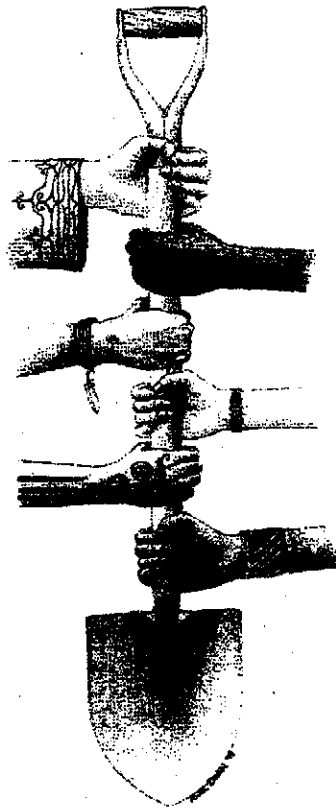


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Getting Things Right, Making Things New: Causes For Optimism In Reconciling Western And Native American Knowledge

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Abstract

Native American and Western understandings of the past have often been viewed as mutually exclusive, with the academy unsurprisingly favouring the latter. NAGPRA, however, has forced western-trained archaeologists to reconsider the existence of "objective" knowledge and to make open acknowledgment of the political ramifications of how we construct the past. Although a new philosophical and theoretical foundation for reconciling Indigenous and Western perspectives on the past won't be easily built, this paper presents some of the causes for optimism that the authors experienced in several NAGPRA consultation workshops in Durango in 1998.

Introduction

In September, 1997, the Intermountain Support Office of the National Park Service in Santa Fe entered into a cooperative agreement with the Center of Southwest Studies at Fort Lewis College. The purpose of the agreement was to organize a series of limited-attendance conferences concerning the Native American Graves Protection and Repatriation Act (NAGPRA). These conferences would bring together Native American tribal representatives, government officials, and academics from various disciplines to discuss the problems involved in assigning cultural affiliation to what has traditionally been termed the *Anasazi* archaeological record. The conferences were held at Fort Lewis College in January, February, and April of 1998.

In this paper we reflect on some of the issues that were raised at these conferences. We think that these issues are of general interest to those working to reconcile, or negotiate between, Western scientific and Native American understandings of the past. We discuss reasons to be optimistic that these negotiations will be successful, and propose a philosophical basis upon which integration might be sought. Our construction of that philosophical foundation involves exploiting some important areas of overlap—some limited "spaces of compatibility" (see McGuire, this volume)—between scientific and Native epistemologies. We emphasize that our definition of problems and solutions is just that—our own—and does not reflect a consensus of conference participants.

Issues

On the surface NAGPRA is a very simple law, in that it provides a legal mechanism for the repatriation of human remains and objects of religious and cultural significance. A process is in place whereby countervailing demands can be adjudicated, and there is apparently a clear criterion—the so-called *preponderance of evidence* criterion—that allows repatriation decisions to be made.

However—and we mean no criticism of those individuals charged with putting NAGPRA law into practice—one recurrent message from conference participants (especially tribal representatives, but also some academics) was that the law often got in

the way of repatriating materials. For example, the law stipulates that materials must be affiliated with a federally recognized tribal entity or with lineal descendants. But the question of affiliation is not easily answered. While some Anasazi material might be clearly recognized as ancestral Puebloan, it hangs in an administrative limbo if it cannot be assigned to a specific tribe.

A second problem is simply the size of the task with which tribes, federal agencies, and museums are faced. NAGPRA is essentially an unfunded federal mandate. It has been especially hard on tribes who have had to respond to the thousands of legally required consultation requests from museums and federal agencies. For example, Jemez Pueblo alone had received over 1100 requests as of November 1995 (William Whatley: personal communication). The National Park Service office in Washington is also backlogged as it sorts through the inventories and claims that have been made since the law was enacted.

As great as these practical problems are, they are dwarfed by the intellectual issues of NAGPRA. Among these is the definition of *preponderance of evidence*. What does that really mean? The law states that the following lines of evidence can be used to assess lineal descent and affiliation: archaeology, ethnography, human biology/physical anthropology, linguistics, and oral history. But problems arise when these different sources of evidence contradict each other. This state of affairs is not problematic in a strictly academic setting, but the issue of repatriation is a profoundly sensitive, urgent one for the tribes. The problem of methodological uncertainty is exacerbated by the fact that many Native American tribes will make claims of affiliation based on information that they, legitimately, feel cannot be shared with non-tribal members. It does not take much prescience to imagine a scenario in which different tribes with competing claims will take each other to court and, in the absence of any other publicly available evidence, will turn to Western science to decide the issue. This is exactly contrary to the original intent of NAGPRA, which is that Native Americans themselves would make determinations of cultural affiliation.

Earlier we alluded to the fact that academic disciplines may well expect to draw different conclusions regarding the affiliation of archaeological materials. One reason for this is that the social units constructed by, say, linguistics, cultural anthropology or archaeology are fundamentally different and we should not expect them necessarily to have coincident boundaries in time and space. This is an old chestnut in archaeology because the discipline's implicit role as social ethnography of the past has persuaded many archaeologists, especially traditional culture historians, to find contemporary linguistic or ethnographic analogs for archaeological taxa. We see how difficult this is in trying to arrive at a cultural affiliation for Anasazi materials. Unfortunately, any attempt by archaeologists to resist assigning ethnic or linguistic affiliation to archaeological materials on grounds that it is harder than anyone previously thought will almost certainly be interpreted by some Native Americans as just one more ploy to retain control over their ancestral remains. Moreover, for many Native Americans the credibility of archaeologists is pretty low to begin with, and this doesn't help.

At the bottom line is the simple fact, expressed over and over by just about every tribal representative who spoke at the Fort Lewis conferences, that the tribes' primary concern is to repatriate the remains of their ancestors and rebury them where they

rightfully belong. In the rest of this paper, we sketch a philosophical position for facilitating movement towards this goal.

Seeking Reconciliation

This philosophical position draws on a tradition of American pragmatism and neo-pragmatism, and elements of epistemology. A few key ideas give a flavor of the kind of limited philosophical reconciliation we have in mind.

The first of these ideas is that the "truth" of beliefs must be evaluated in terms of their concrete *consequences* for life today—for how we want to *live* as a pluralistic community. This strikes us as a genuinely humanistic evaluative criterion, one rarely if ever considered by mainstream scientists for whom the criterion of empirical sufficiency holds sway. However, it is a criterion that would seem to be very much at home in some epistemologies. Tessie Naranjo (1995:249) argues that the Pueblo Indian's primary concern is with "the larger issues of... breathing and dying", rather than with the specific details of knowing scientific world views. At the first Fort Lewis consultation, one of us (Cel Gachupin) articulated a pragmatist integrative criterion by arguing that, in an important sense, "history doesn't matter; what matters is survival". Other tribal representatives implicitly endorsed such pragmatist evaluative criteria where they lamented the negative effects of NAGPRA compliance struggles on the maintenance of harmonious relationships among the tribes. We understand all of these commentators to be saying that, instead of asking whether a claim to cultural affiliation is empirically sufficient, we should be asking *what difference the claim makes to how we want to live*. What are its implications for tribal life, and the conduct of contemporary tribal relations, in the Southwest? To what extent does the claim expeditiously meet the *human need* of putting unburied souls to rest, and contemporary minds at ease? This concern with "living" as well as "knowing" and, by extension, the present as well as the past strikes us as a significant convergence between pragmatist and epistemologies that's worth exploiting for its unifying potential. However, to do so requires that Western scientists replace their usual "criterial" rationality with something just as legitimate but much more qualitative and humanistic—what Richard Rorty (1989) might term "fuzzy" rationality.

Second is the recognition, implicit in the first point, that participants in the negotiation of different understandings are first and foremost members of *moral* communities. Indeed, pragmatism can be accurately described as a moral philosophy, one that nicely dovetails with NAGPRA's status as human rights legislation (Dongoske et al. 1997:605). To date, scientific, legal, and political sovereignty criteria have figured most prominently in public discussions of NAGPRA. It seems time that moral concerns wrapped up with how we want to live—with, again, the issue of human need—take their place at center stage. Recent calls by Ferguson and others (1997) for developing a whole new "ethics" of archaeologist-Native American interaction can provide a context for introducing and developing these concerns.

Third is a healthy but qualified respect for pluralism, for multiple ways of knowing. Pragmatists view cultural pluralism as our best recipe for civil cohesion (Menand 1997:xxviii). However, it is important to respect different ways of knowing without essentializing the differences. Richard Rorty (1989:13) suggests that "the distinction between different cultures differs only in degree from the distinction between theories held by members of a single culture". This strikes us as a useful assumption if the goal is

dialogue and reconciliation. At the same time, we shouldn't push commensurability so far that we risk essentializing *sameness*. Commensurability claims can easily lead to assertions about a "common human heritage" that, in turn, can be used to justify intrusive scientific approaches to investigating Native American pasts. We are currently witnessing this in the justifications for scientific study of Kennewick Man on grounds that if you go back far enough in time—presumably to humankind's African origins—we all have a common ancestor; i.e., "we're all the same" (see Preston 1997). There's a fine line between celebrating humanity's common heritage and riding roughshod over cultural differences, one that must be respected and carefully negotiated.

Finally, pragmatism offers up a particular view of how competing knowledge-claims can be "tested". In contrast to the mainstream scientific view of testing where competing ideas are evaluated against each other in the light of available evidence, pragmatism stipulates that we "test" the ideas of other cultures by "weaving" them together with ideas we already have (Rorty 1989). Inquiry, in other words, is a matter of interweaving and continually reweaving webs of belief so as to increasingly expand and deepen community; it is not simply a matter of privileging those claims ostensibly supported by *most* of the available evidence. Note also that the desirable end-product here is stronger community—i.e., richer and better human activity—rather than some final "truth" or some "more comprehensive" or "more complete" account of history.

These pragmatist commitments make clear the methodological challenge for those seeking reconciliation between scientific and indigenous knowledges. What, in practice, should this "weaving together" of different beliefs look like? Echo-Hawk (1993) has explored one way with his effort to weave together scientific and accounts of ancient North American land and culture-scapes. However, Echo-Hawk's own experience (Echo-Hawk 1997) and conversation at the first Fort Lewis consultation suggest that there are deep divisions among both scientists and Native Americans about the validity and/or desirability of this integrative work. This might imply that any hope for reconciliation really is doomed, that beliefs really are incommensurable. However, it could also suggest that we merely lack an appropriate, shared philosophical basis for thinking about the issue.

We believe that we might establish such a basis if we're willing to rethink the usual scientific criteria—i.e., empirical and logical sufficiency—for judging and integrating knowledge-claims. This includes NAGPRA's preponderance of evidence criterion. Given the rather elastic nature of evidence in archaeology (which results from the particular quality of archaeological data combined with the fact that such data only become "evidence" in light of theory), and given the contentiousness of tribal oral traditions, perhaps this isn't the best criterion to use given our purposes and goals. Instead, we might follow the lead of those Native Americans and pragmatist philosophers who suggest that the more important criterion is the consequences of our knowledge-claims for everyday life: for how we want to live, and for where we want to be as a pluralist society. This places an added burden on all interest groups to better understand the larger social and political realities in which *both* scientific archaeology and tribal life are embedded, as well as the particular realities and "observational languages" of local groups and the ways in which they are, and aren't, reconcilable with our own.

Summary and Conclusion

In summary, our optimism turns on two observations. The first of these, implicated by calls for a new ethic of archaeologist-Native American interaction, is the recognition by Euroamerican archaeologists that inquiry is *political* and that there is a consequent need to appreciate multiple ways of knowing. The second observation is the articulation of evaluative criteria by Native Americans that dovetail with some established Western epistemological commitments; i.e., those of American pragmatism.

From here forward we would argue that three things need to happen. First, we must recognize that neither the analytical nor the continental philosophical traditions—those that underpin processual and postprocessual archaeology, respectively—provide a coherent philosophical basis for dealing with the practical problems of NAGPRA compliance that confront us. The pragmatist alternative, by eschewing Enlightenment criterial rationality in favor of more humanistic, albeit fuzzier, regulative ideals, can fare better.

Second, we must specify some alternative concepts and metaphors for developing the procedures and criteria by which contradictory understandings, or approaches to knowledge, can be reconciled. Pragmatism has some distinctive ones in its storehouse. These concepts and metaphors emphasize ways of living instead of rules for knowing, the “weaving together” of knowledges instead of their “validation against” empirical reality, and the social utility of narratives instead of the objectivity of laws and theories. While we can’t, because of cognitive, linguistic, and other differences between interacting parties, hope for the development of uncontested procedures and criteria for reaching agreement on controversial issues like cultural affiliation, we might achieve a working consensus with a sufficient ethical commitment from all parties to deal with the problem.

Finally, we must take to heart Zimmerman’s (1997) claim that Western Science is the party in the conversation that must make the most accommodations and concessions in those instances where they are necessary for building consensus. In his *Federalist No. 10* James Madison suggested that the biggest threats to republican government are “majority factions”, because they are the ones best positioned to control the agencies of government and thus to impose their wills on others. To the extent that scientific “realism” is a majority faction in American archaeology—a version of science that, in recent years, has come to inform both processual and postprocessual archaeology—it poses the greatest threat to the project of reconciling competing understandings of the past. This is the case despite science’s potential, all things being equal, to serve as a useful model of human community and solidarity (Rorty 1989:15).

For Madison, the best corrective to the majoritarian threat was to enlarge the scope of community; i.e., the number of interests represented at the table of democracy. The Fort Lewis NAGPRA consultations sought to accomplish this. But while examination of available evidence and analytical methods for establishing affiliation claims is important, we must also attend to some deeper philosophical issues, appropriately simplified and translated across different cultures and languages so that “unforced agreement” (Rorty 1989) about a course of action becomes possible. Claims for NAGPRA’s status as a “bipartisan” law notwithstanding, we may still lack the most relevant methods and evaluative criteria—the most appropriate kind of science—for dealing with the compliance problems that challenge us. But we must also believe that these problems are not insurmountable.

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