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A 'strange multiplicity' of voices

Heritage stewardship, contested sites and colonial legacies on the Columbia River

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ABSTRACT

Cultural resource laws mandate the management and stewardship of archaeological sites located on federal property within the USA. Consultation with the appropriate stakeholders – usually local tribes – is an important component of this stewardship mandate. While the process of consultation is often routine, complexities arise when consultation concerns a site of contested heritage with multiple and interdependent stakeholding voices. Additionally, continuing manifestations of colonialism, such as the federal recognition process and stereotypical views of Native American authenticity, profoundly shape the stewardship landscape. The following article uses a site of heritage in the Pacific Northwest to explore the complex interplay between stewardship, stakeholders, and the continuing effects of colonial contact.

KEYWORDS

colonialism ● cultural resource management ● heritage stewardship ● stakeholders ● tribal recognition

■ INTRODUCTION

In a recent essay Alison Wylie argues that the concept of stewardship can only play a useful role in reshaping the practice of archaeology if it is:

... construed not as a matter of wise management on behalf of a higher interest (that of science and, by extension, society or humanity) but as a matter of collaborative, negotiated co-management among divergent interests (including archaeological interests) none of which can be presumed, at the outset, to take precedence over the others. (2005: 65)

As a model for what this 'collaborative, negotiated co-management' might look like, Wylie draws on the writings of political philosopher James Tully and his views on constitutional pluralism. Tully's primary questions are these: Can modern constitutional systems accommodate intercultural demands for recognition? Furthermore, how do we best approach negotiation and mediation between these varied intercultural voices (Tully, 1995: 1)? Tully refers to these varied intercultural voices as a 'strange multiplicity' that have 'come forward in the uncertain dawn of the twenty-first century to demand a hearing and a place, in their own cultural forms and ways, in the constitution of modern political associations' (1995: 3).

My goal in this article is to illustrate how complex issues of cultural resource stewardship and heritage management can be in the twenty-first century, to discuss a few of the many factors that must be taken into consideration when caring for the past, and to recognize the number and complexity of voices that may choose to be heard in the process. Following the example of Wylie, I draw on the work of Tully to provide a framework for my discussion. I especially look to his description of the 'strange multiplicity' of voices that demand recognition. Tully notes that these voices are never homogeneous, they 'are continuously contested, imagined and re-imagined, transformed and negotiated, both by their members and through their interaction with others' (1995: 11). Additionally, the voices are 'densely inter-dependent in their formation and identity' and 'exist in complex processes of historical interaction' (1995: 11). Finally, he notes that the challenge to many of these voices is that their demands for recognition must be expressed in a language that is not their own; they are 'constrained to use the language of the master' (1995: 34). Their authenticity and identity as a voice is mediated within the idiom of colonial institutions.

To provide tangible examples of the multiplicity of voices in conversations surrounding heritage I present the story of cultural resource stewardship of the archaeological site of Cathlapotle, located in Washington state within the floodplain of the Columbia River. Due to a confluence of federal ownership of the land and the involvement of both federally recognized and non-recognized tribal organizations as stakeholders, the site serves as an excellent case study for addressing the complexity of heritage



voices in the twenty-first century. The heritage management of this site raises a number of questions. For instance, how have the historical specifics of the region affected which voices are present to begin with? What is the potential effect on stewardship when some of the voices are federally recognized while others are not? What role do colonial institutions and 'authoritative' voices play in determining which voices are 'sufficiently' legitimate and authentic? These questions reflect Tully's argument that cultural voices are never homogeneous, always inter-dependent and historical, and often constrained to speak within a language that is not their own, and they are the focus of the remainder of this article.

■ A NOTE ON METHODOLOGY AND MY POSITION AS AN 'INTERESTED STAKEHOLDER'

Much of the data for this article comes from interviews with a number of individuals who are directly involved with the management of Cathlapotle. Scott Aikin (US Fish & Wildlife Service), Kenneth Ames (Portland State University), Mike Iyall (Cowlitz Tribe), Gary Johnson (Chinook Nation), and Anan Raymond (US Fish & Wildlife Service) were interviewed as part of my research. While all have institutional attachments, their words reflect their personal opinions and insights rather than serving as official statements of their respective institutions.

Finally, I offer a note about my position in this discussion. Rosemary Joyce argues that 'archaeologists are not disinterested parties but rather are interested stakeholders' (2002: 104; Joyce, 2005). This certainly applies in this case, as I am actively – and in multiple ways – attached to this discussion. My research, both at MA and PhD levels, is connected to the archaeology and heritage issues of the site. Furthermore, my MA thesis was completed at Portland State University with Kenneth Ames serving as the chair of the committee. During this time I also held an internship with the US Fish & Wildlife Service Cultural Resources Team and Anan Raymond was my direct supervisor. Finally, my career plans include continued archaeological research within the region and active participation in collaborations and discussions with both the Chinook Nation and Cowlitz Tribe. Therefore, I am not a disinterested neutral party but rather an 'interested stakeholder' and this article should be read with that status in mind.

■ BACKGROUND TO THE SITE OF CATHLAPOTLE

The Cathlapotle archaeological site represents the remnants of a large Native American village located within the floodplain of the Columbia

River (see Figure 1). Cathlapotle was visited by Lewis and Clark and the Corps of Discovery in 1806 (Moulton, 1991: 26–32), but it had been in existence for hundreds of years prior to their arrival. Today the site sits within the boundaries of the Ridgefield National Wildlife Refuge (NWR), just outside of Ridgefield, Washington. As federal property, stewardship of the site is mandated and guided by Sections 106 and 110 of the National Historic Preservation Act (NHPA) as well as other relevant US federal cultural resource laws. Archaeological work began at the site in 1991 as part of the stewardship program for the resource. A partnership between the US Fish & Wildlife Service (USFWS), Portland State University, and the Chinook Nation (a tribal body headquartered near the mouth of the Columbia River) soon developed, and by 1995 this partnership – the Cathlapotle Archaeological Program – was formally codified by a memorandum of agreement (MOA). Over the course of six field seasons the remains of six plankhouses, as well as thousands of artifacts, were recovered and catalogued (Ames et al., 1999). Furthermore, plans for the development of a museum to exhibit and store the recovered artifacts and the reconstruction of a Chinookan plankhouse on the refuge were initiated (museum plans are currently on hold, but the grand opening of the plankhouse was held in March 2005) (see Figure 2). Besides legal compliance, stewardship of this

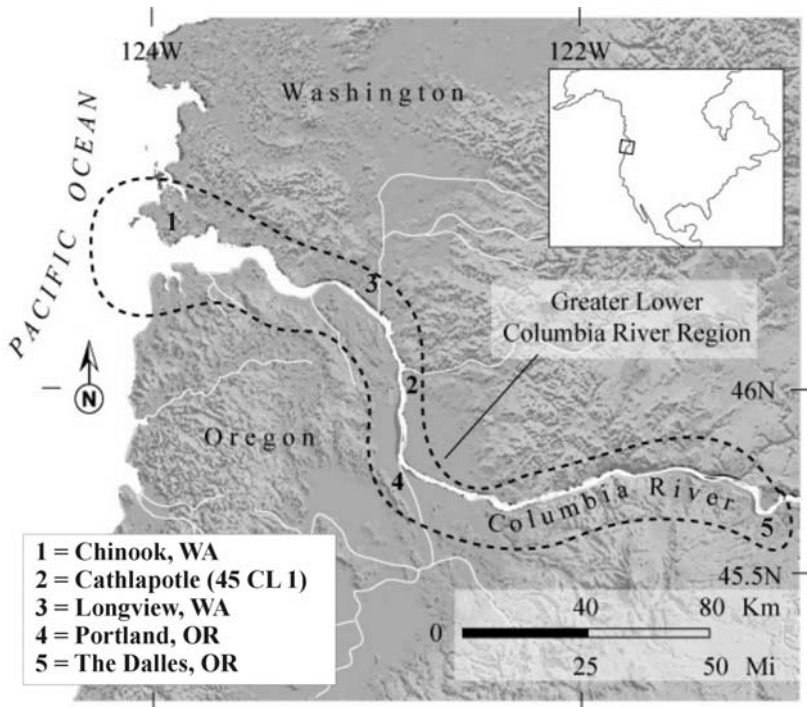


Figure 1 Map showing the location of places noted in the text



Figure 2 Chinookan plankhouse constructed on the grounds of the Ridgefield National Wildlife Refuge

site was important for a couple of reasons. First, due to urban expansion few Native American village sites along the Columbia River (especially within the Portland Basin) remain intact. The site, therefore, represents a valuable storehouse of archaeological information. Additionally, the Chinook Nation was fighting for federal recognition during this time, and Cathlapotle served as an important place for cultural memory and legitimization of the legacy of Chinookan peoples along the Columbia River.

■ INITIAL DECISION-MAKING: FINDING THE VOICES

The Chinook Nation, a non-federally recognized tribal organization headquartered in Chinook, Washington (see Figure 1), became the federal government's primary consulting party on all archaeological work conducted within the boundaries of the Ridgefield NWR. They were not, however, the only possible stakeholder in the region. The site of Cathlapotle lies in a region that has no official or singular modern tribal representative body. The primary cause of this lack of modern representation is the devastation – in both demographic and cultural terms – wrought by the diseases that swept through the region as a result of contact with Euro-Americans. The Columbia River, which had served so well as a highway for trade, unfortunately served equally well as a highway for

disease. Smallpox may have reached the northwest as early as the 1500s, and well-documented smallpox epidemics occurred in 1775, 1801, 1836–8, 1853 and 1862 (Boyd, 1999). One of the worst epidemics to hit the Columbia River, however, began in the summer of 1830. Called the 'fever and ague' by the Americans and the 'intermittent fever' by the British, this epidemic – most likely malaria – raged through the lower Columbia and Willamette River valleys for several summers. The epidemic had a devastating effect on native populations. Both the Hudson Bay Company and Lewis and Clark estimated a regional native population of somewhere near 15,500 in the early decades of the 1800s. By 1841 this number had been reduced to 1932, a decline of nearly 90 percent (Boyd, 1999: 84). While the effects of the epidemic were felt throughout the lower Columbia and Willamette valleys, as well as river valleys as far south as the San Joaquin valley in northern California, the greatest devastation was inflicted on the Middle Chinookan populations of the Portland Basin (Wuerch, 1979: 89). Sauvie and Deer Islands, large Middle Chinookan population centers that are in close proximity to the modern boundaries of the Ridgefield NWR, were entirely depopulated by 1835 (Wuerch, 1979: 94–5).

Such large-scale abandonment of villages led some white observers, such as Dr John McLoughlin of the Hudson Bay Company's Ft. Vancouver, to suggest that the native populations of the region were now extinct (Wuerch, 1979: 95). Although the rate of mortality was extremely high, Middle Chinookan populations had not gone extinct. Some survived, and those who did joined villages within their kinship networks, moved to the seacoast, or fled into the mountains (Boyd, 1999: 91). Some of the survivors even fled to what they thought would be the safety of McLoughlin's own Ft. Vancouver, located across from the mouth of the Willamette River. But employees of the company felt 'obliged to drive the Indians away instead of affording them the assistance they implored of us by our having as many of our people on the sick list as we could possibly attend to' (Barker, 1948: 175; Boyd, 1999: 91). By 1850 the overall population of the region had rebounded to pre-1830 levels. Its composition, however, had undergone a radical transformation: English-speaking Americans had almost totally supplanted Native Americans (Bowen, 1975; Boyd, 1999: 84). The few Natives that remained came under intense pressure and competition from white squatters. Furthermore, the passage of the Donation Land Law of 1850 – which granted land to Americans after four years' 'occupancy' – gave official sanction to the formerly illegal activities of white settlers (Wuerch, 1979: 119).

Middle Chinookans were parties to a series of treaties negotiated during the early years of the 1850s (all would have removed them from their homelands), but none were successfully implemented or ratified. In 1856, under pressure from white settlers and fearful of 'Indian raids', Oregon territory Superintendent of Indian Affairs Joel Palmer ordered the few remaining Middle Chinookans to be rounded up and sent to the Grande Ronde



reservation (Wuerch, 1979: 119–39). Left without a reservation or representative body of their own, many refused to go, and instead dispersed throughout the region, intermarrying with other Native communities like the Yakima, Warm Springs, Cowlitz, and Lower Chinook.

Federal archaeologists knew that Middle Chinookan peoples had been absorbed into a number of other tribal groups throughout the Northwest. Furthermore, there is historical evidence to suggest that after the devastation of disease other nearby groups, such as the Klikitat and Cowlitz, moved into regions formerly inhabited by Middle Chinookans. For these reasons, US Fish & Wildlife Service regional archaeologist Anan Raymond sent letters of consultation to four tribal organizations in the region who he thought might be interested in the archaeological research planned for the refuge. Two federally recognized tribes (the Confederated Tribes of the Grande Ronde and the Yakima Tribe) and two non-federally recognized tribes (the Chinook Nation and the Cowlitz Tribe) were sent research proposals and a request for comment and consultation. All four groups responded to the request. The Yakima asserted that they had usual and accustomed fishing rights in the region, but otherwise showed no interest in participation in the project. The Grande Ronde responded by saying that they have a strong interest in the region, but that it would be more appropriate to defer to the Chinook Nation. The Cowlitz Tribe chose not to get involved because in the minds of many Cowlitz at the time the village of Cathlapotle was outside of their area of interest. Furthermore, they were enmeshed in a struggle for federal recognition and felt that involvement with the work at Cathlapotle would have been a distraction (Iyall, 2006). Of these four tribal bodies only the Chinook Nation, headquartered near the mouth of the Columbia River roughly 80 miles away from Cathlapotle, requested an active voice in the project and a partnership status in the research.

The Chinook Nation represents five tribes of Chinookan speaking peoples: Lower Chinook, Clatsop, Willapa, Wakiakum, and Kathlamet. The home territories of all five tribes were historically located downriver from the village of Cathlapotle. But despite the geographic distance from the site citizens of the Chinook Nation feel strongly connected to Cathlapotle. Gary Johnson, who served for six years as Chairman of the Chinook Nation Council, explains the connection:

We feel the responsibility, and we are tied by blood to the tribes further on up the river. And we feel it is very much our responsibility to oversee our ancestors' territories . . . there are blood connections of our family members marrying people from those villages . . . that's Chinookan territory. We see that as an area that is really important for us to protect and to be sure that things are done properly there so that other people don't step into our territory. (Johnson, 2006)

Both Anan Raymond and Kenneth Ames of Portland State University – who served as the Principal Investigator for the project – felt that in terms of cultural continuity the Chinook Nation was certainly an appropriate party for consultation. This was based primarily on generally accepted historical and ethnographic documents that placed Chinookan-dialect-speaking peoples on both sides of the Columbia River from its mouth to the present day location of The Dalles, Oregon. But they also understood that due to high levels of pre-contact intermarriage and the dispersal of surviving Native populations from the region to a wide number of tribal bodies, any of the other modern tribal organizations could assert a cultural connection to the site of Cathlapotle. What made the difference for Raymond, however, was the Chinook Nation's active request for participation:

The ones that speak up the loudest and exert their will and their interest and want to participate, that plays a huge role . . . the Chinook in the 1990s had no greater capacity – financial or human – than the Cowlitz or any other organization. Yet they said 'you know what, we connect to this place. Sure it's a 100 miles away, sure we all live here at the mouth of the river. But that is Chinook, it's a Chinookan site. We're the representatives . . . we're going to make it a priority.' To me that was very impressive because they didn't have the capacity or resources to get involved, yet they did it anyway. (Raymond, 2006)

A partnership between the US Fish & Wildlife Service, Portland State University, and the Chinook Nation quickly developed. By 1995 a Memorandum of Agreement (MOA) was formally signed by all parties and years of survey and excavation at the Cathlapotle site were underway.

■ A CHANGE IN PLANS: A NEW VOICE CONTESTS THE AFFILIATION OF THE SITE

In December 2003, the newly federally recognized¹ Cowlitz Indian Tribe, headquartered in Longview, Washington (see Figure 1), contacted USFWS archaeologists with a number of concerns about the cultural affiliation of Cathlapotle and in a series of meetings between members of the Cowlitz Tribal Council and USFWS employees they expressed their claims. Initially, the Cowlitz argued that Cathlapotle was not a Chinookan village, but rather a Cowlitz village. They soon retreated somewhat from this claim and stated that while they could not conclusively say that Cathlapotle was a Cowlitz village, the true identity of the Cathlapotle people was never recorded. Furthermore, the people of Cathlapotle were nearly eliminated by the plagues that had devastated the Columbia River and that some surviving citizens of Cathlapotle certainly moved to Cowlitz villages and intermarried



with Cowlitz people. Therefore, some present day members of the Cowlitz Tribe are direct descendants of the Cathlapotle people. Furthermore, while it is possible that people who spoke Chinookan dialects once resided in the area of Cathlapotle, the most recent group to live there were the Lewis River Cowlitz. In fact, they stated that the last chief of Cathlapotle was Cowlitz and not Chinookan, and that the USFWS even listed this chief – Tye Umtuch – in one of its publications for the site (Ames et al., 1999: 18). And finally, the Cowlitz argued that even if the Cathlapotle people were Chinookans they were part of the group of Upper/Middle Chinookans, while the modern-day Chinook Nation, headquartered more than 80 miles downstream in Chinook, Washington, represent a separate group known as Lower Chinookans. Therefore, consultation with the Chinook Nation aided an extension of historic Lower Chinookan territory into areas along the Columbia River to which they have no right. All in all, the Cowlitz argued that it is they – not the federally unrecognized Chinook Nation – who are the most appropriate consulting tribe for the project. And since they were now a federally recognized entity they called for the immediate initiation of government-to-government consultation concerning the cultural resources of the refuge.

Defining boundaries and territories lay at the heart of Cowlitz claims. They strongly asserted that the traditional boundaries of the Cowlitz world encompassed the site of Cathlapotle, but that their cultural connection to that land was lost during years of colonization and assimilation. Furthermore, they argued that other federally recognized tribes had encroached on Cowlitz territories for years, but lack of federally recognized status during this time prevented the Cowlitz from legally challenging this encroachment. This connection between federal recognition and the protection of territory is noted by Mike Iyall, Director of Natural and Cultural Resources for the Cowlitz Tribe:

One of the challenges that recognition brings is that it brings you sovereignty. Well, I believe that the most important dimension of sovereignty is what is your true footprint, because your sovereignty exists only within your footprint. Now we've had neighbors that are long time recognized tribes with big feet that have gotten their claims in our world. (Iyall, 2006)

With the realization of federal recognition in 2002 the Cowlitz Tribe had a stronger institutional authority to claim areas that they feel are their own and to which they believe they have a cultural connection.

Their claim to these areas, however, did not go unchallenged. Citizens of the Chinook Nation strongly dispute the assertion that the area now encompassed within the boundaries of the Ridgefield National Wildlife Refuge was or is Cowlitz territory. Gary Johnson understands that the devastation of disease created havoc within the region, destroying social systems and altering kinship networks, allowing other tribal groups to move

into the area during the post-contact period. But Johnson stresses that at the moment of contact Cathlapotle was a Chinookan village:

All historical evidence tells that Cathlapotle was a Chinookan village, the people were Chinookan. After contact and after considerable devastation with so many people dying there were movements among some of the surviving people. A number of Chehalis came into southwest Washington and lived with Chinooks. Chinooks went to different reservations and places where they could live their lives the way that they wanted to. There was some movement and there are one or two records of Cowlitz people perhaps fishing and trading in that area, but it clearly was not their historical area. (Johnson, 2006)

Johnson accepts that residents of Cathlapotle certainly may have included people from Cowlitz villages, mostly because inter-marriage was such a common occurrence throughout the Pacific Northwest and because there were Cowlitz villages located away from the Columbia River but still in geographic proximity to Cathlapotle. But he also notes that inter-marriage occurred with numerous tribes, not just Cowlitz, and furthermore that the presence of non-Chinookan people in a village does not lead to the designation of a village as non-Chinookan (Johnson, 2006).

The motives behind the Cowlitz Tribe's claims of cultural connection to the Ridgefield area were also questioned. As is often the case in tribal recognition and territory matters, the specter of potential gaming revenues was offered as the primary cause for the controversy. Critics of the Cowlitz Tribe suggested that the Cowlitz's new-found interest in the site of Cathlapotle was merely a ploy to establish indigenous ties to the region so that a 152-acre parcel of land (located on the heavily traveled Interstate 5 corridor and mere miles from the Portland Metropolitan Area) could be placed in 'fee-to-trust' status and qualify as a center for gaming operations and the development of a casino (Alexanderson, n.d.; Brettman and Har, 2006; Coleman, 2005; Lawson, n.d.; Johnson, 2004).

Scott Aikin, who serves as Native American Liaison for the USFWS and is involved in mediating the dispute, doesn't believe that the Cowlitz Tribe is primarily motivated by casino revenues or is trying to expand into the territories of other tribes:

I think the perception is that they were trying to build a broader homeland . . . I don't think, in all my years of working with them now, that is what drives them. I think that they see it as a fairness issue, and I think that they believe that [Cathlapotle] is not a place that the Chinook Nation really has as strong a stake, as strong of a foothold as is being portrayed, and that it was institutionalization, it was the nine years of working with [the Chinook Nation] that they kind of became the personified tribe. (Aikin, 2006)

Regardless of motives, the claims of the Cowlitz created a difficult and often emotional struggle for control of the cultural resources of Cathlapotle.



The Chinook Nation, who had been the consulting tribe on the project since its inception, threatened to pull out if the Cowlitz Tribe were included. Meanwhile, the Cowlitz temporarily blocked a \$220,000 US Department of Transportation grant that was ear-marked for the reconstruction of a cedar plankhouse near the Cathlapotle site (Baker, 2004; Church, 2004). The struggle was difficult for archaeologists as well, as in the course of fulfilling stewardship obligations partnerships and friendships made during nearly 15 years of collaboration were strained. To add to the mounting tensions, individuals descended from Chinookan-speaking Clatsops declared that they were actually an entirely separate body from the Chinook Nation, and promised to begin their own quest for recognition (Kamb, 2004). There was also speculation that these disagreements were not just about stewardship of cultural heritage, but about control over substantial dollars set aside for Lewis and Clark Bicentennial festivities as well (Kamb, 2004).

■ HERITAGE MANAGEMENT AND RECOGNIZED AND UNRECOGNIZED VOICES

The legitimacy of the Cowlitz claim to Cathlapotle was strengthened by their new status as a federally recognized tribal entity, a status that the Chinook Nation still does not have. As the Chinook have discovered, the process of federal recognition can be capricious and byzantine. The Chinook had originally signed a treaty negotiated in August of 1851. For reasons that are somewhat unclear, however, that treaty was never ratified by the US Congress. After the Washington Territory was created in 1853, treaty negotiations began anew. In February of 1855, a council of 350 natives, representing the Chinook, the Upper and Lower Chehalis, Quinault, Satsop (Salish), and Cowlitz, met with new Washington governor Isaac Stevens. Stevens planned to place all these groups on one reservation extending from Grays Harbor to Cape Flattery in the state of Washington. This treaty, however, would have moved the Chinook north of their home lands and into territories of their historic enemies. They refused to sign. By the end of that year seven treaties had been signed with other tribes and most of western Washington had been ceded to the USA. The Chinook, however, never ceded their lands but as a result also remained federally unrecognized (Daehnke, 2005; Ruby and Brown, 1976).

The Chinook renewed their struggle for recognition in the 1970s and on 3 January 2001, US Assistant Secretary of the Interior Kevin Gover signed documents granting the Chinook Nation formal recognition (Thompson, 2001; see also Bureau of Indian Affairs, 2001). It was one of Gover's last acts as a member of the out-going Clinton administration and a day of celebration and relief for the Chinook Nation. On that same day, however, a

Bureau of Indian Affairs official wrote a memo questioning whether the Chinook had adequately made their case for recognition, and in July 2002, under the Bush administration, the agency reversed itself and denied formal recognition to the Chinook (Bureau of Indian Affairs, 2002a, 2002c; Fryer, 2004).

Groups petitioning the government for recognition must meet – to the satisfaction of scholars and officials within the Bureau of Indian Affairs (BIA) – all of the requirements of a seven-part criteria test as described in the US Code of Federal Regulations (25 CFR 83.7). The seven mandatory criteria for federal acknowledgment are as follows:

- a. The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900.
- b. A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present.
- c. The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.
- d. A copy of the group's present governing document including its membership criteria is provided. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.
- e. The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity.
- f. The membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian Tribe.
- g. Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship. (Bureau of Indian Affairs, 2003)

The current regulations for tribal acknowledgement were created in 1978 by the BIA and were intended to 'make tribal acknowledgement more expeditious and more objective than in the past' (Miller, 2004: 4). The criteria place strong emphasis on demonstration of continued tribal unity and identity. They can, however, be difficult to meet. This is especially true for indigenous groups of the Northwest where the drastic effects of disease and high levels of inter-marriage – in combination with long-standing policies of assimilation – had taken a devastating toll.

What also often works against groups in the Northwest is that accepted Western notions of 'tribes' do not fit the predominant Northwest coast



pattern. Andrew Fisher (2003) notes that the first whites to encounter native groups along the Columbia River expected to find 'nations' or 'tribes' with 'firm borders, well-defined populations, and strong central leadership. Part of their mission as explorers was to identify and enumerate such groups for the future reference of the United States government' (Fisher, 2003: 14). This simplistic assumption was confronted by a more complex reality: the largest sovereign entities were autonomous villages, not regional tribes. But these sovereign communities were connected by large social networks, extensive inter-marriage, cultural affinity, regional economic exchange, and shared territories. As a result 'individual Indians had multiple associations and multifaceted identities that would complicate future attempts at categorization' (Fisher, 2003: 15). But rather than wrestle with this complexity of identity, the federal acknowledgement process as created in 1978 still heavily relies on preconceived categories of tribal identity, and the consequence is that those groups – such as those that are predominant in the Northwest coast – are either required to create a new 'tribal' identity or be considered too loosely connected to qualify as a recognized body.²

After the final determination to acknowledge the Chinook Nation was issued in January 2001, the Quinault Indian Nation requested a reconsideration of the decision before the Interior Board of Indian Appeals.³ Neal A. McCaleb, the Assistant Secretary for Indian Affairs, took the Quinault arguments into consideration and concluded that the Chinook had failed to satisfactorily meet all seven mandatory criteria:

The petitioner failed to meet criteria (a), (b), and (c) of the acknowledgment regulations – failing to demonstrate that it has maintained political influence over its members from historical times to the present [criterion (c)], that a predominant portion of its members comprise a distinct social community at present, or since 1950 [criterion (b)], or that it has been identified historically as an Indian entity by outside observers on a substantially continuous basis [criterion (a)]. (Bureau of Indian Affairs, 2002c)

The Chinook status as a recognized tribe was rescinded only a year and a half after it had been initially granted and they remain unrecognized today.

The irony of their non-recognition as a modern Indian organization and the claim that they lack continuity as a tribal body lies in the historical reality of years of policies of assimilation, theft of land, and the disruption of social networks after the devastating losses due to disease. As Gary Johnson of the Chinook Nation notes:

Government policy for probably a couple of hundred years tried to take our land, or did take our land, our culture, our language, our songs, everything away from us . . . the government worked against Chinook all of these years and how can you expect us to have this perfect – and I guess I would use the term 'white man's government' – with paper trails over all this period of time. (Johnson, 2006)

Johnson goes on to state that, 'It ends up that people that are 3000 miles away are making decisions about us without even spending much time with us . . . [the federal acknowledgement process] was a long and frustrating journey' (2006). He suggests, however, that despite the years of assimilation and attempts at cultural genocide, the Chinook Nation holds in its tribal office nearly 19,000 pages of documents that demonstrate their continuity, a paper trail which Johnson notes is as extensive as most of the tribes that have received recognition and more extensive than many. It is this arbitrariness of the recognition process – added to the necessity of having to prove an 'authentically' Indian identity – that leads to so much frustration and results in a reality where 'the majority of acknowledgement determinations are cloaked in shades of gray' (Miller, 2004: 5).

But why does federal recognition matter, especially within the context of cultural heritage and cultural resource management? For one reason, federal cultural resource laws give recognized tribes a higher status than non-recognized organizations. Section 106 of the National Historic Preservation Act (NHPA) of 1966 requires that federal agencies, prior to conducting any undertaking that utilizes federal funds, occurs on federal lands, or requires a federal license, must consider the effects of that undertaking on historic and archaeological resources eligible for inclusion in the National Register of Historic Places. The procedures for section 106 compliance are codified in Title 36, Part 800 of the US Code of Federal Regulations (36 CFR 800).⁴ One important requirement for compliance with section 106 is consultation with the appropriate Indian tribes: 'It is the responsibility of the agency official to make a reasonable and good faith effort to identify Indian tribes and Native Hawaiian organizations that shall be consulted in the section 106 process' (§800.2(c)(2)). The Code of Federal Regulations then goes on to define who or what an 'Indian tribe' is:

Indian tribe means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation or village corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43USC1602), which is *recognized* as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. (§800.16(m), italics added)

This does not mean, however, that federally unrecognized tribes are precluded from consulting on section 106 projects. A variety of stakeholders can participate in or comment on heritage management programs conducted under the auspices of the federal government. These stakeholders, noted as 'additional consulting parties' in the regulations, are those 'certain individuals and organizations with a demonstrated interest in the undertaking' who 'may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties'



(§800.2(c)(5)). The Chinook Nation clearly falls under this definition and can, under the guidelines, express their interest in the work conducted at Cathlapotle regardless of their unrecognized status.

Furthermore, federal recognition does not give a tribal organization the right to claim cultural affiliation to a region that was historically the homeland of an unrecognized tribe. As Anan Raymond notes, 'when it comes to affiliating a site, so to speak, to a culture or a group of people, federal recognition does not trump a non-federally recognized tribe' (2006). Nonetheless, under the regulations of both the National Historic Preservation Act and the standards of the Advisory Council for Historic Properties (ACHP), the status of federal recognition does carry the *right* to participate in section 106 consultation (Advisory Council for Historic Properties, 2005). Therefore, 'what is required . . . by the law is that you must *at least* consult with Federally recognized tribes. You must *at least* consider their interests' (Raymond, 2006). As a result, the US Fish & Wildlife Service is now obliged to consult with the federally recognized Cowlitz Tribe when a project is conducted within the boundaries of the refuge. The USFWS chooses to treat the Chinook Nation as a full consulting party, and as Scott Aikin notes, 'with the Chinook we continue on with this institutionalized relationship' (2006). He also notes, however, that this relationship does 'not carry the same weight as a federally recognized body' and under the letter of the law the USFWS could legally discontinue the partnership at any time.

In addition to providing elevated legal status, federal acknowledgment brings institutional authority and financial resources to recognized tribal organizations. Federally recognized tribes are eligible for programs and funding that can greatly improve their ability to participate in heritage management projects. Paying attention to cultural resources is an expensive proposition, both in terms of finances and personnel, and additional resources can potentially play a more important role in heritage management than the tribe's legal status. The additional financial support which came with federal recognition was probably influential in the Cowlitz Tribe's claim to the site of Cathlapotle:

This all happened after the Cowlitz became federally recognized. So this is a really important event for the Cowlitz, and for our project, because it gave the Cowlitz an institutional authority and also perhaps financial and manpower capacity to address things that perhaps in the early 90s, when they were not recognized, they did not have the capacity to do. So, when they came to us in the early 2000s about Cathlapotle they were in a better position to respond and address cultural questions that perhaps they didn't have in the 90s. Maybe that's one of the reasons that we heard from them. (Raymond, 2006)

Mike Iyall notes that 'you begin to get means to achieve some of the things that you had to put off during the struggle for recognition' (2006) and for

the Cowlitz Tribe this has included establishing a permanent Natural Resources Department (of which cultural resource monitoring is a part) and the hiring of full-time personnel to staff the department.

The Chinook Nation, on the other hand, relies on volunteer personnel to oversee their cultural resource activities and Gary Johnson notes that 'at this point we have one tribal employee . . . that's just bare bones to try and keep the office door open' (2006). Furthermore, the little financial resources and personnel time that the Chinook Nation can cobble together is predominantly invested in the legal battle to gain federal acknowledgment. This leads to concerns about the proper protection of cultural resources:

Our lack of federal recognition within the BIA . . . that's hugely important to us in being able to protect tribal territories and tribal cemeteries and all of those villages. It's very evident in the Vancouver [Washington] and Cathlapotle area and those things that decisions can be made that affect us negatively because of our lack of full status. We absolutely claim full sovereignty . . . but the reality is that when you don't have funding to operate, first of all through your tribal community, and then for your tribal government, you don't have the resources to take a strong stand as issues come up every week. There are constantly rulings going against us because the easy way out for the people making those rulings is to say 'well, you're not a fully recognized tribe' . . . I guess that I'm strongly emphasizing that that's the reason we've got to get some of this clarified soon, is because especially in terms of village sites, cemeteries, artifacts, whatever, decisions do go against us on a regular basis. We can't return Chinookan bodies because we aren't fully recognized. Those kinds of issues are a problem. (Johnson, 2006)

While the Chinook Nation currently serves as the primary consulting party for the cultural resources of the refuge it is possible that the greater financial capacity of the Cowlitz Tribe (as well as the ease of their closer geographic proximity) will cause a gradual shift in the primary consultant role from the Chinook Nation to the Cowlitz Tribe. This would not, of course, be the result of any conscious change in federal policy, but rather an inadvertent change in roles produced by resource inequity.

■ MEDIATING THE VOICES

As previously noted, the Cowlitz Tribe's claim to the site of Cathlapotle sparked a difficult and emotional struggle over ownership of the cultural resources located within the Ridgefield National Wildlife Refuge. The Cowlitz Tribe adamantly asserted that their voice be heard, especially within the context of their recognized status. They also demanded participation in the planning and construction of a cedar plankhouse scheduled to be built on refuge property and threatened to block funding for the



plankhouse if they were not recognized as full partners (Baker, 2004; Church, 2004). The dispute also affected the longstanding relationship between USFWS archaeologists and the Chinook Nation:

Things were initially tough because we had this 14-year relationship with the Chinook tribe and the Cowlitz tribe came in and told us that we were all wrong. And, you know, on the one hand we have our understanding of the history and archaeology, but on the other hand, I'll be perfectly honest, we have this long-standing relationship with the Chinook tribe that is very difficult to deny or to turn off just because some new information shows up . . . even if the information were right it would have been very difficult to turn off a long-standing, productive, professional and personal relationship with several members of the Chinook tribe. (Raymond, 2006)

Members of the Chinook Nation were angry about the Cowlitz's claims regarding Cathlapotle, and especially their desire to consult on the construction of a Chinookan-style plankhouse. They also felt that federal archaeologists seemed too eager to simply appease the Cowlitz and their wishes:

They were disillusioned that the agency was yielding to what appeared to be unreasonable demands or statements or positions by the Cowlitz Tribe. They were disillusioned, one, because it violated the consensus understanding of history and culture, and two, because it sort of violated the long-standing relationship that we had with them. And I think they were objecting also, from a political perspective, in that Cathlapotle and the plankhouse represented a bit of a toehold that the Chinook tribe has in expressing their culture in the Vancouver [Washington] area. And to somehow lose this by the federal government yielding to a shouting federally recognized Cowlitz Tribe would just be the ultimate indignity. (Raymond, 2006)

Although the Chinook Nation had been a consulting party since the inception of the Cathlapotle Archaeological Project and the only tribal organization to sign the initial memorandum of agreement, they threatened to pull out of the project entirely if the Cowlitz were included as a consulting party.

A series of meetings and negotiations between the three parties followed, although the Chinook Nation declined to participate directly in any meetings in which the Cowlitz Tribe was present. Negotiations between the Chinook Nation and the USFWS proceeded within the framework of a 14-year partnership, which proved invaluable as trust and solid friendships had been built during this period. Furthermore, Raymond assured the Chinook Nation that he still viewed them as the primary party of consultation and they would not be relegated to a secondary status. While not entirely assuaged, the Chinook renewed their involvement in the project and continued their role as a consulting party.

Negotiations with the Cowlitz Tribe, however, proved more difficult. There were no previous relationships upon which to build and initial

meetings between the tribe and USFWS officials stalled. Raymond recognized the tribe's interest in Cathlapotle and the plankhouse, but refused to concede – based on his understanding of the ethnography, history and archaeology – that Cathlapotle was a Cowlitz village. The Cowlitz saw this refusal as an abrogation of their rights as a sovereign nation. Furthermore, they contend that the relationship between the USFWS and the Chinook Nation is the result of the institutionalization of an arbitrary partnership rather than an accurate assessment of history. The meetings at times turned personal, as participants lost their patience and tempers flared. Scott Aikin, Tribal Liaison for the US Fish & Wildlife Service, was brought in to mediate and according to Raymond (2006) 'serve as a temper to my temper'. The participation of Aikin served as a calming influence and provided a measure of stability, but his involvement was not sufficient to address the concerns of the Cowlitz Tribe. On 5 January 2004, the Cowlitz Tribe sent a letter to the manager of the Ridgefield National Wildlife Refuge (copied to Representative Brian Baird, WA, US Congress). It expressed their dissatisfaction with the progress of the meetings, questioned the objectivity of federal employees, and suggested that the USFWS had failed in its good faith effort to establish a government-to-government relationship. Therefore, 'after lengthy attempts to resolve our differences we are seeking outside help' (Cowlitz Indian Tribe, 2004).

David Nicandri, of the Washington State Historical Society, was brought in as a neutral third party to help mediate the dispute. Raymond believes that both positives and negatives were involved with this mediation process – one of the problems was the failure to directly involve the Chinook Nation as an active party in the dispute. The mediation was effective, however, in pushing a stalled process forward:

It moved us to a written agreement with the Cowlitz and it also provided a relatively neutral forum for the Cowlitz to make their claims and for the US Fish & Wildlife Service to explain its position . . . it's always good to have a third party when there is strong disagreement. (Raymond, 2006)

The tangible result of the mediation was a Memorandum of Understanding (MOU) between the US Fish & Wildlife Service and the Cowlitz Tribe. This document codified the relationship between the two parties and created a protocol for future cooperation.

The MOU stated that the US Fish & Wildlife Service would 'recognize that the Cowlitz are entitled to equal participation in the development, planning, and production of educational and interpretive materials relevant to the presence of the Cowlitz Indians in the area of the refuge' (US Fish & Wildlife Service, n.d.b) and stipulated that representatives of the Cowlitz Tribe would be included on the cultural interpretation and education steering committee of the refuge. The MOU also stated that the term 'Chinook' would not be used to describe the residents of Cathlapotle and the terms 'Cathlapotle Nation' or 'Cathlapotle Chinookans' would be used



instead. This was an important point for Mike Iyall and the Cowlitz Tribe, who feel that the use of the term 'Chinook' falsely creates in the mind of the public a direct link between the people of Cathlapotle and the modern-day Chinook Nation without addressing the historical complexities of identity within the region. The MOU also made clear, however, that the inclusion of the Cowlitz in the project was not exclusive to the involvement of other interested tribes and that the technical aspects of the plankhouse construction would continue to be guided by Kenneth Ames in consultation with the Chinook Nation (US Fish & Wildlife Service, n.d.b).

An MOU between the US Fish & Wildlife Service and the Chinook Nation was also instituted. This MOU noted that other interested tribes could be involved in the planning and operation of interpretive and educational materials for the cultural resources of the refuge. Most importantly, however, the MOU clearly stated that the Chinook Nation 'is the principal organization that exclusively embodies and perpetuates the traditional and modern culture of the Chinookans of the greater lower Columbia River, including the Cathlapotle Chinookans who historically lived on what is now the Refuge' (US Fish & Wildlife Service, n.d.a).

For Anan Raymond it was important that this statement be clear and directed to both tribal organizations:

We stated this in a letter to both tribes, the Chinook and Cowlitz, that we consider the Chinook tribe to be the principal organization that represents Chinookan culture and history and therefore they represent the best organization for us to consult with on issues concerning Chinookan culture. That does not mean we would not consult with the Cowlitz tribe, but the upshot is that if you were to sort of prioritize where would we go first, or who has most authority in that sense, the Chinook tribe does. (Raymond, 2006)

Although the MOUs managed to move the process forward temporarily, no one is entirely satisfied with the results. Scott Aikin (2006) notes that the MOUs are certainly not long-term solutions and were only 'enough to band-aid the situation . . . they were the tools to broker a deal. Were it not for the MOUs then David Nicandri would not have released the money [for construction of the plankhouse]'. Furthermore, Mike Iyall argues that the USFWS continues to ignore the government-to-government relationship that is required due to their recognized status and fails to consistently involve them in consultation. Iyall also believes that a pro-Chinook Nation bias continues to be present in USFWS publications and that archaeologists are not doing enough to inform the public of a Cowlitz history in the region. Ultimately, he feels that the Cowlitz Tribe is an unwelcome party:

I think that for us it seemed to be a them or us choice. For instance, today the Chinook Nation is given control of the interior of the plankhouse. We can't access it. We were told that the interior of the plankhouse belongs to the Chinook Tribe by Fish and Wildlife Service people. I mean, how does that

make you welcome? You know, it doesn't . . . to me the presence of the plankhouse, the way it's currently signed and marked by the Fish and Wildlife Service is – it's a temple to somebody else's god on the altar of my church. That's the way I see the plankhouse. It's not an asset to us. (Iyall, 2006)

In Iyall's opinion (2006) the overall result of the negotiation and mediation process was 'a lot for nothing'.

Citizens of the Chinook Nation also remain unsatisfied. Despite the reaffirmation of their voice as a consulting party, many Chinook see any questioning of their role at Cathlapotle as part of a larger continued attack on their sovereignty and a reflection of their lack of federally recognized status. Gary Johnson also notes (2006) that there is some displeasure that members of the Cowlitz Tribe sit on the educational committee for the refuge and he feels that they should not have a voice on educational materials concerning what he strongly believes is Chinookan territory.

The MOUs also do nothing to address future archaeological and heritage stewardship work at the refuge. Two extremely important issues remain unclarified. First is the question of where any collected archaeological materials will finally rest. Ownership of artifacts – either directly or through acknowledged association – is certainly an issue for the Cowlitz Tribe:

The archaeology, of course, is an issue from day one because all the artifacts that have been collected there will never be given custody to us. We will never get custody, or even acknowledgement, that those artifacts – people that we're related to, blood kin to, documented blood kin to – artifacts from their village are associated with the people of Ilwaco [Chinook Nation] . . . it's kind of like strangers inheriting your family farm . . . some stranger that you know is not related in any way walks up and inherits the family farm and you're given the boot, you know. And the name of the family farm is taken off and given their name. That's how we feel about the cultural issues there. (Iyall, 2006)

A second unclarified issue centers on the Native American Graves Protection and Repatriation Act (NAGPRA). Under NAGPRA the standing of federally recognized tribes is even stronger than it is under the NHPA. Only direct lineal descendants or culturally affiliated federally recognized tribes can bring a repatriation claim under the act. Unrecognized tribes can only bring claims through another recognized organization. Anan Raymond noted that 'we have never seriously thought through the NAGPRA implications of our assignment of Chinookan cultural affiliation to Cathlapotle'.⁵ This omission was somewhat less serious when the Chinook Nation was the solitary consulting party. In the face of Cowlitz participation, however, it has become a much more glaring mistake and is an issue that must be addressed before any future archaeological excavation occurs within the boundaries of the refuge. While the development of the MOUs allowed for the construction of the plankhouse to proceed, they did little to answer long-term questions concerning the status of stakeholder voices.



■ CONCLUSION

The presence of a multiplicity of voices is by no means unusual when it comes to stewarding the past. The challenges and benefits of negotiating stewardship roles and levels of collaboration between stakeholders is a topic that has received recognition and growing attention in heritage literature over recent years (Dongoske et al., 2000; Meskell and Pels, 2005; Shackel and Chambers, 2004; Swidler et al., 1997). But too often disagreements over stewardship and collaboration are simplistically viewed as a dichotomous struggle between scientifically minded archaeologists and a non-scientifically minded stakeholder (for an extreme example of this position see Clark, 1996, 1998). Tully reminds us, however, that the reality of the strange multiplicity of voices is much more complex. This complexity is demonstrated at Cathlapotle where there are often profound disagreements about stewarding the past – not just between the voices of archaeologists and Native Americans, but between Native American stakeholders as well.

These voices, Tully also argues, exist in a constant state of negotiation and renegotiation that occurs within a dynamic historical process. This dynamic renegotiation of voice is evident in the Cowlitz Tribe's decision to become actively involved in the stewardship of a site that they showed little interest in years earlier. In this sense the Cowlitz Tribe were stakeholders that 'emerge[d] in action' (Joyce, 2005: 256). The Cowlitz voice emerged, however, within the framework of an already established history and partnership between the USFWS and the Chinook Nation, a partnership that served to mediate and shape the response to the Cowlitz Tribe. And all of the voices in this discussion emerged within the structure of a colonial history and colonial institutions. It is this last point that I find most important and with which I end this article.

As I noted at the beginning of this article, Wylie argues that collaborative stewardships are most effective when viewed as a process of 'co-management among divergent interests (including archaeological interests) none of which can be presumed, at the outset, to take precedence over the others' (2005: 65). This view is undoubtedly correct, and as Wylie notes is widely advocated by many others. The primary challenge to instituting this approach, however, lies in Tully's assertion that demands for participation are usually required to be given in the 'language of the master' (1995: 34) and gain legitimacy primarily through colonial institutions. The demands for participation must also be mediated within the framework of a colonial history that has profoundly altered which voices and which identities are considered legitimate.

As a result, we must always place present-day disagreements about the past in their appropriate historical context. It would be easy to frame the battles over Cathlapotle and other sites of heritage along the Columbia River as simple cases of local inter-tribal politics. But it would also be

incorrect. Gary Johnson (2006) notes that 'these problems certainly should not be portrayed as one tribe pitted against another, because the problem developed with the US Government.' The reality is that this case represents only the most recent manifestation of the long-term entanglements created by colonial contact.⁶ It is colonial contact that led to the devastation of Native populations along the Columbia River and the disruption of social networks. It is colonial institutions that have determined that the Chinook Nation is not sufficiently 'Indian' to warrant federal recognition. It is policies of assimilation that separated the Cowlitz Tribe from their own heritage, forcing them to aggressively reassert their authenticity and a right to their own past. And it is archaeologists, ethnographers, historians, attorneys, the Indian Claims Commission, and the Bureau of Indian Affairs who ultimately determine who gets to sit at the table in the first place. Stewardship collaborations, therefore, never occur in a vacuum and the 'strange multiplicity' of voices is never on equal footing.

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Notes

- 1 The final determination for Federal Acknowledgment of the Cowlitz Indian Tribe was printed in the 4 January 2002 edition of the Federal Register (Bureau of Indian Affairs, 2002b). See Bureau of Indian Affairs, 1997 and 2000, for a more complete history of the Cowlitz Tribe's application for federal recognition.
- 2 The politics of federal recognition are wrapped around notions of identity and authenticity. Petitioning groups are often forced to fit within stereotypes of Indian identity. Many of the petitioning groups, however, have the authenticity of this identity challenged by both members of the dominant society and other tribal groups who are concerned about losing resources and/or the belief that unrecognized tribes are simply 'playing Indian' in order to gain access to federal programs and finances (see discussions in B. Miller, 2003; M. Miller, 2004).
- 3 Gary Johnson notes that a number of individuals associated with the Quinault reservation are of Chinookan descent. He suggests that the Quinault's appeal against Chinook federal recognition is driven by the concern that these members would choose instead to enroll in the Chinook Nation and that their associated reservation allotments would be lost to the Quinault (Johnson, 2006).



- 4 The quotations in this section are from the Electronic Code of Federal Regulations (e-CFR), Title 36: Parks, Forests, and Public Property, URL (consulted February 2007): <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=0ff5436b33dc16077bb078871fa08844&rgn=div5&view=text&node=36:3.0.6.1.1&idno=36>
- 5 Raymond (2006) notes that previous ethnographic, historical, and archaeological work – as well as discussions with members of the Chinook Nation – suggested that the recovery of human remains or other NAGPRA items would be unlikely at Cathlapotle. Kenneth Ames (2006) stated that he was skeptical of this assumption and that there was a protocol established for dealing with any inadvertent discovery of human remains. He also notes, however, that the involvement of the Cowlitz Tribe has ‘entirely changed this landscape’ (Ames, 2006).
- 6 See Lightfoot (2005) and Silliman (2005) for excellent discussions of the long-term effects of colonial contact and the role that archaeologists and anthropologists play in conceptually framing studies of contact.

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