

**THE CCPA, NATIVE AMERICANS, and
COLORADO ARCHAEOLOGY**

A RETROSPECTIVE VIEW

By

Peter J. Gleichman

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INTRODUCTION

The last 40+ years has seen a well-defined progression in the culture of American archaeology. Archaeologists have widely embraced and advanced new forms of engagement and dialogue with the descendants of ancient resident communities in America, and the profession has become increasingly cognizant of the mutual benefits of a more inclusive cultural environment. This transformation did not come without conflicts and cost, yet recent decades have brought the development of new areas of cooperation and partnership between archaeologists and the modern descendants of ancient America. The benefits include opportunities for engaging in dialogue and building mutual respect with diverse communities; being exposed to and gaining an understanding of the various concepts about what constitutes the past; understanding differing values of specific aspects of archaeological materials and the archaeological record, including biases inherent in the Western or Euro-American perspective; and providing enrichment and depth of knowledge through the integrative study of archaeology and oral tradition.

The CCPA provides leadership in Colorado archaeology in the topics, direction, and manner of research, and in the way data are disseminated. The organization also has a leadership role in the socio-political milieu of archaeology. One of the objectives of the CCPA is “Establishing and promoting open communication and cooperation between archaeologists and the living descendants of groups subject to archaeological research in Colorado.”

Given the ongoing generational change in the CCPA, younger archaeologists may be unaware of the history of the involvement of the CCPA with Indigenous issues, and it seems appropriate to make a retrospective review available. This history of CCPA actions is set within the context of the political and legislative events of the time. This examination leads to potential directions and prospects for future meaningful interaction.

Recognition of Native American / Indigenous concerns in the performance of Colorado archaeology is reflected in chapters on the topic in each of the five regional Contexts issued in 1999 by the CCPA. While the treatment is uneven (discussed below), acknowledgement of Native American concerns in the Contexts is a result of both the general progressive growth of dialogue and respect between archaeologists and descendant groups and specific actions taken by the CCPA in the 1980s and 1990s.

BACKGROUND

Terminology is complex and important. The term “Indian” stems from a colonial perspective that created and maintains a reality based on racial classification, a reality that is not based on measurable or definable human biological characteristics. The term is often used with the modifier “American” to counter the more absurd aspect of its derivation. “Native American” was devised as an alternative to the colonial etymology of “Indian.” Use of these terms has always been a matter of variable preference and application. “Indian” and “Native American” are race-specific terms, essentially synonymous, except that “Native American” on a federal legal level refers to more than one race, and includes Polynesians (native Hawaiians).

The terms “Indigenous” and “Native” have broader applicability, used globally for groups of all races. There are numerous definitions of “Indigenous.” The complexity of the concept has resulted in the UN not adopting a definition but instead a list of criteria. The definition I find most appropriate is “Inhabitants of a geographic region or regions prior to colonization or conquest and their descendants who have social, economic, cultural, and political systems and beliefs distinct from the colonial or dominant culture.” The term thus has depth of time, and “Ancient Indigenous” refers to archaeological manifestations. In recent decades the term “Indigenous” has become widely adopted in Indian Country and in academic Ethnic Studies. The term “Indian Country” as used here refers to

anywhere Indians reside or engage in cultural activities, and to the residents themselves.

The concept of Indigenous has fostered Indigenism, (Indigenismo in Latin América) a system that promotes the theory that all Indians in the Americas were part of a civilization, similar to the concept of “Western civilization” or what was formerly termed “Oriental civilization” or Asian civilization. As defined by Mexican anthropologist Bonfil Batalla, Indigenism states that the diversity of Indian cultural expressions and languages are overlain by one unitary civilization. The civilizing dimension that transcends the differences in Indian cultures is the relationship of people with the natural world. Indigenism holds that in Indian civilization people are aware of and participate in a harmonious relation with nature, while Western civilization views nature as something to be conquered and dominated. Colonialism/imperialism are equated with Western civilization (Bonfil Batalla 1981).

Concepts of regional world civilizations may have some validity, however Indigenism seems to ignore the imperialism and empires that existed in the Americas prior to European contact. Indigenism also ignores the fact that Indigenous cultures exist on all continents and areas of the world, such as the Basques, Ainu, Sami, Australian aborigines, Maori, and native Hawaiians. The assertion that Indigenous or Native American cultures lived in harmony with nature or practiced ecological wisdom as opposed to Western cultures that exploit nature for resources without regard to ecological impacts is popular in the public imagination but the reality is debatable. There are certainly archaeological examples of negative ecological impacts from some Native practices.

Regardless of the issues with Indigenism, the term “Indigenous” is growing in popularity and use.

The terms “Indian,” “Native American,” “Indigenous,” and “Native” are used interchangeably in this paper.

Indigenous groups have been struggling to maintain and preserve their sovereignty, cultures, and languages against white Euro-American intrusion over the last 500 years. Most people are aware of the history of assertive non-Indigenous settler colonialism, designed to dominate, suppress, and reshape Indian cultures, marked by incidents of savagery and oppression by Spanish and American authorities. In addition to brutal military actions of various kinds, including war crimes, the oppression includes the intentional destruction of Indian economies and loss of

land; forced relocations; attempts to destroy kinship, social systems, languages, and cultural practices; overt denial of religious freedom and suppression of ceremonies; and conscious and deliberate destruction of sacred sites. These actions were, and continue to be, resisted by Indians in a variety of ways. These historical issues are not just representations of past historical events; they continue into the present. They constitute an ongoing dynamic presence for Native American people of Colorado, including those tribes who have ancestral lands in Colorado but no longer reside here.

An important aspect of the socio-political context of recent changes in the relationship between archaeology and Native Americans is Pan-Indianism. Pan-Indianism existed regionally in ancient Indigenous history in a variety of forms, including political and military associations, shared sacred geography and ceremony, cultural expressions, and forms of lingua franca.

Pan-Indianism on a national level is a late 20th century development. The National Congress of American Indians (NCAI) formed in 1944 to give tribes a unified voice and power in dealing with the federal government. Federal policy at that time was to terminate tribal status and reservations and assimilate Indians into white culture. Assimilationist actions included forcing Indian children to attend boarding schools and the Indian Relocation Act of 1956, which pushed Indians to leave reservations for residence in select cities. Both these actions had the ironic effect of fostering Pan-Indianism. Two more confrontationally activist and occasionally militant Pan-Indian groups are the National Indian Youth Council (NIYC), formed in 1961; and the American Indian Movement (AIM) formed in 1968. The NIYC focused on protecting treaty, hunting, and fishing rights. AIM formed to deal with an array of civil rights issues. Both groups engaged in direct action, including protests, marches, disruptions, fish-ins, and occupations. Pan-Indianism has been and is an important survival strategy, effective for working for civil rights, and is thus a positive empowering force for Indians. Anthropologically it is not without certain negative aspects, such as the potential blurring or loss of the cultural identity of specific groups and rich cultural variation that exists among Indian societies.

The resurgence in the late 1960s and 1970s of public resistance among Indians saw NCAI, NIYC, AIM and a number of other organizations fighting for treaty rights, civil rights, sovereign self-determination, cultural respect, and consideration of a wide spectrum of regional and local issues. Issues that directly pertain to archaeology include the treatment of human remains by archaeologists and museums; the ownership, control, and management of culturally significant

archaeological materials (including but not limited to funerary items); and the recognition and treatment of sacred sites and traditional cultural properties. Another topic is understanding the impact that the inherent values and biases of Euro-American interpretations of archaeological materials and cultures has on the heritage of descendent communities. The Pan-Indian organizations were instrumental in bringing oppression and systemic racism against tribes into public awareness and forcing institutional change. NIYC and AIM pushed treaty rights and the reburial issue. NCAI contributed heavily to getting NAGPRA passed.

HUMAN REMAINS/REBURIAL/REPATRIATION

By the 1980s repatriation and reburial of human skeletal remains had become a prominent defining issue in relations between Indian groups and archaeologists, and a topic of discussion and debate among archaeologists. This developed from strong grassroots organizing by Indians, such as Jan Hammil, an AIM member and founder of American Indians Against Desecration. This movement became amplified by the formal development in 1986 of repatriation projects by the Native American Rights Fund (NARF) in Boulder, Colorado.

The CCPA became formally involved in the reburial issue in 1986, with a panel discussion at their annual meeting. Two of the 7 discussants were Indian.

THE REBURIAL ISSUE IN COLORADO

CCPA ANNUAL MEETING, 1986

Panel Discussion, Paul Nickens- Moderator

- PAUL NICKENS – OVERVIEW OF THE REBURIAL ISSUE
- EMERSON PIERSON – THE ANTHROPOLOGICAL CONTEXT FOR REBURIAL
- STEVE SIGSTAD – FEDERAL PERSPECTIVES IN COLORADO
- LESLIE WILDESEN – COLORADO STATE PERSPECTIVES
- FRED LANGE – THE MUSEUM PERSPECTIVE
- MIKE HOFFMAN – THE PHYSICAL ANTHROPOLOGY (SCIENTIFIC) VIEW
- CYNTHIA KENT – THE NATIVE AMERICAN PERSPECTIVE
- EDDIE BOX – A SOUTHERN UTE TRIBAL PERSPECTIVE

AN OPEN DISCUSSION WILL FOLLOW THE PRESENTATION

Several of these speakers are now deceased, none are currently active in Colorado archaeology / anthropology.

The open discussion following the speakers showed a diversity of views and strong disagreement about the issue, with particular opposition to reburial from physical anthropologists. Perhaps the most cogent response to the opponents of reburial came from the late Eddie Box, Southern Ute Elder (somewhat paraphrased): “Indians care about our ancestors. Some Indians care too much, and some Indians don’t care enough, but it’s important to us that Indian remains be reburied. And it doesn’t matter what tribe they are from; we want them all respected and reburied.”

1986 was also the year that the SAA adopted and published a policy statement on human skeletal remains. The “Statement Concerning the Treatment of Human Remains” opposed universal reburial and opposed US federal legislation that was then beginning to take shape, seeking to impose a national standard for the disposition of all human remains. The SAA’s editor chose to censor expressions of opinion by archaeologists who disagreed with that policy position (see SAA Bulletin 4(3).) Contrasting that position with the fact that in 2020 Choctaw archaeologist Joe Watkins, author of *Indigenous Archaeology* (2000), was elected president of the SAA, indicates how archaeology has progressed, although the 1986 SAA policy statement was only recently changed.

The late 1980s saw a swift expansion of public discourse on the issue of human remains in Indian Country and in anthropological literature. The cavalier attitude of many archaeologists and museums regarding Native human remains, and the resistance to change, has been documented.

The Native American Graves Protection and Repatriation Act (NAGPRA) was passed in 1990, and some would credit the intransigence of national archaeological societies and organizations on reburial as contributing to the moral need for passage of the act. The new law mandated repatriation of Native American human remains from federal and tribal land, and created procedures for museums to inventory human remains and associated funerary objects and provide the inventories and object summaries to tribes. NAGPRA authorized Indian sovereign governments and Native Hawaiian organizations to claim culturally affiliated human remains, funerary objects, sacred objects, and objects of cultural patrimony from US federal agencies and from museums receiving federal funding. It also

covered new discoveries on US federal lands and within federally recognized Native American sovereign homelands.

By this time, growing outrage about the treatment of Native American human remains had generated a powerful sense of Pan-Indian unity among many Indians. The procedures for determining cultural affiliation of human remains and objects covered by NAGPRA brought tribal sovereignties into close contact, and NAGPRA based repatriation affirmed that Pan-Indianism could produce striking and significant results for Indian Country.

The response of anthropologists to NAGPRA varied from empathy to the Indian positions to reluctant acceptance of the fact that human remains would now be dealt with differently. Some were openly hostile to the law and its consequences for museum collections, archaeological studies, and bioanthropology. Through the years following passage of the law, some anthropologists and some Native American leaders separately worked on presenting their views in attempts to create a national narrative of science-versus-religion polarization. Anthropology and archaeology have been vulnerable to criticism and attacks from some Native Americans. Anthropologists are the people directly studying Native peoples and cultures, and can be perceived by Indians as agents of the dominant society acting on behalf of colonial Euro-American values with questionable benefit or detriment to Native peoples.

Federal funding became available in 1994 to non-federal museums and agencies to help carry out NAGPRA, and many hundreds of grants have been awarded to Indian tribes, Native Hawaiian groups, and museums to implement the information gathering and consultation provisions of NAGPRA.

A set of subtle processes began to affect archaeology and Indian Country. New shared narratives of mutually respectful engagement began to materialize – a process aided by the ongoing consultation provisions of NAGPRA repatriation. NAGPRA requirements brought Indians and archaeologists together in a variety of research projects, generating in depth discussions about history, archaeology, and the significance of material objects, creating new levels of mutual understanding and efforts to establish common ground.

In 1990 the Colorado Historical, Prehistorical, and Archaeological Resources Act of 1973 (CRS 1973 24-80-401 *et seq.*) was amended to give state control of all unmarked human graves on all non-federal land in Colorado, including both state and private land. The law was passed two weeks prior to the passage of NAGPRA.

This acknowledgement by the state of the importance and humanness of human remains to Native peoples made it clear that Native human skeletal material cannot be owned by private individuals. There are now procedures in place on what to do if human remains are encountered archaeologically anywhere in Colorado. Upon discovery of suspected human remains, the appropriate policing authority and coroner are contacted. If the remains do not have forensic value or are over 100 years old, the State Archaeologist is notified. If the remains are Native American, they may be retained by the permitted archaeologist for study for up to 1 year after disinterment. The law originally gave control of the disposition of the remains to the State Archaeologist and the Colorado Commission of Indian Affairs without tribal input. This law was revised to align tribal consultation requirements with NAGPRA.

CCPA involvement with repatriation included a panel and open discussion at the 1993 annual meeting. The session was “Current Issues on Repatriation”
Moderator: Kevin Black; Panelists: Adrienne Anderson, Susan Collins, John Slay, Jim Wanner, and Richard Wilshusen.

The passage of NAGPRA and various state laws changed the way archaeologists deal with human remains. Contract projects do still encounter, excavate, and study human remains which would have been destroyed by the development. The procedures and time allowed for study are set by the consulting tribes. There has certainly been some loss of categories of data from human remains and funerary objects, which emphasizes the importance of understanding the gains in pursuing cooperative archaeology and expanding our understanding of different concepts of what the past is.

The 2022 NAGPRA Program Report states that 208,698 human remains have been reported under NAGPRA, with the NAGPRA process complete for 48%. There are still 108,328 Native human remains in museums pending consultation and/or notice. 2.6 million associated funerary objects have been reported, with the NAGPRA process completed for 71%. 764,866 associated funerary objects are still in museums pending consultation and /or notice, 32 years after the enactment of NAGPRA. Lack of funding to federal agencies to consult and implement NAGPRA has been a barrier. There is also still resistance to NAGPRA from some institutions and substantiated allegations of non-compliance have led to monetary penalties.

In a 2018 nationwide survey of museum professionals and NAGPRA practitioners conducted by the DU Museum of Anthropology, the response to the question “Are

you respecting the rights of tribes under NAGPRA?” 75% of museum respondents said yes, but only 28% of tribe respondents agree, a rather large gap. Only 15% of tribe respondents felt they had received adequate opportunities for consultation. But the survey also underscored a realignment in the tenor of museology and museum anthropology – an understanding of the values of a more inclusive agenda. Anne Amati at the DU Museum of Anthropology created the NAGPRA Community of Practice to support, connect, and empower NAGPRA practitioners to facilitate repatriation.

Human remains/reburial/repatriation legislation transformed both archaeology and Indian Country through the required consultation process. The transformation went far beyond the issues of human remains. Over time the engagement of archaeologists with Indian Country expanded to consultation and collaboration in other areas, creating new cross-cultural understanding and potential for common ground.

SACRED GEOGRAPHY

Corollary to the treatment of human remains is the issue of American attitudes toward Native American spiritual beliefs and practices, and the sacred geography where such practices were and are conducted. American governmental repression of Native American religions was a common practice, arising from specific laws, regulations, and institutional policies that suppressed Indian religious and cultural practices – this in a country founded by immigrants seeking religious freedom.

Instances of outright hostility occurred in the management of landscapes important to Native American spiritual practices, i.e., sacred sites. A prime example can be seen in the deliberate violation of the sacred Pipestone Quarry in Minnesota. The quarry has long been considered sacred and significantly important to tribes in a thousand-mile radius. The Iháŋkthūŋwaŋ (Yankton) Dakota protected the quarry as neutral ground, accessible to all neighboring communities regardless of tribal affiliation – an example of regional Pan-Indianism extending deep into the past. The Yankton insisted in their treaties on ensuring its sanctity. Despite their efforts, the quarry was intentionally damaged in 1891 at the instigation of federal officials and missionaries, to destroy it as a religious site. The sacred ledges which overlooked the falls were blasted to remove them and make them useless for ceremonies conducted on them. Despite this desecration, the area is still sacred to numerous tribes. Information about the neutrality and Pan-Indian use of the Pipestone Quarry comes from oral tradition.

An adjunct to hostility and suppression of religious beliefs has been indifference to religious values; manifested in denial of access to sacred sites on public land, denial of ability to gather natural substances with sacred properties, disturbance of ceremonies by governmental officials and the public, and the desecration of sacred sites by allowing other uses without knowledge or regard of the sacred nature of the place.

In 1970, after 64 years of effort, Taos Pueblo re-acquired ownership and control of Blue Lake, a sacred ceremonial site (Graybill 2001). This was in some ways precedential, although many land claims did not result in return of land, but rather in payments for land. US agencies and officials acknowledged the denial of religious freedom to Indians. The American Indian Religious Freedom Act (AIRFA) of 1978 (P.L. 95-341) was passed and signed by President Carter. The act required federal agencies to respect the customs, ceremonies, and traditions of Native American religions. In 1994 AIRFA was amended to make use of peyote legal. While an important symbolic step, AIRFA amounted to a policy statement with no regulatory force, and it provided only very limited legal relief and protection. In many respects it was a failure.

The National Historic Preservation Act (NHPA), as amended, necessitates communication or consultation with tribal sovereignties regarding the recognition of sacred sites and other traditional cultural properties and their treatment. In 1990 the National Park Service published the National Register Bulletin: “Guidelines for Evaluating and Documenting Traditional Cultural Properties”. The Bulletin has since been revised. The definition of a traditional cultural property is a property that is eligible for inclusion on the National Register of Historic Properties because of its association with cultural practices or beliefs of a living community that a) are rooted in that community’s history, and b) are important in maintaining the continuing cultural identity of the community.

Recognizing and documenting sacred geography and traditional cultural properties in Colorado is difficult, complicated by the forced removal of Indians from most of Colorado and the associated disruption of traditional geographic knowledge and practice.

Some examples of sacred site issues in Colorado will illustrate some of the problems. Old Man Mountain in Estes Park has been documented as sacred and ceremonial in function based on archaeological evidence (Benedict 1985), unfortunately with no effort to communicate or consult with tribes or Indigenous

people about the site. However, the Arapaho do have oral traditions and a name for Old Man Mountain (Gleichman 1993:10), and the Oglala Lakota are also aware of the sacred stature of the mountain (Violet Catches, personal communication).

Claims of sacredness are sometimes subject to political manipulation. Fraudulent claims of antiquity and sacredness have been made, such as the NIST “Medicine Wheel” in Boulder (Burney 1997), and Ute “Prayer Trees” (CCPA Position Statement). Spurious claims have been made, such as the claim that Arkansas Mt. is a traditional cultural property (Gleichman 1993).

While any given site can be viewed as sacred to whomever is claiming it is sacred, the protection provided by National Register eligibility as a traditional cultural property is more difficult to achieve. The concept that a site must be important in maintaining the continuing cultural identity of the living community within which it’s historical use is rooted to be eligible is difficult to demonstrate for people who were subject to colonial dispossession of their land.

CONSULTATION AND COOPERATION

The 1990s ushered in a new perspective in archaeology. Regional and national archaeological organizations shifted to a stance of respect and support for inclusive efforts. The profession widely embraced the view that archaeology should actively encourage partnerships with Indian communities and institutions and scholars. This view assumed that archaeological research and Indigenous concerns and perspectives on the past could share meaningful common ground and mutually beneficial outcomes.

In 1993 SAA launched a newsletter column titled “Working Together,” with Roger Echo-Hawk contributing the premiere essay in the fall issue of the SAA *Bulletin* (Echo-Hawk 1993). There he wrote, “It is time for SAA to explore in earnest the frontiers of cooperative archaeology.”

An additional factor leading to mutual respect is the consultation requirement in the National Historic Preservation Act. The NHPA requires consultation with Native Americans regarding means by which adverse effects to National Register eligible cultural properties will be considered. The process of consultation demonstrated to Native representatives that most archaeologists are not overtly racist, have respect for Native peoples and customs, and are willing to work to understand Indigenous perspectives.

In 1994 the CCPA annual meeting included a full day symposium “Native American Consultation and Archaeology” organized by Karen Brockman and Sally Crum. 7 of the 12 presenters were Indians. The CCPA Newsletter Vol. 16(1) lists the speakers and topics

SYMPOSIUM: NATIVE AMERICAN CONSULTATION AND ARCHAEOLOGY

CCPA ANNUAL MEETING 1994

ORGANIZERS: KAREN BROCKMAN AND SALLY CRUM

LOUIS REDMOND (MOHAWK, NEBRASKA NAT’L FOREST)

“WHY CONSULTATION”

ROGER ECHO-HAWK (PAWNEE TRIBAL HISTORIAN)

“A NATIVE AMERICAN’S PERSPECTIVE ON COOPERATIVE ARCHAEOLOGY”

ALDEN NARANJO (SOUTHERN UTE TRIBE)

“HISTORY OF THE UTES”

SUSAN COLLINS (COLORADO STATE ARCHAEOLOGIST)

“THE ROLE OF THE STATE IN CONSULTATION”

DAVE RUPPERT (REGIONAL CULTURAL ANTHROPOLOGIST, NPS RMR)

“A CULTURAL/ETHNOGRAPHIC PERSPECTIVE ON CONSULTATION”

MICHAEL BURNEY (BURNEY AND ASSOCIATES)

“THE CONSULTATION PROCESS: MEANS TO MORE EFFECTIVE COMMUNICATIONS WITH AMERICAN INDIAN NATIONS IN ADDRESSING CULTURAL ISSUES”

CLIFFORD DUNCAN (NORTHERN UTE TRIBE)

“THE IMPORTANCE OF TRIBAL INVOLVEMENT IN ARCHAEOLOGY”

BRUCE BRADLEY (CROW CANYON ARCH’L CENTER)

“THE STATE OF CONSULTATION AFFAIRS AT CROW CANYON”

HARRIS FRANCIS (SOUTHWEST COUNCIL, NAVAJO TRIBE)
“THE HISTORY OF THE SOUTHWEST COUNCIL”

DOROTHY NARANJO (SOUTHERN UTE TRIBE, EDUCATION DEPT)
“EDUCATION AND ARCHAEOLOGY: WHAT’S NEEDED IN
CONSULTATION”

PETE GLEICHMAN (NATIVE CULTURAL SERVICES)
“THE PITFALLS AND PROBLEMS OF CONSULTATION AND
POTENTIAL SOLUTIONS”

KENNY FROST (CONSULTANT FOR USDS, SOUTHERN UTE TRIBE)
“THE IDENTIFICATION OF SACRED SITES AND PERSONAL
EXPERIENCES AS A CONSULTANT”

At this meeting Roger Echo-Hawk provided a “Wish List for Cooperative Archaeology” reproduced below. Many of the 12 items on the list have been and are being pursued.

A WISH LIST FOR COOPERATIVE ARCHAEOLOGY

Roger Echo-Hawk, March 5, 1994, CCPA Annual Meeting, Montrose, Colorado

- 1) CCPA and individual members could encourage academic anthropology / history programs to recruit and fund Indian students.
- 2) CCPA could examine ways to support Indian students in archaeology.
- 3) Field archaeologists could hire Indian workers and encourage them to pursue archaeology in college.
- 4) Archaeologists should explore ways to interact positively with Indian communities: giving presentations, introducing themselves to tribal governments, providing copies of reports, etc.
- 5) Archaeologists should publish versions of their work for popular audiences / young Indian readers.
- 6) Archaeologists should establish working relations with elders / tribal historians as colleagues.

- 7) Archaeological consulting firms could hire Indians in liaison positions.
- 8) Groups like the CCPA can include Indian tribes and tribal historians on their mailing lists to receive publications, notices of conferences, and fund Indian participants where possible.
- 9) CCPA could invite tribal representatives to serve on the board.
- 10) When CCPA takes stands on needed or pending legislation, it should engage in discussions with Indian communities / leaders, and where possible, take joint positions on issues.
- 11) CCPA, following the example of the World Archaeological Congress, could adopt a code of ethics which specifically addresses involvement with Indians.
- 12) CCPA should, as a high priority, actively seek to develop further ideas which focus on Indian involvement / cooperative archaeology.

CCPA continued to advance an integrative agenda, working for common ground with Indian Country. The Bylaws were amended around 1995 to include the specific objective quoted above regarding communication and cooperation with living descendants. In 1996 the CCPA established the position of Native American Representative to the CCPA. Five different Native Americans held that position until 2012, after which it was unfilled until 2019 when Garrett Briggs became the Representative. Anna Cordova is the current (2022) Native American Representative to the CCPA.

In early 1998 the National Park Service and Fort Lewis College hosted an ambitious consultation project in Durango: “Affiliation Conference on Ancestral Peoples of the Four Corners Region.” (Duke 1999). This was a series of three conferences that brought together dozens of archaeologists, tribal representatives, and federal agency representatives to consider the implementation of NAGPRA and its cultural affiliation standards. Allen Bohnert (NPS Museum Specialist) opened the first meeting by pointing out that “NAGPRA provides descendants with a voice,” and for archaeology this means that oral tradition “is no longer to be considered anecdotal to anthropological data” – these important points became a major focus of the meetings. The dialogue featured extended commentaries on repatriation, cultural affiliation, oral tradition, archaeology, museology, and heritage issues. On the final day of the meetings, Loren Panteah (Zuni Historic

Preservation Office) summed up with a forward-looking comment: "...I hope that the dialogue and the consultation continue, whether it be in consortiums or individual tribes, but I think we should continue."

As mentioned, each of the five regional Contexts prepared for the CCPA and published in 1999 contained sections on Native American concerns, issues, or perspectives. Some of the sections are brief. Understandably, the most thorough treatment is in the Southern Colorado River Basin context, which was compiled by archaeologists with the Crow Canyon Archaeological Center. It contains a detailed discussion of federal laws pertaining to Native Americans and archaeology and their implications; consultation, oral tradition, and the mutual benefits of cooperation and common ground. The chapter has several authors, including Tito Naranjo, a Native American scholar from Santa Clara Pueblo. (Varien et al. 1999). The southwestern area of Colorado is home to two Ute tribes and much of the archaeology of the area has a demonstrably direct connection to extant Puebloan groups. Consultation and collaboration have been more energetically pursued in the Southwest, including southwestern Colorado, and the value of oral tradition to understanding the past is explicitly acknowledged. The leadership and scholarship of the Crow Canyon Archaeological Center has played a large role in this effort.

In 2000 the CCPA annual meeting again presented a full day symposium on consultation, organized by Rosemary Sucec. The symposium had 4 sessions, with a facilitator and panel of speakers for each session. Of the 27 presentations, 13 were by Indians.

“CONSULTATION”: EXPLORING THE MEANING, PROCESS, AND POSSIBILITIES OF THIS NEW PARTNERSHIP”.

- 1) CONSULTATION AND THE NEW PARTNERSHIP ECOLOGY:
FACILITATOR: RICHARD WILSHUSEN, CU MUSEUM

KEYNOTE ADDRESS: ROGER ECHO-HAWK

PANEL: LINDA CORDELL, CU MUSEUM
JAMES DIXON, DENVER MUSEUM OF NATURAL HISTORY
GREG JOHNSON, CU BOULDER
SANDY KARHU, COLORADO STATE COLLEGES
SALLY MCBETH, UNIVERSITY OF NORTHERN
COLORADO

STEVE MOORE, NATIVE AMERICAN RIGHTS FUND
KAREN WILDE-ROGERS, CO COMMISSION OF INDIAN
AFFAIRS

CLOSING PERSPECTIVES AND SYNTHESIS: GORDON
YELLOWMAN, NCAI

2) TRIBAL PERSPECTIVES: WHAT CONSTITUTES MEANINGFUL
CONSULTATION?

FACILITATOR: BARBARA SUTTEER, NPS

PANEL: AL ADDISON, NORTHERN ARAPAHO TRIBE
EVERETT BURCH, SOUTHERN UTE TRIBE
TERRY KNIGHT, UTE MOUNTAIN UTE TRIBE
LEIGH KUWANWISIWMA, HOPE TRIBE
ROLAND MCCOOK, UINTAH AND OURAY UTE TRIBE
IVAN POSEY, SHOSHONE TRIBE (EASTERN BAND)

3) HOW TO DO CONSULTATION THAT IS MEANINGFUL, LEGAL, AND
SUCCESSFUL:

FACILITATOR: CAROL GLEICHMAN, ADVISORY COUNCIL ON
HISTORIC PRESERVATION

PANEL: AL ADDISON, NORTHERN ARAPAHO TRIBE
SHARON HATCH, SAN JUAN NATIONAL FOREST
WARREN HURLEY, BUREAU OF RECLAMATION
TOM LENNON, WESTERN CULTURAL RESOURCE
MANAGEMENT, INC.
ROLAND MCCOOK, UINTAH AND OURAY UTE TRIBE
SUSAN PERLMAN, SWCA, INC.

4) UNDERSTANDING THE PAST: COMBINING TRADITIONAL
KNOWLEDGE AND ARCHAEOLOGICAL KNOWLEDGE:

FACILITATOR: MARK VARIEN, CROW CANYON
ARCHAEOLOGICAL CENTER

PANEL: JIM BRECHTEL, INDEPENDENT CONTRACTOR
MARJORIE CONNOLLY, CROW CANYON
ARCHAEOLOGICAL CENTER

TERRY KNIGHT, UTE MOUNTAIN UTE TRIBE
LEIGH KUWANWISIWMA, HOPE TRIBE
STEVE LEKSON, CU BOULDER
MIKE METCALF, METCALF ARCHAEOLOGICAL
CONSULTANTS, INC.

Consultation with Indian tribal representatives has become a standard undertaking on many archaeological projects, often conducted by the federal agency regulating the project. It is, however, rarely engaged in when not required by law. It is often done with a mere form letter from the agency or consultant to the tribal government. Consultation that goes beyond simple notification can be difficult. The problems with consultation and potential solutions were presented at both the 1994 and 2000 CCPA symposiums, and are discussed in some detail in the CCPA Southern Colorado River Basin Context (Varien et al. 1999:386-388). Consultation has been discussed by numerous authors in Swidler et al. (1997). Despite these efforts, difficulties in cross-cultural communication (Watkins 2006), coupled with financial and logistical limitations, has in many cases led to a somewhat attenuated consultation scenario in much of Colorado outside the southwest. Financial issues are paramount in limiting consultation, including lack of congressional funding to federal agencies to engage in consultation. Given that only 15 percent of tribal representatives feel they are given adequate opportunity for consultation under NAGPRA, it would be instructive to find out how tribes feel about the adequacy of current consultation under NHPA and for non-federal projects.

The expulsion of tribes from areas of Colorado outside the southwest, their current reservations greater geographic distance from Colorado, and the less definitive connection between archaeological manifestations and extant tribes make it more difficult for some archaeologists to seek connections, pursue collaboration, or give credibility to oral traditions.

ORAL TRADITION

Oral tradition is an under-utilized tool for achieving greater understanding of ancient Indigenous history. Historical information is often present in oral tradition, though often not in the form of linear temporal sequences or easily identifiable geographical space. Historical information in oral tradition is often one of many layered meanings of the narrative.

In Colorado, the NARF repatriation program generated research not only on the history of academic interest in Indian human remains, but also on oral traditions and archaeology. One major project led to the issuing of a report that included a synthesis of the archaeology of the Central Plains and a paper on Caddoan oral traditions and ancient Pawnee history (Zimmerman and Echo-Hawk 1990).

The study of oral tradition slowly grew, but did not attract much momentum as a legitimate project of scholarship on ancient human history. More energetic pursuit of the possibilities occurred in the Southwest, but oral tradition and antiquity is a rare topic of scholarship in other areas of Colorado archaeology. The potential for joint projects on archaeology and oral tradition to contribute significantly to understanding ancient history is unrealized. Nevertheless, connections between the archaeology of eastern Colorado and oral traditions exist and have been made explicit (e.g., Echo-Hawk 2000, 2018, Newton 2011) and should not be ignored.

There is no readily available compendium of sources of oral tradition. Some oral tradition contains information that a tribe may not want shared or made public. Some tribes or Indigenous groups may have protocols for the appropriate use of oral tradition, and Native values regarding when and how oral tradition is used need to be ascertained and respected.

SOVEREIGNTY AND TRIBAL HISTORIC PRESERVATION PROGRAMS

Federally recognized Indian tribes are considered sovereign nations by treaty. (Federal “recognition” is an ongoing issue of federal hegemony over Indigenous people). The amount of sovereign power granted to tribes is a constant legal struggle. Reservation land is still considered Federal Trust Land.

In 1974 AIM formed the International Indian Treaty Council. Through this organization, the UN held the 1st Indigenous People’s Conference in 1977. After decades of effort, the UN adopted the Declaration on the Rights of Indigenous Peoples on 9/1/2007, with 144 “Yes” votes and 4 “No” votes. The Declaration asserts the rights of Indigenous people to self-determination, traditional lands and territories, traditional languages and customs, natural resources and sacred sites. It states the rights in treaties are a matter of international concern, and that States (countries) are obligated to uphold them. The 4 countries voting “No” stated the Declaration goes too far. They are countries with some of the worst histories of colonial oppression of Indigenous peoples: USA, Canada, Australia, and New

Zealand. AIM and the International Indian Treaty Council catapulted Indigenous oppression, sovereignty, and treaty rights into a topic of international attention.

Some tribal archaeological programs existed in the Southwest by the late 1970s. The Navajo Nation Cultural Resource Management Program started in 1977 and the Zuni Archaeological Program in 1978. The Hopi Cultural Resources Program soon followed. These programs were originally run by white archaeologists. They resulted in Native people being trained in archaeological methods and participating in archaeological projects as more than just laborers. They also resulted in white archaeologists being exposed to Indian values and perspectives on archaeological material. By the early 1990s a very modest handful of Indians could be identified as participants in professional archaeology. Through the late 20th Century, a substantial spectrum of interactions unfolded, and in Indian Country tribal museums and tribal heritage programs began to be developed, and a few individual Indians took up the profession.

An amendment to the NHPA established the Tribal Historic Preservation Program, administered by the National Park Service. The Program established Tribal Historic Preservation Offices (THPO); a program modeled after the State Historic Preservation Offices (SHPO). Under Section 101 of the NHPA, a THPO assumes the functions of the SHPO on tribal land.

The Tribal Historic Preservation Program reviews and approves applications from federally recognized tribes to establish THPOs. It also provides annual grants to pay THPO staff salaries, fund cultural surveys and review and compliance activities, and fund preservation studies. In 1996, the first year of the program, 12 tribes established THPOs. By 2022 there are 208 THPOs. The two Ute tribes in CO both have THPOs, as do most of the tribes that were formerly residents of CO.

In 1999 new regulations for Section 106 of the NHPA were released, acknowledging tribal sovereignty and recognizing the government-to-government relationship between Indian Tribes and the federal government.

INDIGENOUS ARCHAEOLOGY

Advances in the inclusiveness of historic preservation legislation, the factor of successful repatriation, and developing sensitivity by archaeologists to Native concerns led to more Indian archaeologists participating in academic archaeology,

cultural resource management, and tribal historic preservation programs. These processes led to the development of Indigenous archaeology.

A rapidly growing body of literature defines, discusses, and debates the meaning and value of Indigenous archaeology. See the attached Bibliography for some references to this literature. The existence of Indigenous archaeology is itself a statement about the value of studying and knowing the past, and the value of archaeological methodology to achieve those goals.

Like the term “Indigenous”, “Indigenous archaeology” has many definitions. Many would describe it as archaeology done with, for, and by Indigenous people. Watkins, in “Indigenous Archaeology” states that Indigenous archaeology is “archaeology as a discipline developed with the control and influence of indigenous populations around the world” (2000:xiii).

One of the most comprehensive definitions is from Nicholas (2008:1660): “Indigenous archaeology is an expression of archaeological theory and practice in which the discipline intersects with Indigenous values, knowledge, practices, ethics, and sensibilities, and through collaborative and community-originated or -directed projects, and related critical perspectives. Indigenous archaeology seeks to (1) make archaeology more representative of, responsible to, and relevant for Indigenous communities; (2) redress real and perceived inequalities in the practice of archaeology; and (3) inform and broaden the understanding and interpretation of the archaeological record through the incorporation of Aboriginal world-views, histories, and science.”

As the field is developing, its focus and methods will change. One of the prime issues of Indigenous archaeology is control of the past, or more accurately control over the construction and narrative presentation of their culture history. There are some sticky and difficult issues which will have to be dealt with regarding to whom the past belongs and who has access to data about the past and the right to control how it is presented. The debate is between the view that the past belongs to everyone, and the view that the past is the cultural property of the descendants of those who created it. Some Native groups may believe that certain aspects of their past should not be shared, and determination of those aspects of their past that can be shared and the way they are presented should be up to the descendant community, and not up to the dominant culture with a history of repression and callous disregard of Native values. This is in contrast to American values that knowledge and information should be freely available to all.

As it stands now, Indian nations only have potential control over the archaeological record on their lands and to some limited extent on federal land, however the effect of Indigenous archaeology will reach much further. Indigenous archaeology will be a transformative force in the future of American archaeology. Change in the perspective, scope, and methodology of archaeology will take place. Change in the interpretation and documentation of the archaeological record will also occur. Variation in the interpretation of the past between Indigenous and non-Indigenous archaeologists is not necessarily a negative development, nor need it be an either/or situation. It may well generate a broader world view among non-Indigenous archaeologists.

COLLABORATION

“Over the past 20 years, collaboration has become an essential aspect of archaeological practice in North America” (Laluk et al. 2022). This first sentence in a recent article in *American Antiquity* would have been inconceivable 30 years ago.

Collaboration between archaeologists and Native groups can and should take place even when formal consultation is not required, and collaboration can continue beyond the consultation process. There should be no doubt that Indigenous groups who formerly occupied Colorado still have an abiding interest in their past and want to be involved collaboratively with studying and documenting the past. Native Americans have unique knowledge about their material culture and its cultural context.

Since terminology is complex and important, it's important for effective collaboration to understand that there are differences in the fundamental style of communication between Native Americans and Euro-Americans (Watkins and Ferguson 2005, Watkins 2006:101-104).

In addition to differences in style, there are differences in meaning. One of the benefits to Colorado and Southwestern archaeology realized from recent cross-cultural interaction has been understanding the differences in meaning of terms. Concepts of occupation and “abandonment”, for example, differ between Euro-American and Puebloan perspectives, as do concepts of what constitutes “ruins”.

The meaning of other terms such as “developmental” “classic”, “post-classic”, and “collapse” are being examined and perhaps becoming altered in understanding and use from the Euro-American status quo. In many cases our use of these concepts presented a biased perspective with strict Euro-American values, at odds with Native concepts. The term “discovery” often refers to Euro-American recognition of what is already known to Indigenous cultures. Watkins has pointed out that the concept of “significance” has different meanings to archaeologists and Native people (2006: 112-113). Archaeologists use the term in reference to eligibility of a given cultural property to the National Register of Historic Places. A significant property receives protection through avoidance or mitigation of adverse effects. A cultural property that is not significant may be subject to destruction without more than basic documentation. Native groups may equate ‘not significant’ with ‘insignificant’, inferring that archaeological manifestations of their culture are unimportant or unmeaningful (to archaeologists).

The importance of “landscape”, inclusive of but not limited to material archaeological manifestations, in the history and identity of Native groups has also become markedly clearer and the subject of much collaborative research.

Differing concepts between Euro-Americans and Native Americans of what may constitute “important information about history or prehistory (ancient Indigenous history)” (Criterion D of National Register eligibility) have not been explored.

Collaborative efforts have become much more common and continue to grow in importance. In Colorado, Crow Canyon Archaeological Center has actively worked to incorporate Indigenous knowledge into their research, and conduct programs that benefit Indian Country and that document Native knowledge and traditions. Beginning in the late 1980s Crow Canyon brought Indigenous scholars as leaders of education programs offered by the Center. The interaction between Indigenous leaders and researchers and educators at Crow Canyon resulted in a commitment to collaborative research and education at Crow Canyon. In the 1990s a Native American Advisory Group was formed, and an American Indian Outreach Manager works with the Advisory Group to integrate Native American perspectives and working relationships into the Center’s programs.

History Colorado has recently engaged in positive collaborative action with the Arapaho and Cheyenne tribes regarding the Sand Creek Massacre exhibit. CDOT has recently engaged in successful collaboration in southwestern Colorado. CU, DU, and CSU have active collaborative research with descendant communities.

The CCPA continues work to actively promote the involvement of Indians as archaeologists. The CCPA established the Native American Scholarship committee (NAS) in 2002, and awarded the first scholarship in 2003. In 2014 the role of NAS was expanded and the name changed to the Native American Initiative Committee (NAIC). The current (2022) acting chair is Bridget Ambler. To date, the NAIC has awarded 13 scholarships to 12 Native Americans. Greg Wolff, former chair of the NAIC, has summarized the history of NAS/NAIC in the CCPA Handbook, which also lists the recipients of the scholarship funds over the years.

One can hope that in another 20-30 years positive statements can be made about the relationship of archaeology and descendant communities that are inconceivable today.

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