

The *Sddlnewhala* Bowl: Cooperation or Compromise?

Barbara Winter

Diana Henry

First Nations and museum-based archaeologists have worked together on an increasing number of projects over the past three decades. Cooperative projects are increasing in both number and complexity. Joint field schools, excavations, publications, and development of interpretive centres are becoming more commonplace. Each group, whether First Nation or non-Aboriginal archaeologist, has its own situated point of view, agendas, and goals for the future. It has often been said that First Nations and archaeologists are natural allies, both working for the preservation of heritage, archaeological sites, and information. While this is generally correct, the details of cooperation can often become difficult points of negotiation and compromise.

It seems to us that much of the discussion about and between First Nations and archaeologists has been an example of well-intentioned but misunderstood messages. Each group is speaking from a specific position, often using the same words but meaning different things. Both the nuance of a statement and its larger context can create a climate of misinterpretation. In some ways there is a dialectic of epistemologies—each group views the heritage field in a manner fundamentally different from the other.

A beginning of understanding may be reached by allowing both voices to speak. This chapter is jointly authored by two people, each representing a different voice. Many museum exhibits are now presenting two voices in parallel. Head-Smashed-In Buffalo Jump provides this through a processual presentation of the seasonal round with the Napi's creation of the world. Other museums present both the Bering Strait land bridge theory of colonization of the continent and indigenous creation accounts. An impressive number of museums, cultural centres, and interpretive centres that are governed, administered, and operated by First Nations have opened in the past two decades. The U'Mista Cultural Centre in Alert Bay and the Secwepemc Museum in Kamloops, both in British Columbia, and the Woodland Cultural Institute in Brantford, Ontario, are examples of this trend. Recent revisions to heritage legislation have included provisions for meaningful consultation between First Nations and archaeologists. Aboriginal task forces and provincial heritage ministries have also been able to find some common legislative ground through a lengthy negotiation process. Both voices are beginning to be heard.

The questions First Nations face are different from those questions faced by museums. First Nations political representatives and organizations wonder if it is possible to have truly cooperative action? Cooperative action is based on trust. To achieve this, both sides must work within an equal partnership. Given the differences, is a level field possible?

In practical terms, given the gulf of meaning between the two groups, can joint projects work smoothly? Are they doomed to failure by definition? Can we have cooperation, or is there always an element of compromise? These issues have been on our minds a great deal in recent years as we have worked through the implications of the definition and museum curation of sacred objects, the evaluation and purchase of archaeological objects, and the development of a relationship between equals based on trust.

THE SAANICH SEATED HUMAN FIGURE BOWL—*SDDLNEWHALA*

In 1993, the Saanich Native Heritage Society (hereafter the Society) and the Simon Fraser Museum of Archaeology and Ethnology (hereafter the Museum) worked together to prevent the export of a seated human figure bowl. This effort succeeded in keeping a significant object in Canada, and in doing so has highlighted the complexities of cooperative actions. Both the Society and the Museum had to compromise on ethical, moral, intellectual or other positions, and even legal rights to accommodate the needs or wishes of the other to make the project work. In this

chapter we explore some of the larger issues surrounding this case study. We also outline the positions each took and the elements of cooperation and compromise that each experienced.

The circumstances surrounding the export of the bowl have been detailed elsewhere (Henry 1995; Walker and Ostrove 1995; Winter 1995; Winter et al. 1994), and are summarized here. Is this an example of cooperation between archaeologists, a museum, and a First Nation—or is it an example of compromise? And if the latter, what exactly was compromised, and by whom?

Before the turn of the century, the bowl was ploughed from a field on the Saanich Peninsula north of Victoria, British Columbia, by Mr. Thompson, a man who farmed land on Mount Newton Cross Road. The bowl was retained in his family for nearly a century. A drawing of the bowl was published by Harlan Smith (1907, 1923), and by Wilson Duff in 1956. In 1992, one of Mr. Thompson's heirs offered it for sale. The bowl was purchased by a Victoria antiquities dealer who had exported two other privately held bowls in the early 1980s, a series of events reported by Kathryn Bernick in the newsletter of the British Columbia Archaeological Society (Bernick 1983, 1984a, 1984b, 1985a, 1985b, 1985c, 1986, 1987). In April 1993, the dealer found a purchaser for the bowl in Chicago and applied to the federal government for an export permit. Under the *Cultural Property Import and Export Review Act* (hereafter the Act), an export permit is needed for such an object.

Northwest Coast Seated Human Figure Bowls

On the Northwest Coast, seated human figure bowls share some common features: a seated, squatting, or kneeling person holds a bowl in its arms, balanced between its legs. Anatomical features such as ribs, the backbone, and scapulae are often sculpted in low relief. These bowls are quite different from other anthropomorphic and zoomorphic stone bowls used on the Northwest Coast (Duff 1975). At least 67 other seated human figure bowls from British Columbia and Washington State are now known. Most are in museums and private collections.

These seated human figure bowls may be divided into two types. The smaller, and probably more recent (Roy L. Carlson, pers. comm. 1994) type originated in the Fraser Canyon region of the interior. These are carved from a number of the finer local carving stones, including soapstone or steatite. The human figure has a large head, with prominent eyes, often with an up-raised face. Some have an elaborate coiffure or headdress. These often have rattlesnakes, toads, or owls carved along the back, on the top of the head or on the front of the bowl itself (Hannah 1996).

The second type of seated human figure bowl form probably dates to an earlier period (Roy L. Carlson, pers. comm. 1994). These are found in the lower Fraser, Gulf of Georgia, Sechelt, and southern Vancouver Island region. These are generally larger than the middle Fraser type, and carved from a coarser local sandstone; the form of these bowls varies.

The Saanich bowl (Figure 1) has recently been named *Sddlnewhala* (medicine bowl) by the Saanich. *Sddlnewhala* is an excellent example of this second type, with its finely carved features. It is unusual in its representation of female genitalia. While these bowls are metaphorically female, with their abdomen becoming a containing bowl (Duff 1975), *Sddlnewhala* is unique in its explicit detailing. In addition, the shape of the mouth and head is strongly reminiscent of a sculpin, a local marine fish. While other seated human figure bowls do not share this trait, it may shed some light on the symbolic referents of this bowl. Some have seen these bowls as representations of the basic oppositions of the human condition, containing and reconciling them in one being (Duff 1975).

Early anthropologists collected some information about seated human figure bowls. For example, Franz Boas (1890) published an account of the use of a stone bowl at the conclusion of a girl's puberty seclusion. A shaman mixed herbs and water in a small "steotype" bowl carved with a snake and a woman giving birth. Water from this bowl was sprinkled on the girl as the shaman prayed for the girl.

Seated human figure bowls are enigmatic, both visually and functionally. It seems obvious that these bowls were significant to the peoples who carved and used them. They are widely regarded as sacred objects by contemporary First Nations. The export of another seated human figure bowl to a private collection in the United States would have meant not only the loss of information on the early development of the Northwest Coast carving traditions, but also the loss of a sacred object, and would be symbolic of the continued erosion of Aboriginal rights.



Figure 1. The Saanich bowl named *Sddlnewhala* (medicine bowl). This figure is 28.5 cm tall. (Photo: R. Carlson)

THE CULTURAL PROPERTY EXPORT REVIEW PROCESS

In Canada, part of the process of the issuance of an export permit involves the assessment by an expert examiner of the object(s) to be exported. The examiner then reports back to the Cultural Property Export Review Board (hereafter the Board) on the cultural significance of the object under the terms of the Act. The Act protects objects deemed significant to the history or culture of Canada. The role of the expert examiner is to advise the Board on this significance. In this case, the British Columbia expert examiner for archaeology wrote a detailed and comprehensive report, recommending to the Board that the permit be denied.

When an export permit is denied, the applicant (i.e., vendor) may appeal. There are only two allowable outcomes of an appeal—the Board can impose a delay period ranging from two to six months to allow a Canadian museum the opportunity to purchase the object; or, if it is thought unlikely that a Canadian institution will purchase the object during this time, it must issue the permit, allowing the export regardless of the expert examination. If a delay period is imposed and no Canadian institution comes forward before the end of the delay period, the Board is obligated to issue the export permit immediately upon demand from the applicant. In this case, the Board imposed a three-month delay period. Denial of an export permit does not ensure the object is not exported.

A Proposed Change to the Cultural Property Export Review Process

Expert examiners provide a useful service in assisting the Board to control the movement of many types of significant objects. However, archaeological artifacts often have special significance to specific communities who are not represented by these examiners. We are thus recommending changes to the Act during the current review of this legislation which may address this deficiency. Recognition of the expertise resident in the First Nations must be written into an amended Act. While it would be difficult to maintain a list of designated expert examiners from each First Nation, it is nonetheless possible to provide meaningful consultation. The expert examiner for the province has the contacts and knowledge to be able to refer the Board to the appropriate First Nation. If each expert examiner incorporated an additional step at the beginning of their examination, consultation with First Nations could be increased. This additional step could be dealt with quite simply, with the examiner determining the possible cultural affiliation(s) of the object, and then notifying the Board of the affiliation(s) and contact person(s). The Board could then send an examination package to the First Nation(s). Although this would undoubtedly complicate the process, and probably extend the examination and delay periods, it would ensure proper notification and consultation with all parties having an interest in the potential export. The issue of overlapping territorial claims is often raised in objection to such a process; In our view the proper resolution of this issue lies within the First Nations community.

Evaluation of Archaeological Materials Within the Export Review Process

In most cases, particularly cases involving artistic works, objects of cultural significance can be purchased by a Canadian institution. As an incentive, partial funding is available from the Board to assist with purchases provided the purchasing institution is recognized by the Board. This process works for fine art, objects of historical significance, and other types of objects originally produced with the commercial market in mind. Archaeological objects, on the other hand, do not fit well in this scheme, and are not, in practical terms, protected by this legislation.

On receipt of the application for the export of the *Sddlnewhala* bowl, the Board circulated a notice of the impending export to museums designated under the Act. As a category "A" institution, the Simon Fraser University Museum of Archaeology and Ethnology (the Museum) received the notice. As Curator of this museum, I (Winter) read through the accompanying documentation package, and was disturbed by the lack of First Nations' input into the procedures. Accordingly, I contacted the Saanich Native Heritage Society. We discussed the case and a copy of the documentation package was sent to the Society, beginning a relationship that would raise complex issues of artifact acquisition, collections management ethics, the legal status of material culture, and Aboriginal rights.

For the Museum, the first issue that arose was the legal requirement (under the Act) to assign a monetary value to the bowl. Monetary evaluation of the object is inherent in the process of pre-

venting export required under the Act. Under the Act whereby the fair market value of the object must be determined. Fair market value is usually judged according to recent sale figures. As archaeologists oppose the sale of archaeological objects, we also oppose the establishment of fair market value by comparison to unethical sale. In this case, the rarity of these bowls and their absence from the commercial market also made the determination of fair market value a difficult issue. The vendor claimed to have a purchaser who was willing to pay \$45,000 US—this set the fair market value in a *de facto* manner.

While the sale and evaluation of archaeological materials was common earlier in the history of the profession, in the past 30 years archaeologists have eschewed the evaluation of archaeological materials as it is considered both unethical and a promotion of the looting of sites. Where the practice of evaluating and purchasing archaeological specimens or donating them for tax credit is widespread, sites are looted and destroyed in the search for artifacts to sell. The destruction of archaeological sites by looters is a worldwide problem, linked to the international market in such objects. Participation in this market through exhibition, writing of catalogues, or even use of unprovenanced objects in research are ethical dilemmas facing archaeologists the world over. As museums and archaeologists are committed to the preservation of heritage resources, they do not participate in or support the destruction of sites through looting.

One way archaeologists and museums can influence those who would loot sites for profit is to refuse to participate in the evaluation or purchase of archaeological sites. This position was adopted by the Canadian Archaeological Association in the Loy Resolution (since rescinded), and is currently held by the Society for American Archaeology (1993: 3). The collection policies of most archaeological museums specifically prohibit the purchase of such materials. In addition, most museums will not evaluate donated collections of archaeological materials for tax purposes. Archaeological materials are often listed as NCV "no commercial value").

Non-archaeological museum collections are routinely evaluated, during acquisition, and for insurance purposes either during exhibition or loan. Archaeological materials are customarily exempt from such evaluations—NCV. Very recently, however, archaeological objects have been evaluated for exhibition insurance in a Canadian museum.

THE PURCHASE OF SDDLNEWHALA

After much discussion and exploration of alternative possible actions, the Museum was left with a simple choice—either purchase the bowl or let it follow other seated human figure bowls into private collections in the United States (Bernick 1985a, 1985b, 1985c, 1986a, 1986b). Purchase by an institution designated under the Act was the only legal method of retaining the bowl in Canada.

The Saanich Native Heritage Society was also in an ethical dilemma. Could the Society work with the Museum in the purchase of the bowl? By doing so, would it be legitimating the ownership of the bowl by the dealer? The purchase of sacred objects by collectors and museums is particularly offensive to many First Nations. It is the view of the Society that sacred objects such as the bowl belong to the First Nation. While many types of property title were recognized aboriginally (such as private or family ownership of objects), sacred objects intrinsically belonged to the whole First Nation. It is not possible to know the circumstances under which the bowl was placed on the slopes of Mount Newton. Was it lost? Was it placed with a burial? Was it cached for future use? Regardless of whether it is lost or cached, found or left in the ground, it is the view of the Society that the bowl belongs to the Saanich people.

As mentioned previously, at some time prior to 1900, the bowl was found by a Mr. Thompson, who had a farm on the property. The bowl remained in the possession of the Thompson family on this property until it was sold the Victoria antiquities dealer who wished to export it to Chicago. It is the Society's position that even when the bowl was in the possession of the Thompson family, it belonged to the Saanich people, as it always had. Why should the Society purchase something it already owns?

The Society could have elected to try to obtain a court injunction preventing the export and sale of the bowl. During the recent Saanichton Marina case, the treaty rights of the Saanich Nation were examined. Based on the understanding of the treaty rights presented in that case, the

Society felt it had a right to claim the bowl. This would have set a precedent that would have stopped further trade in similar objects and further exploitation. The Society decided against this route based on financial considerations, as a lengthy court battle could have drained Society resources. Neither the Museum nor the Society wanted the bowl to be exported and sold to a private individual. This would have prevented access by the First Nations and scholars. The only legal way to prevent its export was through purchase, which we all fundamentally opposed. We investigated several alternatives, but in the end were faced with the choice of either purchase or export.

The Museum successfully applied for Board funds to cover 70% of the purchase price of the bowl, with the remainder contributed by the Archaeology Branch of British Columbia. In the application for funding, the Museum made a clear and explicit statement that it was applying on behalf of the Society, and also noted its intention to turn the bowl over to the Society.

The Transfer of Title

The Museum received the bowl in late 1993. During the spring of 1994, we drew up two agreements: a transfer of title and a custodial agreement. The transfer of title ensured the Saanich Native Heritage Society had clear title to the bowl. By transferring title, the Museum gave up ownership of the bowl, and it now is the property of the Society, which has control over it. The Society is committed by its charter to collect and preserve artifacts. Holding title to the bowl is consistent with its mission and mandate.

However, some archaeologists, museologists, and others have objected to this transfer. These people are not associated with the Museum but are affiliated with other museums or universities in the United States and Canada. They have spoken to me (Winter), expressing dismay that public funds were directed to the purchase of the bowl, that the bowl did not remain in a "proper museum." Their argument was that once the bowl had become the property of the Society, there was no guarantee that it would be preserved. They posited a situation where an urgent need for funds could arise, and the bowl could be sold by the Society to finance any number of good causes, such as a fire truck, for example, that could save lives.

We recognize that economic difficulties are common on reserves in Canada. Very few have funding for adequate housing and social services, fire protection, or many other community services most municipalities enjoy as a matter of course. We recognize that the temptation to sell the bowl may arise. However, the Museum fundamentally trusts that the Society will act consistently with its mandate to preserve artifacts of cultural value to the Saanich people.

The bowl now belongs to the Society, which is responsible for it and for decisions made regarding its preservation. To whom is the bowl important? Surely the Society has *at least* the same level of concern for the bowl as any museum would have.

Municipal, university, provincial, and federal museums have seen attrition to their collections. Objects have been lost, stolen, broken and deaccessioned over the years. Museums are also under pressure to balance their books and achieve some measure of cost recovery. Recently, museums have even sold portions of their collections to finance the collections management of the remainder. To point a finger at the Society, suggesting they would be less professional than a university museum in regard to the artifacts in their care, is not justified. It may also be racist.

THE CUSTODIAL AGREEMENT AND THE RIGHT TO PRIVACY

The custodial agreement set out the terms under which the Museum agreed to care for the bowl, and is a more complicated document than is the transfer of title. The agreement was drawn up by Mandell Pinder, legal counsel to the Society, based on models used in other Canadian museums. One clause covered the right of the Society to remove the bowl from the Museum for exhibition and for traditional or ritual use. This clause required a written request from the Society's Board of Directors with sufficient notice. The notification was to "include the Society's proposed plan for the use and care" of the bowl, a phrase taken from other agreements. This clause was not included in the final agreement, as it could have required the Society to divulge private, secret and/or sacred information about ritual that a non-initiate had no right to know. If such knowledge was revealed, it could have carried an obligation to perform certain actions. Under the indigenous belief system, this information could have been physically or spiritually dangerous to

the Museum staff member. In this conflict between the Curator's professional concern for the physical well-being of the bowl and the Saanich right to privacy, we agreed the Saanich had a stronger case, and elected to deviate from the precedent.

The Custodial Agreement and Handling and Storage Issues

An associated issue arose. The Society's proposed plan could include actions that might physically damage the bowl, such as cleansing it by passing it through a fire. Would the Curator have the right to object or refuse to release the bowl under such conditions, given that title had been transferred to the Society? While the Curator has the professional obligation to advise the Society on handling and use, the Curator cannot dictate handling and use of an object that is not formally part of the Museum collection.

Perhaps an analogous example could be the repatriation of metal vessels and utensils to reconsecrated churches in Eastern Europe. Do Curators have a right to demand that priests follow standard museum practices when handling repatriated metal objects, such as the wearing of cotton gloves during services? The return of the stone bowl to the Saanich is part of a global effort to return many important cultural objects to their nations or peoples of origin. The wording of the Society/Museum agreement has been influenced by these international agreements, and has had an effect on some international agreements. Representatives of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) have requested a copy of our custodial agreement, using it as one of many models researched during their work on the repatriation of sacred materials removed from churches in Albania.

Museologists, chemists, and other conservation scientists have developed conservation practices now standard in professionally managed museums. Supported by the International Committee On Museums (ICOM), approaches are being developed that treat objects in ways that will promote their physical well-being and prolong their enjoyment by future museum visitors. These tend to be blanket practices based on the type of material from which the object is made. Organic objects, for example, are subject to specific temperature and humidity controls. Stone objects are more stable, but must be protected from extremes of temperature and humidity, and protected from shock. Museum storage schemes and treatments are based on these standards.

However, when sacred objects are stored in museums, the originating group may request certain storage conditions or access to perform certain rituals. In some cases these requests may be easily accommodated; in others, the request is antithetical to conservation practices. For example, the Canadian Museum of Civilization in Hull houses a number of sacred masks which have been ritually fed by First Nations religious leaders at the museum. This practice has left food residues on the masks that were not removed, contrary to museum conservation practices. Likewise, the Curator at the Glenbow Museum in Calgary has been instructed in the proper ways to care for some of the sacred materials housed at the Glenbow (Janes and Conaty 1992). He regularly performs certain rituals, including the burning of sweet grass in the storage areas.

I (Winter) have been asked by another First Nation to store their carved stone bowls separately from all other objects, and warned never to handle certain objects as this would bring me harm. Separate storage can be arranged, but a prohibition on any handling is difficult. Similar requests have been made of curators in Australia, where women may be restricted from handling certain ritual objects. However, in the event of crisis situations, where an object must be moved immediately to protect it, anyone may handle it (John Stanton, pers. comm. 1994).

Accommodation of such requests is increasing, and indicates a dramatic shift in Canadian museum's policies and procedures. This is in keeping with the recommendations of the Assembly of First Nations/Canadian Museum Association Task Force Report (Hill and Nicks 1992). This joint task force was convened in response to the Lubicon boycott of *The Spirit Sings* exhibition at the Glenbow during the Calgary Olympics. It was an effort to avert confrontation through cooperative action. Two recommendations of the Task Force are relevant here:

There is wide agreement that enhanced access to collections related to First Peoples is appropriate and needed. . . It was noted that different First Peoples have different customs and will therefore have different interests with regard to utilizing museum collections. Since narrow policies are unlikely to accommodate this diversity, cultural institutions must be flexible with regard to working out access arrangements with First Peoples.

and;

There was a consensus in favour of the return of . . . sacred objects to appropriate First Peoples. In addition, there was some agreement on the return to originating communities of a selection of other objects considered to be of special significance to cultural patrimony (Assembly of First Nations/Canadian Museums Association 1992: 5).

These recommendations are also in keeping with the spirit of the recently circulated Canadian Archaeological Association Guidelines for Ethical Conduct Pertaining to Aboriginal Heritage Research and Communication, and extends this recognition from features and sites to sacred objects.

Fiduciary Trust

Another issue the Museum faced in the case of the stone bowl was fiduciary trust. Museums hold many kinds of collections. Some may belong to the institution, as in the case of historical objects or artistic works which are purchased on the commercial market or donated by individuals who held title to the objects. In such cases the museum holds legal title to the objects.

Museum holdings of archaeological collections are rather different. By definition, archaeological collections are comprised of objects that have been collected through archaeological means, i.e., generally through excavation or surface collection. The collections have been assembled systematically, according to a research design, and as part of a larger investigation. Since the 1960s, archaeological collections have been made under permit from government. Public funds have been spent in the permitting, often during the planning, excavation, and documentation stages, and in the museum curation of the collection. Therefore, while a small percentage of archaeological collections in older museums has been acquired from individuals who "owned" them by right of having excavated them prior to the enacting of heritage legislation, the vast majority of museum-held archaeological collections is held in the public trust. In other words, the museum is the legal repository for the collections and has a legal fiduciary responsibility to care for the objects to the best of its ability, preserving them for the public. This responsibility extends to the preservation of the documentation of the collection.

Museums cannot return objects to the originating community and discharge their fiduciary responsibility to preserve objects for future publics. Some feel that by returning objects to one group, museums deny access by the general public who have supported the acquisition and curation of the collection through their tax dollars, and to whom the museum has a legal obligation. Objects are removed from museum collections through the deaccessioning process, which is highly controversial. While most would not contest the disposal of highly radioactive ore samples from geological collections, many would contest the deaccessioning of sacred objects or works of art. There have been several court cases centering on deaccessioning and fiduciary responsibilities in museums in both the United States and Canada.

How does the issue of fiduciary responsibility relate to the stone bowl? Over \$60,000 (Cdn) of public funds were spent to remove the bowl from the private sector. By acquiring it with public funds, the bowl was given some measure of security; it could not then be arbitrarily sold to a third party. However, in our application to the Board, and in discussion with the Director of the Archaeology Branch, the Museum clearly indicated its intention to turn the bowl over to the Society. On this basis, the Museum received the funding to purchase the bowl. If it failed to transfer title of the bowl to the Society, it could be subject to legal action from the Society

FIRST NATIONS CHALLENGES TO THE LEGITIMACY OF ARCHAEOLOGICAL RESEARCH

While museums legally hold title to archaeological collections as repositories designated by permit, the basic premise of the holding of objects in this manner is challenged by First Nations. Under current legislation the relevant First Nations are consulted prior to the issuance of an archaeological permit. One of the issues to be settled in this consultation is the ultimate reposition of any collections resulting from the research— "Where will the artifacts go after the analysis is complete?" First Nations recognize the enormity of the responsibility of proper curation of

archaeological collections, and recognize that they generally do not have the resources to preserve the artifacts. Therefore, few First Nations direct the archaeologist to return collections to the Band after his or her research is completed.

This question required by legislation of "where will the artifacts go", however, presumes that the First Nations agree to the legitimacy of archaeological research. Many would prefer excavation to cease, and the artifacts be left in the ground. To many, then, the question should not be "Where do you want them stored?," but "Should this project proceed?"

Cultural and Spiritual Obligations of Curation

An associated issue is the intrinsic power of the excavated materials. While the Society has a responsibility for the preservation of artifacts of cultural, artistic, and historical value to the Saanich people, in some cases it is difficult to accept such objects. Some artifacts carry with them a constellation of responsibilities. To accept care of certain artifacts brings onerous cultural and spiritual obligations. Some need intensive ritual care. Some artifacts may only be returned to individuals who are culturally appropriate by reason of family, lineage, gender, or initiation. Such people may not be available, or may not be willing to personally undertake the effort and personal expense.

CONCLUSIONS

The Simon Fraser University Museum of Archaeology and Ethnology faced several compromises in this case. Similarly, the Saanich Native Heritage Society also had to deal with conflict and compromise. This is an example of a First Nation and a museum working together. It involved compromise of ideals and ethics on both sides, but also led to a fruitful, cooperative relationship that centered around a specific project. The most tangible result of this cooperation was the preservation of an important heritage object in Canada.

The *Sddlnewhala* Bowl purchase has raised a number of very difficult issues for the Museum and for the Heritage Society. In a climate of First Nations empowerment, increasing cooperation between First Nations and archaeologists, and the co-management of collections by museums and First Nations, these issues will continue and grow in importance.

We hope that this paper has furthered the discussion around the specific issues of ownership of artifacts, rights of access and control of artifacts by the First Nations, the commodification of artifacts as a result of the cultural property review process, and the needed changes to that legislation. These issues are based on the different valuing of objects and the issue of the significance of archaeological objects and collections to the archaeological profession and to First Nations.

REFERENCES CITED

- Assembly of First Nations/Canadian Museums Association
 1992 *Turning the Page: Forging New Partnerships between Museums and First Peoples*.
 Assembly of First Nations/Canadian Museums Association Task Force on Museums and First Peoples Report.
- Bernick, K.
 1983 B.C. Government Signs Permit to Export Artifacts. *The Midden* 15(5): 2.
 1984a Protesting Archaeologists Sacrifice Artifacts. *The Midden* 16(1): 2-3.
 1984b C.A.A. Balks When Challenged. *The Midden* 16(3): 9-10.
 1985a ASBC Takes Stone Bowl Campaign to Winnipeg. *The Midden* 17(2): 6.
 1985b How Many Stone Bowls Will It Take? *The Midden* 17(3): 2-3.
 1985c The Stone Bowl Saga: Waiting For the Word From Victoria. *The Midden* 17(4): 6.
 1986 The Stone Bowl Buy Back Plan - A Case of Luck. *The Midden* 18(1): 2.
 1987 British Columbia's Heritage Is Not For Sale. *The Midden* 19(2): 2
- Boas, F.
 1890 *Shuswap Sixth Report on the Northwestern Tribes of Canada*. British Association for the Advancement of Science.

- Duff, W.
1956 Prehistoric Stone Sculpture of the Fraser River and Gulf of Georgia. *Anthropology in British Columbia*, Paper No. 8. British Columbia Provincial Museum, Department of Education Publications, Victoria.
1975 *Images Stone B.C.: Thirty Centuries of Northwest Coast Indian Sculpture*. Oxford University Press, Toronto.
- Hannah, J.
1996 Seated Human Figure Bowls: An Investigation of a Prehistoric Stone Carving Tradition from the Northwest Coast. M.A. Thesis, Department of Archaeology, Simon Fraser University, Burnaby, B.C.
- Henry, D.
1995 Back From the Brink: Canada's First Nations' Right to Preserve Canadian Heritage. *UBC Law Review*, Special Issue, 5-12.
- Hill, T., and T. Nicks
1992 The Task Force on Museums and First Peoples. *Muse* 10 (2&3).
- Janes, R.R., and G.T. Conaty
1992 Contact Continues: Museums, First Nations and Their Changing Relationships. Paper presented at the 25th Annual Chacmool Conference, University of Calgary.
- Smith, H.I.
1907 Archaeology of the Gulf of Georgia and Puget Sound, *Memoirs of the American Museum of Natural History*, Vol IV, Part VI, The Museum of Natural History, New York, New York.
1923 An Album of Prehistoric Canadian Art. Canada Department of Mines, *Bulletin* No. 37, Anthropological Series No. 8.
- Society for American Archaeology
1993 Principles of Ethics in Archaeology, Principles Drafted at the Reno Conference. Society for American Archaeology, Committee on Ethics. Washington, D.C.
- Walker, P., and C. Ostrove
1995 The Aboriginal Right to Cultural Property. *UBC Law Review*, Special Issue 13-28.
- Winter, B.
1995 New Futures for the Past: Cooperation Between First Nations and Museums in Canada. *UBC Law Review*, Special Issue 29-36.
- Winter, B., B. Aplan, and D. Henry
1994 At the Crossroads. *The Midden* 26(1): 7-8.