ARCHAEOLOGY, ANTHROPOLOGY AND INDIGENOUS AUSTRALIANS: SOUTH AUSTRALIAN PERSPECTIVES AND BROADER ISSUES FACING ARCHAEOLOGISTS IN CONTEMPORARY PRACTICE

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Abstract

This paper explores the challenges faced by archaeologists working in progressively complex legal environments such as native title as well as in the ever-expanding cultural heritage management sector. Although written as a result of the author’s South Australian experiences the article also draws on interstate examples. A number of common problems that anthropologists and legal representatives encounter in heritage survey reports, work area clearances, conservation plans and other research written from an archaeological perspective are examined. In particular, this paper assesses the following issues: 1) Difficulties in contextualising contemporary assertions of ‘connection to country’ against the ethno-historical record; and 2) Complexities relating to the inclusion of anthropological materials in archaeological reports. It is argued that there is a need for additional targeted anthropological training for those archaeology students planning to work in the field of Indigenous heritage. Further, it is asserted that basic level training should be provided on topics such as ethnographic analysis of group boundaries and the mechanisms by which relationships to land and waters are established. It is also contended that students need to be trained in relevant methodological approaches to enable them to contextualise the ways in which contemporary Indigenous Australians may interpret archaeological materials within their own social, political and cultural frameworks. Thus, the paper also highlights the need for archaeologists to further collaborate with related disciplines to ensure that cultural risks for Indigenous communities are mitigated and professional risks for practitioners are diminished.
Introduction

Archaeology is anthropology or it is nothing.  
(Gosden 1999:2)

Gosden (1999) in his book, *Anthropology and Archaeology: A Changing Relationship*, charted and analysed the fluctuation and inter-relationship between the two disciplines (or discipline and sub-discipline) over time revealing the complex ways that they have influenced each other. In relation to the Australian scene Gosden (1999:8) refers to White and O’Connell (1982:215) and states:

In South Africa, Australia and New Zealand, where archaeology grew up in the post-war period within a processualist milieu, there is a suspicion that models drawn from anthropology will overwhelm the scantness of the archaeological evidence, making it impossible to think about the different nature of the past...

In recent years it could be argued that in one sense there has been a further widening of the gap between anthropology and archaeology in Australia as practitioners rightly become more wary of applying ethnographic analogies to interpretations of the distant past. Hiscock (2008:3), for example, makes some salient points on this topic in his recent publication when he writes:

Although analogies can be potentially helpful to archaeologists they can also be dangerous, because they can produce narratives of pre-historic life that merely borrow from the stories of recent life, implying that little has changed over time. Archaeologists therefore need to be careful that their use of analogies from history does not hide change in the nature of human life during prehistory.

These realisations are well-considered and take into account the many critiques of cultural evolution. However, as we also know they do not absolve archaeologists from being uninformed about anthropological understandings of contemporary Indigenous Australian societies. This is because archaeologists are charged with the ethical responsibility to work with those contemporary Indigenous people/s whose heritage they seek to study – whether or not this heritage may be
from the recent or distant past (see for example Principle 3.4 of the Australian Archaeological Association’s Code of Ethics and Principle 1 of the AIATSIS guidelines).

In the current domain of native title this means that archaeologists must have at least a basic understanding of the issues involved in identifying those Indigenous people/s who may hold native title rights and interests.\(^1\) It also means that archaeologists will increasingly require training in relevant methodological approaches to enable them to contextualise the ways in which contemporary Indigenous Australians may construe archaeological materials within their own frameworks. In many ways it is these responsibilities that I believe will ultimately result in a narrowing of the gap between the disciplines as archaeologists struggle to deal with the ethical, anthropological and legal imperatives involved in working in the realms where anthropology and archaeology converge (Godwin and Weiner 2006:124).

A number of researchers have published on the manner in which archaeology has been or could be used in legal contexts such as native title (see for example Fullagar and Head 2000; Godwin and Weiner 2002; Godwin 2005; Roberts 2001; Veth 2000; Veth and McDonald 2002 and Weiner et al. 2002). Many, although not all, of these papers deal with the manner in which archaeology can be used as a form of evidence in native title claims as well as the ways in which courts have viewed archaeological investigations in cases such as:

- *Ben Ward on Behalf of the Miriuwung and Gajerrong People v State of Western Australia and Ors [1998] FCA 1478* (24 November 1998);
- *Members of the Yorta Yorta Aboriginal Community v Victoria & Ors [1998] FCA 1606* (18 December 1998); and

\(^1\) As the politics among and amongst Indigenous groups increases concerning rights and interests in land and water researchers need to become progressively more skilled at navigating this terrain – a point made by Paul Chaat Smith (Smith 2007:383 and 385-386) in relation to “contemporary tribal politics” in America.
Other more recent native title cases that have assessed archaeological evidence include:

- *Daniel v Western Australia [2003] FCA 666 (3 July 2003)*;  
- *Neowarra v Western Australia [2003] FCA 1402 (8 December 2003)*;  
- *Alyawarr, Kaytetye, Warumungu, Wakay Native Title Claim Group v Northern Territory of Australia [2004] FCA 472 (23 April 2004)*; and  
- *Harrington-Smith on behalf of the Wongatha People v Western Australia (No 9) [2007] FCA 31 (5 February 2007)*.

However, less emphasis has been placed on analysing the “long overdue rapprochement between prehistory and social anthropology” and the “social and political dimensions” inherent in the interpretive work of archaeologists (Godwin and Weiner 2006:124).

Working with Indigenous communities who, as a result of the *Native Title Act 1993 (Cth)*, now have their own legal representatives and who have briefed anthropologists to write reports to assist them in their claims has unsurprisingly resulted in groups taking a far more legal and anthropological approach to issues relating to their tangible and intangible heritage and we can reasonably expect this trend to continue and grow in the foreseeable future. This means that archaeologists are required to become increasingly competent in relation to the manner in which they approach issues of an anthropological nature. This paper explores some of the most immediate issues facing archaeologists in such contemporary practice.

**Difficulties in Contextualising Contemporary Assertions of ‘Connection to Country’ against the Ethno-historical Record**

Veth and McDonald (2002:124) have provided archaeologists with interesting commentary and analysis on the types of archaeology (e.g., art assemblages and Kimberley points) that may have the “greatest capacity to demonstrate identity and boundaries” in the Indigenous Australian context (see also Barker 2006). However, putting aside the issue of the manner in
which material culture may provide information that is “ethnically sensitive” (McDonald 2000:58) archaeologists working with Indigenous communities need to understand boundary issues as part of their daily professional practice. This is because they routinely have to make assessments as to who, in the contemporary context, should be consulted in their research.\footnote{Indeed, practitioners should always consider this issue even where prescriptions are made about who to consult by government agencies and others.} As land and native title claims have revealed, such issues are complex and require in-depth investigation, analysis and negotiation. Whilst these issues are clearly the primary domain of cultural anthropologists, this does not alter the fact that archaeologists need to have basic understandings on topics such as ethnographic analysis of group boundaries and the mechanisms by which relationships to land and waters are established.

In relation to group boundaries, students need to be at least made aware of the types of information that may be available to them and the dangers associated with their interpretation. Practitioners should be able to assess to some degree whether an area claimed has always been associated with a group in the ethno-historical record or at least be armed with the right questions to ask in order to seek that information from other researchers and communities. Indeed, as Sutton (1995: 71-72) wrote in his publication entitled *Country: Aboriginal Boundaries and Land Ownership in Australia*:

> Getting academic research on Aboriginal land tenure as near right as possible has ceased being centrally a matter of enlightenment, or an esoteric or antiquarian pursuit, or even a handmaiden service to colonial administrations. For two decades, at least it has become almost a daily matter of natural justice for those whose tenures are being written and spoken about. For members of land tribunals or courts deciding questions of Aboriginal title, good research in this field goes to the heart of their own capacity for making good, durable decisions that avoid successful appeals. For the researchers it is, as it has always been, a matter of ethics: both the ethics of excellence in research, as well as the ethics of responsibility towards those whose lives one studies.
Leaving aside issues of ethics there are also of course professional risks associated with failing to consult with the appropriate Indigenous people/s. Indeed, failing to consult with Indigenous people/s who may have rights and interests in country now has ramifications in many legal contexts. The courts are littered with cases attempting to resolve overlapping interests (see, for example, Harrington-Smith on behalf of the Wongatha People v Western Australia (No 9) [2007] FCA 31 (5 February 2007).

In the course of my own native title work I have come across numerous examples where the reporting or investigation of boundary issues and related topics has been problematic. For example, I have encountered archaeological reports and research where there may be only simplistic renderings of ethnographic boundaries often relying on the writings of a sole ethnographer such as Tindale (1974) without disclaimers. Barker (2006:76) has similarly reported that archaeologists routinely use Tindale’s (1974) boundaries for the Whitsunday Islands region of the central Queensland coast despite “the uncertainty concerning the sources and validity” of Tindale’s work in this area. Does Tindale’s predominance in such reports reflect the fact that archaeologists are unaware of other ethno-historical sources? Is it the case that practitioners lack the skills to interrogate such works and/or the ability to compare them with contemporary assertions about ‘connection to country’? Or do archaeologists lack the time and resources required to address anthropological concerns in their projects? I suspect that the answer is a combination of these problems and others which I further address below.

Tindale’s predominance in archaeological research, however, is not the only concern in this regard as I have also come across work that does not reference such basic publications but which instead relies upon less well-known or referenced sources. Whilst such lesser-known works may in fact contain primary sources which should be accorded more weight than others there is rarely explanation as to why this is so – again raising the question of the skills and abilities of practitioners to assess ethno-historical materials.

I have also observed circumstances where researchers have ignored existing native title claims or failed to take into account another group’s probable rights and interests who, for
historical reasons, have not yet lodged a claim. Whilst proponents may not be legally required to negotiate with groups who do not have a registered claim and who therefore do not have the right to negotiate under Part 2 – Division 3 of the Native Title Act 1993 (Cth) practitioners nevertheless have an ethical obligation to ensure that they have properly considered Aboriginal land tenure in the areas within which they work. They should also be cognisant of the fact that whilst the Native Title Act 1993 (Cth) may not, in specific circumstances, address the issues of those groups yet to lodge a claim that this does not free them of their responsibilities under various heritage regimes (e.g., Section 24 of the Aboriginal Heritage Act 1988 [South Australia] requires that the Minister must take into account “any Aboriginal organisation that, in the opinion of the Minister, has a particular interest in the matter; and...a representative of (i) any traditional owners; and (ii) any other Aboriginal persons, who, in the opinion of the Minister, have a particular interest in the matter” before making certain directions – this in turn means that archaeologists need to also take into account such issues when conducting consultations which may lead to the need for such directions).

Identity labels, particularly language group names, also appear in some cases to be misunderstood by practitioners. I have observed cases where identity labels have been incorrectly used to refer to groups which may be simply wrong or unexamined (for example I have seen reports that refer to a group not by their own general term/s of self-reference but by terms used by neighbouring groups, labels used by individual families within groups or obscure terms from the ethnographic record). Such reporting, and hence perpetuation, of such terms without contextualisation can cause conflict and confusion not only within a community but also with the entities and general public with whom the community may interact and negotiate. The use of such terms may also reveal a lack of understanding of broader group membership and manner in which “post-classical” groups may be structured (see Sutton 1998:59-71).

Clearly, in some circumstances at least, boundary matters and related issues of identity are being approached by practitioners in an ad hoc manner. In part I suspect that this is due to the lack of skills and abilities of practitioners to assess
ethno-historical materials. However, it may also be because it is often simpler to treat Indigenous land tenure as a “matter of politics, rather than being a matter of identity, right, religious attachment, cultural practice – and politics as well” (Sutton 1995:41).

Given that archaeologists need to be armed with the necessary tools to know who they should consult this in turn requires at least an elementary understanding of group structures and the customary handing down of identity and property interests. Indeed, understanding the laws and customs that define group membership (e.g., descent, birth on country, adoption etc.) at the very least will allow archaeologists an insight into the reasons why they may have been advised to consult with various individuals or groups. Such knowledge will also assist archaeologists in understanding if there are issues with their work briefs – another issue discussed below.

**Complexities Relating to the Inclusion of Anthropological Materials in Archaeological Reports**

Some archaeologists have rightly become more aware of the necessity to privilege Indigenous voices in their research as a result of the critiques of the discipline and related research practices by Indigenous peoples (e.g., Deloria 1969; Langford 1983; Smith 1999 and Watkins 2000 – for a more recent Australian analysis of these issues see also Roberts 2003 and Roberts et al. 2005). In fact, the inclusion of Indigenous knowledges in reports has been one way that archaeologists have attempted to counter the negative feelings Indigenous peoples may experience when they are expected to relate to their country in a purely archaeological manner. Or, in the words of Byrne (1996:87) to work against the “monumentalisation” that he feels has occurred in the discipline (see also Byrne 2008:158). This change has been one of the outcomes of post-processualism and has arisen out of archaeologists’ attempts to wrestle with “the concept of multivocality”: the idea that they “should not be seeking a single official reading of the human past but accepting the validity of multiple alternative interpretations” (Scarre 2009:40 – see also Johnson 1999:98-115).
However, not all archaeologists tackle these issues in their research nor do they do so in an equal manner as Godwin and Weiner (2006:125) note:

…the organization of the research itself is a social, political and cultural act that frames the archaeological inquiry as such. It is not limited to the accretion of our understanding of the stylistic or categorical features of the artefacts. The value that Aboriginal people place on material culture is likely to be very different than that of the archaeologist, and this fact must become a part of the survey rather than an adventitious comment upon it. It is noteworthy, however, that few archaeological reports prepared as part of academic research or as part of the environmental impact studies process have included any significant methodological acknowledgment of this contemporary socio-political act of framing.3

Indeed, the inclusion in reports of anthropological materials encountered in the course of archaeological heritage surveys has become somewhat of a double bind for archaeologists with limited knowledge and/or experience in dealing with such information.

**Dangers Inherent in Omitting Anthropological Materials in Archaeological Reports**

On the one hand there is a danger in omitting discussion about intangible cultural heritage as we have seen through Land and Environment Court (New South Wales) cases such as *Anderson versus Ballina Shire Council [2006] NSWLEC 76* (24 February 2006) in which an Aboriginal family (the Andersons) claimed that the archaeologist had failed to properly consult with them concerning the range of cultural values that were believed to attach to the area (in this case a massacre site) (see also Weiner n.d. for a more detailed analysis of this case).

The issue of omission of anthropological materials is also considered by some, in part at least, to have been one of the many issues involved in the ‘Hindmarsh Island Affair’ (particularly in relation to the early stages of the matter) (see

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3 Similarly, see also Byrne (2008:150) who writes: “It is characteristic of publications and reports produced in the field of social significance assessment that the literature they reference consists entirely of other heritage publications and reports. This relatively closed circle has contributed to the undertheorised nature of the cultural heritage field...”.
Roberts et al. 2005:46; Simons 2003:91-96). However, given that the issues relating to this case have been the subject of much commentary and analysis I will not discuss them in detail in this paper.

In relation to Anderson versus Ballina Shire Council [2006] NSWLEC 76 (24 February 2006) the Anderson family in fact specifically contended that “the Council’s consultant archaeologist did not make any attempt to discern Aboriginal community views” of the area nor “undertake an anthropological assessment, as recommended by the Department of Environment and Conservation” [para 14]. Nor did the archaeologist refer to previous anthropological research conducted by Dr James Weiner although the archaeologist did acknowledge that she had read his report but did not refer to the findings therein because the report was marked as confidential [para 82]. When cross-examined, the archaeologist also said that the report was not an anthropological report, and did not require extensive consultation with all members of the Aboriginal community – that the report was purely archaeological [para 41].

The Court ultimately concluded that given the significance to Aboriginal people of the massacre site, it warranted proper evaluation by the Council and required more than mere mention of the issue of Aboriginal cultural heritage. Further, it considered that although the extent of the consultant’s brief was unclear it did request a cultural heritage assessment. In this regard the court found that the report related primarily to archaeological matters and dealt fleetingly with the question of cultural values attaching to the site and contained virtually no discussion of the massacre and in particular its relationship to the cultural significance in the area.

The issue of briefs for heritage and native title professionals, as this case reveals, is one that is becoming increasingly scrutinised by archaeologists, anthropologists and lawyers alike (see also Godwin 2005:75). Archaeologists and anthropologists are learning where the pitfalls may lie from their own disciplinary perspective (i.e., particularly when they prescribe who should be consulted and what aspects of cultural heritage should or should not be taken into consideration) and lawyers are equally attempting to contend with issues such as intellectual property and related contract management issues.
The omission of anthropological materials in archaeological reports may also result in lost opportunities to record knowledge and events that serve to demonstrate native title claimants’ continuing connection to their country. Godwin (2005:76) has similarly noted that:

Practitioners can be proactive in creating a process that affords native title parties the greatest opportunity to demonstrate that they have neither voluntarily ceded native title rights nor otherwise allowed those rights to be eroded.⁴

In many instances such knowledge and events that may fall into this category will be readily apparent. However, other cases may be less so such as when archaeologists encounter tangible items which, from a technical archaeological point of view, cannot be attributed as being of Indigenous manufacture but which may be considered to be so by Indigenous peoples. Natural features, for example, may be asserted to be scarred trees, shell middens and fish traps by Indigenous peoples (Weiner n.d. and personal observation). I have also similarly encountered cases where Indigenous peoples may strongly argue that sea-faring boats and evidence of boat manufacture can be observed in the archaeological record – despite ‘Western’ evidence to the contrary. Or where engraving styles are believed to be evidence of ethnographic boundaries even where it can be shown that such styles are widespread and likely attributable to activities from the more distant past.

These situations have, in the past, been viewed as simply problematic by many archaeologists and in fact were reported in this manner by some practitioners at the recent Australian Archaeological Association conference in Adelaide, 2009. Instead, I would argue, archaeologists need to reconsider their approaches to such issues and should view these occurrences as an opportunity to view and report contemporary cultural and socio-political acts of framing by Indigenous peoples in a more nuanced manner (Godwin and Weiner 2006:125). Such a view takes up Lilley’s (2006:31-32) argument that “claims regarding

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⁴ However, as has been demonstrated through various native title cases, researchers need to ensure that they can be viewed by the court as ‘independent experts’ and not ‘advocates’ (e.g., see De Rose v State of South Australia [2003] FCAFC 286 (16 December 2003) [para 263]).
cultural heritage, land and other resources” by Indigenous peoples in settled areas may be used as “leverage in pursuit of other ends, such as access to country or control over cultural heritage” but also advances it by considering how such claims may (or may not) be part of ongoing “interpretive practice” as is further explored below. In this regard the discussion in this paper also follows the “emergence of dynamic and adaptive forms of Aboriginality” (Byrne 1996:84 – see also Beckett 1988; Birdsall 1994 [1988]; Byrne 2004; Keen 1994 [1988]). Indeed, as Byrne (2004:245) notes:

The work of Beckett and Birdsall, along with that of others, cautions us against supposing that the trajectories of dispersal represent lines of movement that have always taken people away, detaching them from local sites; we are made aware that these trajectories are the same pathways along which contact is maintained. They are lines of communication that have, in a sense, allowed the local to expand.

If we take, for example, the issue of sea-faring craft I refer to above what might this tell us about the manner in which the group are relating to their past and the interpretation of the physical landscape that surrounds them? It could be that the strong beliefs relate to their struggles to preserve their coastal identity and to hold onto their fishing traditions and knowledge of the marine environment. For as Weiner (n.d.) notes “[p]eople, in short, are always already in the process of altering that which they seek to preserve” (see also Sutton 1994 [1988]:261 for a discussion of “Aboriginal history construction”).

Likewise, in a similar vein, how can we view the case of the attribution of rock art, likely from the more distant past (referred to above) as evidence of recent ethnographic boundaries by Indigenous peoples? One approach could be to consider these Indigenous interpretations as part of an ongoing “interpretative practice” that existed and may continue to exist among a group in the present. Godwin and Weiner (2006:127) in fact argue that “the apparent differential time frames that distinguish anthropological analysis from archaeological analysis are illusory, and that both modes of interpreting life must take account of the historical world of event and cultural transformation.” Indeed, if we employ these approaches to apparent contradictions between Indigenous interpretations and
‘scientific’ analyses we can see continuities rather than inconsistencies.

In particular, such observations may be useful in native title contexts when discussing issues of continuity and adaptation. In fact, one could argue that the issue of the sea-faring craft reveals a community’s incorporation of ‘Western’ technology into their own beliefs system and economic life rather than the standard ‘adoption’ of it that traditional Eurocentric interpretations would usually proffer. An issue that Merlan (1998:211) referred to as the “dynamic nature of significance” and discussed in some detail in her book Caging the Rainbow: Places, Politics, and Aborigines in a North Australian Town. Likewise Trigger (1997:86) has noted that for some researchers continuity is “a problematic notion, unless it is understood in the context of an ongoing process of reconstruction of culture and identity”.

Such situations may also emphasise a group’s distinctness and separateness from ‘Western’ norms. Indeed, the very manner in which Indigenous peoples may imbue all archaeological materials with significance may also be illuminating and in fact may demonstrate people’s active enactment of their maintenance and responsibility for places in their country according to their own laws and customs. Or, as noted by Trigger (1997:101) “cultural idioms used to express relations with land” may “rest partly upon modified ancestral intellectual traditions”.

Such knowledge and worldviews, depending on their context, may also signpost the inter-generational transmission of occupation, use rights and knowledge of economic sites. Similarly, the role of senior people in relation to contested issues such as these may serve to inform traditional decision-making processes. A knowledge of existing ethnographies may also reveal that groups are continuing to respond to archaeological sites and archaeological work in a consistent manner over time (see for example Berndt and Berndt [1993:16] in relation to the intentional excavation of human remains). All important issues when it comes to native title where the burden falls onto claimants to demonstrate that they have maintained a continuing connection to their country under their traditional laws and customs.
Issues Relating to the Inclusion of Anthropological Materials in Archaeological Reports

On the flip side in relation to the inclusion of anthropological materials in reports there is also a danger in reporting such information without the technical knowledge required to adequately contextualise the material in a manner which does justice to the information being reported and which does not open the community to cultural risk nor the archaeologist to professional problems. As we all know archaeological reports are not exempt from being used in anthropological settings such as native title and hence anthropological information that has been included in archaeological reports may be used in legal contexts.

In fact I am sure that many archaeologists would be surprised to know the manner in which some of their prior research or reports have been utilised in legal and anthropological settings – including in National Native Title Tribunal materials which can go to all parties including respondents (see for example the following research report bibliographies which refer to archaeological research: National Native Title Tribunal 2001 and National Native Title Tribunal 2004).

Indeed, in the course of my own native title work I have seen a number of archaeological reports that simply record verbatim information from Indigenous peoples without adequate contextualisation or appropriate disclaimers. Whilst this approach may not always pose problems it can do so (in the native title context at least) if the information contradicts ethno-historical sources and has not been adequately contextualised or appropriate disclaimers included to acknowledge such issues. Such information can be particularly damaging in instances where only one or a few individuals have been interviewed and their information or opinions are reported as being consistent with other members of the wider group. These latter instances are all the more likely to occur if the archaeologist is unaware of broader group politics.

Thus, there are two apparent approaches that the discipline must consider when dealing with anthropological materials of this nature. The first, and more obvious approach, is to ensure that archaeologists and anthropologists work as much as is possible in multi-disciplinary teams when working with
Indigenous groups. Indeed, if we take the example of Anderson versus Ballina Shire Council [2006] NSWLEC 76 (24 February 2006), for example, many of these issues could have been mitigated by the production of an appropriate brief which clearly stated the expected outcomes of professionals and which would allow professionals to state from the outset whether or not they had the necessary skills to carry out the required work.

The second approach is to ensure that future students of archaeology are taught the requisite skills and provided with methodological approaches that enable them to adequately report and analyse contemporary Indigenous cultural and socio-political acts of framing that take place in the context of archaeological work (Godwin and Weiner 2006:125). In all likelihood the best way to moderate these issues facing the discipline will be a combination of these two approaches.

**The Way Forward**

As we grapple with the increasing professionalisation of our discipline going into the 21st century I would argue that it is timely for archaeologists to consider the placement of the discipline within the broader domain of anthropology. As such I would suggest archaeology needs to further collaborate with its related disciplines to ensure that we mitigate cultural risks to the Indigenous communities we work with as well as professional risks ourselves.

To do this we should consider, for example, the training we are providing students about basic issues faced by practitioners such as understanding ethnographic analysis of group boundaries and the mechanisms by which relationships to land and waters are established. As well as provide them with the tools to contextualise anthropological information gathered in the field in the course of their archaeological investigations.

We need to continually remind ourselves that our disciplines (or sub-disciplines) cannot and should not operate in isolation from one another, particularly as we move forward into the complex native title arena and the ever expanding cultural heritage management sector. Indeed, as Gosden (1999:35) concluded in his analysis of the relationship between archaeology and anthropology, the relationships between the two disciplines are “not static and will change as method and
theory alters and one generation is succeeded by another”. Thus, it is timely for us to reconsider our relationship for, as we saw in the case of *Anderson versus Ballina Shire Council [2006] NSWLEC 76* (24 February 2006), if we do not address the issues facing the discipline others may decide for us.

**Acknowledgments**

A version of this paper was presented at the AAA conference in Adelaide, December 2009. I would like to thank those colleagues, recent graduates and students who provided me with feedback after this session.

Thank you also to James Weiner for allowing me to reference his unpublished paper and for providing comments on earlier drafts of this submission. Acknowledgments are also due to David Trigger, Keryn Walshe and other anonymous reviewers for providing comments on various versions of this article.

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