more impoverished tribes), this increased exposure to archaeology is valuable in helping Indians to understand archaeology and helping archaeologists to understand Indian concerns. However, this patronage is no substitute for Indian involvement at higher levels of research.

In addition to showing respect for others, utilitarianism's focus on the most effective strategy directs us to make ourselves respectable. By critically examining our own values and being honest about them to others, and by projecting a cooperative attitude, we can make ourselves more respectable. The best course of action is that which will produce the best results *given the existing parameters and constraints* – for example, the expected behavior of others. It is clear that certain behaviors are more likely to foster respect in others. It would therefore be self-defeating to place all of the responsibility for respect on others when it is possible to facilitate that respect.

Trust is the expectation of respect from others. Trust allows the relaxation of claims to power, a relaxation made possible by the expectation that others will give equal consideration to all values. For an archaeologist, trust may be allowing Indians to assess the cultural importance of an item without challenging that judgment or demanding that sensitive information be revealed in order to second-guess the Indian assessment. For Indians, trust may be allowing archaeologists to work on sites without fearing that they will misuse the information their



investigation reveals or cross mutually agreed-upon boundaries (for example, if the tribe has prohibited excavation of burials).

Trust must be based on mutual cooperation, however. Trust is not inherently valuable, as misplaced trust can be more damaging than a healthy skepticism of untrustworthy others. The attitude behind a lack of trust is illustrated well by the WCIP: “We must understand that society is incapable of taking care of either the artifacts or the knowledge obtained thereof” (1990: 506). The statement is essentially saying that indigenous people have much to lose, and little to gain, by trusting archaeologists. Whether that claim is true or not is another matter, and doubtless varies from situation to situation, as there are certainly instances where trust would be unwise and others where distrust would be unfounded. Thus there is a need both to trust when possible, and to make oneself trustworthy to others.

The degree of trust and respect shown by all parties involved can have a great impact on archaeological investigation. Thomas (2000) oversimplifies the issue somewhat, contrasting the cooperation exhibited in the Tongass Forest project with his long discussion of the confrontational nature of the struggle over the fate of Kennewick Man. Though Thomas does not explicitly use these ideas, respect and trust are far more apparent in the Tongass case than in Kennewick. He asks, “one of these cases may well define the future (if any) of twenty-first-century archaeology. The question is: Which one?” (2000: 273). In order to answer his question about the future of archaeology, we need a more refined look at the ways in which value is seen by various actors.

*Archaeological Disrespect*

A few minutes with the literature on archaeological ethics and relations between archaeologists and indigenous people will be enough to demonstrate the lack of respect too often shown to Indian values by archaeologists. Rather than try to list the injustices committed throughout the history of the United States by archaeologists unconcerned with Indian values, I will simply defer to the comprehensive accounts in Trope & Echo-Hawk (2001) and Thomas (2000). In these cases, archaeologists satisfied their own values without giving adequate (or any) consideration to Indian values.

This type of disrespect, combined with the power differential between the dominant society and American Indians, leads many to see archaeologists as trying to claim the sole right to tell the story of the Indian past. Hopes are high in many quarters that NAGPRA will alter this situation, putting more of the story of the past in the control of Indians (Strickland 1999: 181).

Control of the story of America's past by archaeologists can take on some subtle forms. One such instance is demonstrated in the Society for American Archaeology's (SAA) position statement on Kennewick Man (SAA 2000). The SAA challenges the Kennewick repatriation based on a lack of evidence to establish "cultural affiliation." While its analysis of the legal import of the term may be accurate, there is a deeper issue at work. The SAA is accepting a Western standard of what constitutes cultural affiliation. What matters is not that Kennewick man lived a life similar to that lived by the tribes claiming him, or that he would want them taking care of his remains. What matters is whether or not his fate is honestly of importance to the tribes. As mentioned in the introduction, I feel little special connection to my ancestors as recently as 1000 years ago, and I doubt I am alone in that sentiment among other members of the dominant society. But that does not mean that certain Indians in Washington can't feel a

connection to someone who died 9000 years ago. Who a tribe's significant antecedents are is a matter of perspective. Kerber pointed out that, despite archaeological delimitations of cultural development into phases like "early woodland" and "Owasco," reserving modern tribal names for only the most recent phase, the Oneidas consider anyone who lived in their stretch of New York prior to the modern Oneida Nation to be Oneida (2001). Monopolization of the story of the past goes beyond simply ignoring Indian values to adding a new negative value to archaeology, by pushing Indians' voice to the side.

Disrespect can become entrenched when an issue becomes politicized. Many anthropologists see repatriation as a ploy for attention, rather than a genuine desire to see remains treated differently (Grimes 2001: 93). The core of the problem is our distrust of politicians. It's no secret that Washington and Albany are full of people who pursue selfish or partisan goals while justifying it in terms of what it will do for their constituents. And even if it were to turn out that politicians are always being fully honest, the fact remains that people think of them as being dishonest. This attitude can be aimed at people perceived as acting in a political manner. Trust and respect are undermined as people second-guess the other side's motives. Distrust breeds distrust, as it is easy to take accusations of politics as evidence that the accuser is evading the issue and not interested in a respectful consideration of the best course of action.

Perhaps the best illustration of the consequences of politicization comes from a Haudenosaunee case – the return of several wampum belts to the Onondaga Nation. The belts were sold to museums by Indian leaders who violated traditional law by appropriating communal property. When the Onondagas attempted to regain the belts, archaeologists resorted to character assassination. This motivated the Indians to return the favor (and more successfully, as they gained sympathy in the media for their cause). This made it difficult for the archaeologists to do

any work, forcing them to continually justify the discipline to the public. Relations continued to sour until the issue was finally resolved (Hill 2001).

### *“Helpers”*

Archaeologists will often engage in a halfway sort of respect, recognizing the importance of Indian valuations while at the same time trying to dictate those valuations. This is what Stapp and Longenecker would call a “Helper or ‘Nice Guy’” level of interaction, the third and last “dominant” stage of relations (2000a: 20, see corrected diagram in Stapp & Longenecker 2001b). This helper viewpoint comes in two main varieties – present and future. In both cases, the value of archaeology to the helper is given precedence, and is projected onto Indians.

The views of present helpers have been elaborated elsewhere in this paper. Present helpers justify their work by insisting on the kinds of benefits Ferguson (1999: 36) lists, without considering whether these benefits are really felt by the Indians in question. They often insist that, if only Indians were better educated about archaeology, they would see these benefits. While it is true that many Indians have mistaken ideas about what archaeology does, and education can help them to better appreciate the values of archaeologists, this will not necessarily translate into acceptance of archaeologists’ values. Sometimes no amount of explaining is sufficient to sway Indians, because the difference is one of interpretation, not fact (Holt 1990: 11). And in assuming that Indians will ultimately find archaeology beneficial, present helpers portray those who don’t as under-educated.

A future helper appeals to the anticipated values of future generations. Failing to gain approval for research at the present time, and fearing the data will be lost forever if it is turned over to Indian management, future helpers ask, “what if your grandchildren decide they want to

do archaeological research on these remains?” They insist that no treatment that could prevent archaeological study is allowable, just in case future Indians are more open-minded about the possibilities of archaeology. This argument is particularly poignant given the common Indian philosophical commitment to managing the earth for the benefit of future generations. In the Haudenosaunee context this is articulated as looking out for the interests of the “Seventh Generation” (George-Kanentiio 2000: 57).

In utilitarian terms, the future helpers’ argument can be stated as “we can never gain x type of value, because that would lessen the amount of y type of value we could have if at some time in the future we wanted it.” Indeed, the argument can be easily turned around by swapping x and y – we can’t dig up and study human remains because Indians in the future might feel that is disrespectful to their ancestors. Applied in a different context, that logic would lead us to put every cent above what we need for bare survival in the bank, just in case we decide to go out on a whim and buy a pet elephant some day, and need a chunk of cash to pay for it. Clearly a person eschewing all pleasures in order to save for a future pleasure that may or may not come about is not maximizing utility. The future helpers’ argument sounds more plausible in the context of archaeology because it is tempting for archaeologists to assume that Indians will some day “come around” and see the obvious value in archaeology.

What the future helpers’ argument (as well as the reversed version) is, then, is not an argument for choosing scientific management of archaeological materials over Indian management, or vice versa. It does perform the useful service of directing our attention to the desires of future generations and of society in the long run, a viewpoint consistent with utilitarianism. But a close examination points out the impossibility of adequately guessing the desires of our descendants (or even ourselves in 50 years). So the real course of action that

should be suggested is one of keeping options open. This must be done over the archaeological record as a whole, rather than individual sites, lest we foreclose one option in order to keep open another, as the future helpers would have us do. We cannot say what people in the future should or will want, so we must leave them a viable choice of options. The task of finding this blend of treatments requires us to examine all of the possible values to be gained from various types of management of archaeological materials, thereby leading us back to the utilitarian perspective.

### *Claims Of Universal Heritage*

Some archaeologists feel that American Indians' claims to archaeological materials are unfair (or even racist) appropriations of materials that are rightfully the heritage of all of humanity. Appealing to the common origins of humanity, they ask questions like "Should any one of us have the right to determine the fate of the biblical Adam were he to be excavated?" (Watkins 2001: 64). To an extent, this is true. Rigid Indian demands for archaeological materials exclude consideration of non-Indian values that may be derived from them. Lepper charges that archaeologists who adopt a more conciliatory approach (specifically Stapp and Longenecker 2000a) will "give up caring about the wholesale loss of humanity's archaeological heritage" (2000: 22), and says that "America's archaeological heritage belongs to all Americans – Native Americans, archaeologists, and the rest of our citizens" (2000: 25). Goldstein calls giving remains over to Indians, and thereby making them inaccessible to non-Indians, "racist" (1992: 63-64).

Where this argument makes its mistake is in concluding that scientific investigation is of value to everyone and therefore is the proper way of dealing with universal heritage. Much like

the future helpers' argument, claims of universal heritage insist on foreclosing one type of value in every case in order to keep open another kind of value.

### *Backlash Of Disrespect*

We must be careful to keep in mind that the respect we intend to foster runs two ways. In advocating more consideration for American Indian traditions and viewpoints by archaeologists, we should avoid assuming that a wholesale shift away from scientific and anthropological ways of viewing the world is in order. Such a shift has too often plagued those fighting for recognition of Indian views. The intolerance shown by many archaeologists drives some Indians into an anti-science backlash (or brings to the fore those who have thought little of science all along). This backlash in turn contributes to the views of those who assert that Indians seem to have no interest in learning about their past.

Perhaps the best example of the problems of this backlash is Vine Deloria Jr.'s *Red earth, white lies* (1995). He complains bitterly, and justifiably, about the lack of respect paid to American Indian knowledge by non-Indian anthropologists and archaeologists, who dismiss oral traditions as fairy tales. And he rightly points out the ways in which scientific knowledge has been used to justify racism against non-white people. He wonders, "what is it, however, that blocks any possibility of dialogue between Western science and the tribal peoples who know these things, and more, as a matter of course?" (1995: 60). He has already given us part of the answer, in stating earlier "Much of Western science must go, all of Western religion must go ..." (1995: 15) and calling any person who defends Indian mascots a "redneck peckerwood" (1995: 20). In doing this, he is accepting the confrontational terms of debate that he hopes to eliminate. I do not wish to get into a debate about who is more guilty of intolerance. But it should be

apparent that responding in this eye-for-an-eye fashion, by refusing to consider archaeological values, does nothing to shift relations toward the type of respect and trust outlined above.

Deloria further attempts to beat science at its own game, damaging his credibility – and by association making the valid points he does have seem less respectable – by misusing logic and proof, without regard to whether his criticisms are consistent with each other (Yellowhorn 1995: 129). This makes it less likely that his views will be respected. He does himself no service by, in the proud tradition of Erich von Däniken (1970), spending more time decrying the close-mindedness of the establishment than he does presenting actual evidence in support of his claims. In essence he is politicizing the issue.

An example of this phenomenon that is closer to home is Doug George-Kanentiio's *Iroquois culture & commentary* (2000). George-Kanentiio is Mohawk, with close ties to the Oneidas through his wife, Joanne Shenandoah. In the book, he presents himself as speaking equally for all of the Haudenosaunee nations. He opens Chapter 2 with a straw-man version of the Bering Land Bridge theory – asserting, for example, that by this theory the migration to North America was a planned and purposeful quest guided by some mysterious knowledge, that the corridor through the ice sheets followed from Alaska was but a narrow crack, and that there was no food to be had between Siberia and sub-glacial America. This version allows him to say, “Anyone with a shred of common sense will come to the conclusion that the Bering Strait migration theory is irrational” (2000: 18). In doing so, he commits the same injustice he accuses archaeologists of – using the “fact” that an explanation seems to make little sense as grounds for dismissing the teller's claim to any useful information as well as maligning the teller's intelligence for asserting such a (supposedly) foolish thing.



*Respect And High Modernism*

This lack of respect can be seen as a form of high modernism, as described by James C. Scott (1998). Scott describes high modernism as featuring “self-confidence about scientific and technical progress” (1998: 4). It is instructive to note that archaeologists spent less time communicating with Indians as the discipline turned to more scientific methodology over the course of the past century (Garza & Powell 2001: 44). Reactionary Native American viewpoints, like Deloria’s, simply replace “science” with “oral tradition” and engage in the same exclusivist hubris that Scott attributes to high modernist scientists. The essence of high modernism is the belief that you have found the universal answers and therefore no other viewpoint need be considered. Stapp and Longenecker indict archaeologists for exactly this viewpoint (2000b: 22). Breaking down this privileging of scientific knowledge creates resistance, however. Many archaeologists feel threatened, and lament “an increasing climate of hostility to rational, objective descriptions of reality” (Dansie 1999: 32). Goldstein charges that it would be unethical for any archaeologist to support any policy that would diminish the size of the archaeological record (1992: 60-61). This feeling needs to be addressed, not dismissed.

Scott also addresses the question of differing values. He gives the example of scientific forestry in Europe (1998: 11-22). Under this regime of forest management, managers restricted their view to one outcome – maximizing the number of board feet of lumber that could be extracted from the forest. In doing so, they trampled on the other uses that had been made of the forest, such as firewood and hunting. Similarly, the high modernist assumptions of many archaeologists focus on maximizing the archaeological knowledge that can be extracted from ancient remains, ignoring other uses of them that have value for others.

*Working Together*

I will mention here a few case studies of successful integration of Native American and scientific knowledge. These are examples of times when letting down the high modernist insistence on “scientific” data proved ultimately more productive for archaeologists. By utilitarian calculation, the most effective strategy is necessarily the best course of action.

The first two are cited by George-Kanentiio. Having just attempted to debunk any claim of authority by archaeology, he proceeds to find a marriage of Native knowledge and archaeological investigation in a conversation with noted archaeologist Dean Snow. Haudenosaunee legend describes a migration from the southwest, originating in the area inhabited by the Hopi tribe. Snow assured George-Kanentiio that archaeological investigation has confirmed this migration (George-Kanentiio 2000: 19). Setting aside George-Kanentiio’s implication that the verification of this portion of the migration somehow casts doubt on the Bering Land Bridge migration, this provides an example of Native and archaeological knowledge working together, supporting both of their interests.

George-Kanentiio is more aware of the implications of his second example. He cites, with great approval, a study by Barbara Mann and Jerry Fields in which the authors analyzed Haudenosaunee stories about the founding of the Great League of Peace in order to narrow the founding down to 31 August 1142 (George-Kanentiio 2000: 27-28). The exactness of the date (something notoriously difficult to get from standard archaeological methods) depended on oral traditions describing the state of the corn crop and a solar eclipse that occurred in conjunction with the founding. The determination could not be made from oral history alone, however, as the initial narrowing of the range of years required archaeological knowledge of the date of the introduction of corn into upstate New York.

Deloria has a more conciliatory side as well. Though he remains vehement about the dominant society's blindness to the value of Indian knowledge about the past, he points to ways in which Indian legends can be reconciled with, and illuminate, past geologic changes. The changes thus recorded are generally catastrophic – volcanic eruptions, tsunamis, earthquakes, etc. For example, he relates a Klamath story about the explosion of Mount Mazama to form Crater Lake that squares perfectly with the modern geological explanation for the lake's formation (1995: 194-198).

Another example is offered by Salazar, Roberts, and Bohnert (2001). The authors used carefully recorded oral histories to locate the site of the 1864 Sand Creek massacre in southeast Colorado. Their Cheyenne and Arapaho informants allowed them to fill in a piece of history that traditional archaeological methods had failed to illuminate.

Kluth and Munsell offer a model of archaeological practice that takes into account Indian concerns about disturbance of sites. For example, offerings of tobacco were provided, and consumption of alcohol prohibited, at a dig on the Leech Lake Reservation, in Minnesota, in deference to Indian traditions regarding proper conduct in the presence of graves (1997: 114). This consideration mitigated resistance among residents of Leech Lake and allowed the archaeological project to go forward.

In addition to informing particular research projects, respect for Indian valuations instead of adherence to strictly scientific standards can result in a more general form of utility. As will be shown in the Oneida case study, the benefits of forging a close relationship with Indian tribes go beyond the immediate research project.

## **The Oneida Case**

### *Background*

As a case study of the ways estimation and utilitarian consideration of value are played out, I will turn to the Oneida Indian Nation of New York and the archaeologists who have worked recently in Oneida country. The Oneidas (called in their language Onyota'a:ka, people of the standing stone) are one of the five founding members of the League of the Haudenosaunee (more commonly known by the Algonkian-by-way-of-French name "Iroquois"), along with the Mohawk, Onondaga, Cayuga, and Seneca nations. The Oneidas once held six million acres of land, stretching from the St. Lawrence River to the vicinity of the modern New York-Pennsylvania border (Oneida 2000b). Over the course of European colonization of Upstate New York, this land was progressively taken from them and many Oneidas left the state. There are currently just over 1000 people enrolled as members of the Oneida Indian Nation of New York. A further 15,000 Oneidas live in Ontario and Wisconsin (George-Kanentiio 2000: 177), and an uncertain number of people of Oneida descent are not officially registered with any Indian government. Unfortunately, the Oneidas who are not affiliated with the Nation government in New York, while sharing in the Nation's common archaeological heritage, are outside the limited scope of this project. The Oneidas were granted a large reservation, 270,000 acres, under the 1794 Treaty of Canandaigua, in part because of their role in helping the American colonies to defeat the British and other Haudenosaunee nations. The land claim currently filed by the Nation is premised on the Treaty of Canandaigua being the last valid treaty between the Oneidas and the United States. However, a series of 26 further treaties with the State of New York (which the land claim charges are invalid under the Non-Intercourse Act) reduced the Oneida reservation to

32 acres just outside the city of Oneida, NY (Oneida 2000b). While settlement of the land claim remains stalled, the Oneidas have embarked on a project of buying back much of their former land from willing sellers, using money generated from the success of their other economic enterprises. The land claim, the land buyback, the success of the Oneidas' Turning Stone Casino in Vernon, NY, and the tax-exempt status of their Sav-On chain of stores has generated resentment among non-Indian residents of the area, some of whom have formed the group Upstate Citizens for Equality to protest the actions of the Nation (UCE 2000). Despite this, the Nation's official position remains that it will "reach out to our neighbors in a spirit of cooperation and mutual understanding" (Oneida 2000a: 1).

The history of archaeology on Oneida land has been one of little interaction between researchers and the descendants of the people being studied. Hayes asserts that the New York State Archaeological Association (NYSAA) has had a long history of collaboration with American Indians (1992: 48). However, a review of reports published by the NYSAA and its Chenango Chapter shows little incorporation of Indian input. One local archaeologist declined a request for a full interview because he felt he would have nothing to contribute to my research, as he had had no dealings with the Oneidas during the time he did research (including doctoral work) on Oneida sites. He said this was not abnormal, especially several decades ago – of all archaeologists working on Oneida sites, to the best of his knowledge only Jordan Kerber and Tony Wonderley have had any significant dealings with the Oneidas (pers. comm.). Brian Patterson, Bear Clan representative on the Oneida Men's Council, said that past archaeologists have shown "a total disregard" for the remains they excavated (Cronin 2001).

Colgate University, located on aboriginal Oneida land in Hamilton, NY, which has played an important role in Oneida archaeology in recent years, had little to do with the field

before Kerber's arrival. Some field methods classes were taught in the 1950s through 1970s by John Longyear, but Longyear was primarily a Mesoamericanist. He was succeeded by Gary Urton, who did no local archaeological work and does not consider himself primarily an archaeologist. Colgate also houses the Longyear Museum of Anthropology, which has acquired the sizeable Bennett, Bigford, and Whitney collections, assembled by three of the area's more prolific archaeologists. This represents the largest single collection of Oneida archaeological materials, and therefore a very valuable resource to researchers (Hubbard 1997).

An illustrative quote comes from Rex Lane: "My family has always had an interest in Indians. For years my son and I would go fishing along the river and when we got tired, we would go up and walk the corn field looking for artifacts..." (Lane 1989: 1). Lane is suggesting here that Indians were to him the ancient makers of artifacts, not a living community. The Oneidas appear to have agreed to this position that their input had no place in archaeology. Patterson said, "archaeology used to be a bad word among the Oneidas" (Corbett 2000). This pattern is in no way exceptional, given the state of archaeology across the United States and around the world.

### *The Project – Gathering The Data*

For this project I carried out a series of four interviews with five archaeologists [...] who have worked on archaeology in Oneida country recently. I asked them about their experiences doing archaeology in Oneida country, their impressions of relations between archaeologists and the Oneida Nation, and the value they saw in archaeology.

My original research plan was to interview a number of representatives from the Oneida Nation in addition to the archaeologists, in order to get a sense of how they view the archaeology

being conducted on their lands. However, in making my initial contacts with the Nation, I was informed that the Nation does not allow students to conduct interviews with Nation representatives. It is possible that, with additional persistence and contacts outside the current Nation bureaucracy, I could have found some Oneida people willing to speak to me about this issue. However, while that sort of investigative digging may be admired in the world of journalism, it runs counter to the spirit of this project. The value of this paper is, in all honesty, not terribly great – the edification of one student and the small number of academics that it is circulated to. The value of a good relationship between Colgate and the Oneidas, on the other hand, is much broader. Further, the results would be decidedly skewed in favor of the opinions of those in disagreement with prevailing Nation policy. Those most willing to speak to me in spite of the “no student interviews” policy would be most likely to be those who are dissatisfied with Nation policy and governance. Of course, had my original plan worked out, my results would have been largely skewed in favor of the Nation’s current leadership and official stance on archaeology. But this side of the story (and I should here emphasize my lack of detailed knowledge of internal Nation politics) would be more useful to me here, as those I would have interviewed would be Cowgill’s “*who* is in a position to do something about it” (1975: 507). There is a fine line between the democratic feeling that the opinions of the powerless *should* be as important as those of the powerful, and the realistic recognition that, in terms of creating concrete action, they *aren’t* as important.

Thus, my interpretation of the Oneida position is based on my other interviewees’ statements about their interactions with the Nation, my personal observations, and published materials, especially quotations in newspaper articles. This is necessarily a far less complete and less accurate picture than I was able to gain of the archaeologists I interviewed. Further, my data

sample was small enough that I was unable to make distinctions between the views of different people. If my presentation of the Oneida view as a unified whole is truly accurate, the Oneidas will be the only society in the world of which such a thing can be said. It is also important to note that most of the published information comes by way of Patterson, as his interest in and duties toward archaeology make him the natural contact person and spokesman. Thus, my interpretation is doubtless skewed toward Patterson's viewpoint and his interpretation of the Nation's official stance. It is further difficult to tell when Patterson (or any other Oneida source) was speaking as an individual and when he was speaking as a representative of the Nation.

[...]

#### *What Do The Oneidas Value?*

Perhaps the biggest factor smoothing relations between the Oneida Nation and archaeologists working on Oneida sites is the fact that the Oneidas see archaeological knowledge as valuable. There are many tribes and Indian people who see no value for themselves in archaeological knowledge (and are perfectly justified in doing so). The process of weighing archaeologists' value of this type of knowledge as equal to their values is then made more difficult for these Indians. The archaeologists, meanwhile, must avoid the easy assumption that the knowledge that is of value to them will bring an equal value to the Indians.

Oneidas in general see archaeology as another window on their heritage, rather than a separate and possibly contradictory telling of their past. [...] Clint Hill, Turtle Clan representative on the Oneida Men's Council, said "we have nothing physical to go with our stories and legends," and therefore saw archaeology as important in filling that gap (Breidenbach 2001). Birdy Burdick, program coordinator for the Shako:wi Cultural Center, agreed: "To see anything



associated with my ancestors helps touch down with my history. Whatever happened there is what made us what we are today” (Breidenbach 2001).

Perhaps the most common statement from all participants in the Oneida Workshop, both Oneida and non-Oneida, was that doing archaeology helped the students connect with their heritage. Teyekahliyos Edwards said, “Just to know they had it, our ancestors had it, has more value. It’s our own heritage. It’s our tradition and what we used back then” (Breidenbach 1999). Randy Phillips, manager of the Youth Work-Learn program, said “you can’t get a better history class than this” (McCarroll 2001:14).

[...]

An incident described by Kerber (2001) shows the Oneidas’ clear use of archaeology as an important tool in managing their land. The Nation planned to demolish a trailer near the Dungey site. During that summer’s Workshop, the Nation asked Kerber to do an archaeological survey of the area surrounding the trailer to see if any remains would be affected by the demolition. Luckily for the Nation’s plans, no materials earlier than late 19th century were found.

The use of archaeology as a tool for teaching Oneidas about their heritage is especially important given the widespread feeling that Oneida youths are “teenagers first and Oneidas second” (Kerber 2001). Patterson reports that all too often Indians “grew up sort of vaguely knowing they were Indian but not knowing the language, the beliefs or any of the ways of their ancestors” (Oneida 2001: 33), and that “it is one thing to say ‘I am Native American,’ and another to say ‘I am Oneida and I know who I am’” (Hubbard 1997). [...]

It is perhaps indicative of the degree to which the Oneida Nation is amenable to the values of archaeologists that the published reports of the excavations by the summer Workshop

and the field methods class make no explicit use of Oneida oral history in their analysis, or even in putting archaeological investigation in context as just one way of looking at the past (Kerber, Goluboff, & Hopenwasser 1991, Kerber, Olsson, & Thode 1992, Kerber, Helms, & Johnson 1993, Kerber, Kirkwood, & Peterson 1994, Kerber, Glennon, & Palmer 1996, Kerber, Henry, & Palmer 1996, Kerber & Henry 1998, Kerber, Ochsner, & Saul 1999, Kerber, Benisch, & Zinn 2000). In some cases this would be cause for complaint. But it would be foolish to complain on behalf of people who feel no complaint is necessary, because it would be presupposing what their values should be. The Oneidas are accepting archaeology on its own terms, as a way of looking at their past that is valid in itself. However, the potential for integrating archaeology with other forms of knowledge remains open and could potentially benefit all parties involved, especially in light of the statements by Oneidas that archaeology helps to confirm their understanding of the past.

It would be inaccurate, of course, to see the Oneidas as agreeing to all the values held by archaeologists. The most significant difference that came out of this research was the question of human burial excavations. New York's lack of an unmarked burial law (Trope & Echo-Hawk 2001: 18) makes the issue potentially more sensitive for the Oneidas than for tribes in other states. Kerber reported that one of the things he stresses in asking for approval for digs is that he will not excavate any burials. This, he said, seemed to assuage the concerns of the Nation. This conclusion was echoed by Phillips (McCarroll 2001: 15).

In the first summer of excavation at the Dungey site, the Workshop uncovered a suspicious-looking tooth. Work at that pit was immediately halted while Kerber took the tooth to a dentist, who identified it as a human incisor. He then called the Nation for direction on how to handle the situation. The next day was a "solemn occasion" as everyone participating in the

workshop gathered around to backfill the pit where the tooth had been found. There was no evidence to suggest that the tooth was necessarily from a burial – it may have fallen out due to disease – but the value of the knowledge to be gained from it (especially given Kerber’s lack of physical anthropological expertise) was not enough to justify continued excavation in the face of Oneida desire to see human remains left in peace (Kerber 2001).

[...]

## **Moving Forward**

### *No Prescription*

We should be careful not to fall into the universalizing trap of high modernism. A utilitarian perspective seems to offer universal application – indeed, utilitarianism as an ethical system has been criticized for offering direction for every action of a person’s life and being antithetical to any sort of moral relativism. However, the particular application of a utilitarian anthropology is locally situated. The balance of values, of benefits and burdens, is completely dependent on the preferences of the people involved – what information archaeologists in that region feel is most important, what forms of respect the tribe in question feels are necessary to be shown toward the sites or items found on their land, and so on. Further, these values are constantly changing. Therefore, utilitarian anthropology cannot offer a prescription for improved relations between archaeologists and Native Americans. It can only offer guidelines for a more productive negotiation between the extant values in a given situation. Negotiation between the parties involved, rather than arbitration by outside powers, is ultimately desirable. When negotiations fail and archaeologists resort to the courts, Watkins points out, “anthropology will

come out the loser regardless of the verdict, because it will have demonstrated a failure to understand the cultures about which it endeavors to learn and to prove its worth to the world of which it is a part” (2001: 65). Such arbitration is a resort only when one party steadfastly refuses to engage in a reasonable debate.

The Oneida case does not provide the kind of easy blueprint for cooperation that we might hope for. A careful examination of values shows the Oneidas and archaeologists working on Oneida sites to hold values that are more easily conducive to respect and trust than the values of Indians and archaeologists elsewhere in the country. It would be easy to recommend that others adopt Oneida values with respect to archaeology, but utilitarianism directs us to weigh values as held by the valuer, rather than asserting that one set of values is better. Not all tribes should be expected to value archaeological information, and not all archaeologists should be expected to see little value in the study of human remains – two key factors in the success of relations between the Oneidas and archaeologists affiliated with Colgate. [...]

The key point to be made by utilitarian archaeology is that we cannot so easily say that scientific investigation or traditional Indian values must always take precedence. Utilitarianism directs us to look at archaeology on a case-by-case basis. This allows a careful consideration of all the values that could be derived for the particular participants from various possible management choices. Sometimes a complete “victory” by one side or the other may be the best course of action. More often, a compromise can find the maximum benefit. However, this is not to say that either archaeologists or Indians need to weaken their positions or underestimate their values. Indeed, being clear, honest, and consistent with one’s views will ultimately produce a result more in tune with reality and thus more beneficial. My personal feeling is that, given the state of archaeology and Indian cultural heritage in the United States today, the value that Indians

can derive from remains will more often than not outweigh the benefit that archaeologists can derive. However, a tendency is not a basis for a universal prescription. And even if it were possible to outline a solution that would work in every case, and which all archaeologists and Indians would come to choose if they took a proper utilitarian look at the situation, that would undermine the value of the process. The solution being sought is not the only outcome of consideration of these issues. This is reflected in the benefits Kerber's classes gained from his relationship with the Oneidas, and the educational importance Urton ascribed to the repatriation process (Hubbard 1997). The negotiation is as important as the solution.

### *Caveats*

The analysis presented here is not complete. Notably, I have neglected to give more than a cursory analysis of the role of power relations – both in terms of how people are able to act on their values, and the ways in which power relations shape the values held by various actors. In my discussion of respect and trust, I have assumed the desirability of an equal power situation. If both parties are taking a fully considered utilitarian view of the situation, it does not matter where the power lies, as the actions of both the powerful and the powerless will be directed to the same goal. This, obviously, is rarely the case in real life.

I have also limited much of my discussion to two major arenas of potential Indian-archaeologist conflict – whether or not to excavate and whether or not to repatriate. However, there are other scenarios that can arise, such as proper use and distribution of information and interpretations about archaeological finds. For example, in the Kennewick Man case, there remains controversy over the announcement of the find, and particularly the use of the racially loaded term “Caucasoid,” in the media (Thomas 2000). A cursory examination of the issue

suggests that the announcement was premature, and that a greater benefit would have been created if consultation between archaeologists and the tribes claiming the remains had been able to begin before media attention made the case politically and racially charged.

The utilitarian perspective presented here is useful as a framework for establishing more productive relationships between archaeologists and American Indians (or other indigenous peoples). Utilitarianism begins with a very simple goal – the most benefit for the most people in the long run. In order to determine the proper utilitarian course of action, we need to know how valuable various outcomes are to all of the parties affected. Making that determination requires the equal consideration of all values – respect. Respect is best encouraged, and the course of action that is most desirable overall is best executed, in an atmosphere of trust, in which parties can allow others' values a hearing because they believe they can depend on their own values receiving a fair consideration. As values vary from person to person and tribe to tribe, utilitarian analysis must be carried out on a case-by-case basis. I can do no more than suggest a framework that will yield the best solutions. It remains for others to apply this framework to particular cases as they are encountered.

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