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What do we already know?

2.1 Community language and cultural heritage rights

As discussions develop regarding the principles and ethics governing Indigenous research, the issue of control or decision making reverberates the singular most important principle—Indigenous peoples must control their own knowledge, a custodial ownership that prescribes from the customs, rules, and practices of each group.

Marie Battiste (2008, p. 501)

Many Indigenous scholars and activists are beginning to articulate the need for Indigenous peoples to become more active in and aware of the impacts of research that is conducted within, or that concerns, their communities, and their knowledges. In response to this growing concern and awareness, Indigenous communities are developing new ethics and protocols for working with Indigenous people and these are beginning to be implemented by major funding organisations around the world such as the Endangered Languages Documentation Programme.¹

In the field of linguistics, many non-Indigenous linguists are beginning to come to terms with what this means for them and the ways they work with Indigenous communities now and into the future. Indigenous people

1 www.eldp.net/en/our+grants/documentation+grants/

and communities are also working through the issues of how to engage with non-Indigenous linguists in ways that meet their needs to ensure the protection of their cultural knowledges and self-determination.

However, in the Australian context, we are still very much at the beginning of the process of teasing out the issues and finding our way forward, with language and cultural rights being high on the agenda as one of the most important issues for Indigenous peoples.

My experience as an Indigenous linguist suggests that there is sufficient goodwill between Indigenous communities and non-Indigenous linguists who share, for the most part, common goals, and that the issues are beginning to be worked through and solutions found. Working relationships between Indigenous people and non-Indigenous linguists aim to be far more equitable than they have been in the past and they aim to address the issues of human rights and equality in linguistic research.

Indigenous linguist Jeannie Bell asks the question: 'Who makes decisions about community rights?' (2010). She points out that endorsed community language representatives and tribal Elders demanded to be consulted and involved in any discussions around matters relating to research about them at an Indigenous languages conference in 2007. She goes on to say that Indigenous delegates of the conference stated strongly that they must have more control in research that concerns Indigenous people, regardless of whether the research is historical or contemporary. As Indigenous people become more aware and empowered, they are beginning to take control of their language and cultural heritage. At times, the Indigenous community's aspirations and goals can be in conflict with those of non-Indigenous linguists. This can lead to communities not allowing access to their language for ongoing linguistic documentation (Hinton, 2010; Hobson et al., 2010; Newry & Palmer, 2003; Olawsky, 2010).

There are many parallels between Indigenous communities around the world in our struggles to gain holistic recognition and respect for the control and management of our knowledges because the issues are broadly similar in many respects. Indigenous people in many parts of the world and, more recently in Australia, are now calling for research that supports and contributes to their struggles for self-determination as defined and controlled by their own communities (Rigney, 1999, p. 110). Rigney points out that non-Indigenous people have long been at the helm of knowledge production, including extraction, storage and

control of knowledge about Indigenous peoples, and that this knowledge and the ownership of this knowledge has been the basis of many academic qualifications and careers. Chickasaw linguist and anthropologist Jenny Davis says (2017, p. 40):

This literal and metaphorical extraction from context is itself a colonial enterprise and often a cornerstone of Western science—one that removes people from homelands, loots objects from graves in the name of science and education and disassociates products from those who labour to produce them. In other words, it celebrates the empire in empirical.

Illustrating Davis's point about the colonial enterprise of science is the debate in Australia about the re-burial of the human remains of Mungo Man and Mungo Lady, who were removed from the Willandra Lakes region in New South Wales in 1974 and 1968, respectively, along with many other human remains (Daley, 2021; Westerway et al., 2021). Daley reports that the geologist Jim Bowler, who removed the remains, asserts that the remains should not be reburied and claims that reburial would diminish the World Heritage values of the Willandra Lakes region.

Westerway et al. (2021) report that many scientists' voices have been overlooked and that the remains should continue to be available for scientific research such as helping to develop an understanding of how people adapted to climate change. While debate continues amongst some of the traditional owner groups, Paakantji, Mutthi Mutthi and Ngiyampaa, the representative Elders of each group and the chair of the Aboriginal advisory group want the remains to be reburied. They believe that 'their spirits will not rest until they are reinterred, one way or another, in country' and that Bowler should 'stop interfering, he's had his time'. This example is a poignant reminder that Western research seeks to be privileged, in this case over the authority and wishes of Indigenous Elders, who have many thousands of years of collective cultural and spiritual knowledge.

The final decision rested with the federal minister for the environment and, after a period of seeking public feedback and further consultation, the minister agreed to reburial.²

2 www.theguardian.com/australia-news/2022/apr/25/were-talking-about-2000-generations-mungo-man-and-mungo-lady-reburial-divides-traditional-owners

In light of the continuing practice of privileging the colonial framework for research, Rigney rightly states that it is no surprise that Indigenous people are apprehensive and cautious with regard to research that is about or concerns Indigenous people and knowledge in general. However, he makes the point, and I agree, that this does not mean that Indigenous people reject research outright, and he highlights the fact that some research by non-Indigenous people has been beneficial to the project of self-determination (1999, p. 109).

Indigenous knowledge and voices must hold in matters that concern Indigenous people. Mi'kmaq author, educator and professor emerita at the University of Saskatchewan Marie Battiste says that, in the absence of protection for Indigenous knowledge in national and international laws, Indigenous peoples and communities must now develop their own processes (2008, p. 506). She states that the role of representatives responsible for the holding and passing down of knowledge, and the inclusion of the Indigenous community voice, are central to arriving at solutions to the issues of control of research being conducted among or about Indigenous peoples. One very good example of Indigenous community control is given by Racquel-Maria Yamada, who says that the Kari'nja community leaders were adamant about maintaining control over language and cultural materials in their local archive in her work in South America (2007, p. 270).

The notion of restricting access to language and cultural information does not sit comfortably with liberal thinkers in Western democracies but the restriction of knowledge is common in Aboriginal societies (Newry & Palmer, 2003, p. 103). Newry and Palmer state that within Miriwoong culture, restriction of access to knowledge is associated with age, gender, and status and is embedded in the cultural norms surrounding a death or marriage in the community. It was within these cultural practices and norms that, in 2003, the Miriwoong people from the Kununurra region of Western Australia were no longer willing to distribute language and cultural materials to the open market where control was then out of their hands. They point out that this approach was taken to prevent inappropriate and/or incorrect use of the language and a possible breach of strict social protocols (2003, p. 105), and, importantly, that it enabled their limited resources to be utilised specifically for ensuring future generations of Miriwoong retain and increase the use of their language and cultural knowledge.

Knut Olawsky points out that protectionism is completely understandable from a historical point of view when, in the case of the Miriwoong, as is with many other language groups across Australia, language or language materials are often the last thing left, that has not been taken away, and that Indigenous people might exercise any control over (2010, p. 78). Reclaiming authority over language and language work is part of a much bigger project of reclaiming sovereignty and self-determination (Eira, 2007, p. 83). Indigenous authority in this regard means reclaiming the right to exercise control over all aspects of language and cultural knowledge and what does or does not happen to that knowledge in a given context, particularly in the context of research by institutions such as universities, government and non-government organisations.

The Miriwoong people later on relaxed their policies around the restriction of language and cultural materials. Their language centre now has a policy of ‘language publicity’ (Olawsky, 2010, pp. 77–78). Olawsky says that this strategy is aimed at supporting the revitalisation efforts of Miriwoong in the broader community, including having the language recognised as the legitimate traditional language of the area. However, this approach is still very much controlled by the traditional authorities and the priority is still to support and implement language maintenance and learning for the Miriwoong community. It is worth noting that once the Miriwoong people’s concerns about control of language and cultural knowledge were managed by the community, the Miriwoong people were more open to sharing aspects of their knowledge in a controlled manner. In 2017, the Mirima Dawang Woorlab-gerring language centre published *Miriwoong Woorlang Yawoorroonga-woorr*, the first ever public dictionary in the Miriwoong language.³

The growing urgency of Indigenous people to regain control over their language and cultural knowledge, combined with the distrust of the global scientific community, sees Indigenous peoples increasingly looking to conduct their own research. Rigney (1999) examines the impact that research has traditionally had on Indigenous peoples and he discusses the role that Indigenous people have to play in conducting their own research for the project of liberation and self-determination. While Rigney acknowledges that the critical research by non-Indigenous people that seeks to inform the struggles of Indigenous people must continue and

3 mirima.org.au/a-miriwoong-lexicon-for-all/

is welcome, he points out that research by Indigenous people goes to the heart of Indigenous people's struggles and, importantly, he says Indigenous researchers are accountable to their communities (1999, p. 117).

The Kimberley Language Resource Centre (KLRC) made tentative steps towards the goal of self-determination (KLRC 2010), which saw its Board of Directors decide to change the organisation's strategic direction to concentrate its focus on oral transmission of languages. This move drew criticism from non-Indigenous linguists who argued that the linguistic community and the broader Indigenous community are being let down because documentation is not being encouraged (2010, p. 141). The KLRC Board asserted that Aboriginal people want and need to be actively involved in the decisions that affect the survival of their languages. They were concerned about what impact this criticism might have at the level of policy development and funding programs. The board pointed out that linguists' opinions inform government and their lack of support for the community's authority in this regard could potentially have a negative effect on the development of policies about language funding priorities, which could otherwise be supportive of the language maintenance strategies that the KLRC have undertaken to prioritise.

The KLRC also questioned why some non-Indigenous linguists seemingly dismiss or refuse to acknowledge the views and authority of the community and their nominated representatives (2010, pp. 142–143). They ask:

Does lack of understanding or disagreement on the part of the non-Aboriginal person make Aboriginal decisions about languages wrong? [and]

Why are Aboriginal continuation strategies seen as less valid than the strategies of Western academia and education?

The KLRC's questions are valid and are in accordance with Battiste's criticism, that is, that Eurocentric colonisers have considered themselves to be the superior culture and an ideal model for humanity, and therefore believe that they can then assess the competencies of others (Battiste 2008, p. 504). The KLRC sought to have the voices of the communities it represents heard and supported despite having to struggle with the top-down approach from governments and the imposed academic approach of the non-Indigenous linguistic community (KLRC 2010, p. 143). They say:

We have to ask not only ‘whose languages?’ but ‘whose language centre is it anyway?’

Prominent Australian linguists Simon Musgrave and Nick Thieberger question the degree of control that Indigenous communities can exercise and are critical of language centres that have chosen to restrict documentation in their areas, despite there being no formal structure that provides them with the authority to stop research (2007, p. 50). It is not clear from their discussion what constitutes the formal structure mentioned in their paper or why they question the authority of the elected representatives of the community, who are vested with the responsibility to act on behalf of and for the benefit of the community as a whole.

Rigney (2001) critiques the origins of what he refers to as Western scientific rationalisation and the role that Indigenous Australians now play in the academy. He states that although the authority of Western science is no longer unquestioned, the notion persists that Western constructed science is authoritative, neutral, universal and privileges itself, and it can therefore be used as the yardstick against which all other realities are measured and judged ‘rational’ or otherwise (2001, p. 3). He says of Indigenous scholars, and I would include here any Indigenous person or organisation who challenges the authority of global scientific research (2001, pp. 4–5):

Indigenous scholars have always had to justify not only our humanness and our Aboriginality, but also the fact that our intellects are ‘rational’ and that we have the right to take our legitimate place in the academy of research.

Rigney says that the logical conclusion of privileging Western science in this way would be that scientific methods and knowledge production used by other cultures would be viewed as inferior and irrational (Rigney, 2001, p. 4). Further, Richard Grounds, the director of the Euchee/Yuchi language project (Oklahoma) and member of the Yuchi nation says (Grounds 2021, p. 61):

When the institutions that grow out of a colonial system of ‘civilization’ are generally understood to represent fairness, the voice of reason, and notions such as scientific detachment, it becomes difficult to shape a critique from an Indigenous perspective that does not sound shrill, unreasonable, and overly judgmental.

Rigney and other Australian Indigenous scholars and linguists—and, in some cases, their non-Indigenous co-authors, such as Bell (2010), Couzens et al. (2020), Fesl (1993), Gaby & Woods (2020) and Riley (2021)—and Indigenous linguists and scholars from other countries (e.g. Charity Hudley et al. 2019; Czaykowska-Higgins, 2009; Davis, 2017; Grounds, 2021; Leonard, 2017, 2021; Smith, 2021; Wilson, 2008) are questioning the status quo and challenging the colonial practices of the academy. They are now developing what is known broadly as Indigenist research methodologies, which aim to promote progressive approaches to Indigenous knowledge production. Indigenist research methodologies are becoming so well recognised that there are now several important publications, such as the *Handbook of Critical Indigenous Methodologies* (Densin et al., 2008) and *The Routledge Handbook of Critical Indigenous Studies* (Hokowhitu et al., 2020). This research framework seeks to overcome epistemic violence against Indigenous peoples caused by being subject to research by non-Indigenous researchers, and it frames research around Indigenous people's own priorities and interests rather than the priorities and interests of non-Indigenous researchers.

In writing about Western research in the Orient, Palestinian American author Edward Said stated that it was his hope that colonised peoples would not take up the formidable discourse of Western culture and apply this to themselves and others in their own research (1994, p. 25). Rigney agrees and asserts that the challenge for Indigenism is to resist and overcome the opposites in Western scientific thought (2001, p. 7):

Western scientific epistemologies, ethics and meta-theories are not only racialised but also sexist and classist. Indigenism must overcome the dichotomies in scientific thought such as object/subject, rational/irrational and white/black. Indigenism is now asking: 'can we participate in Western science without reinventing the hegemonic colonial imagination about ourselves?'

Māori educationist Linda Tuhiwai Smith says (2005, p. 87) that the majority of global research in the fields of social sciences conducted by non-Indigenous researchers is seen predominantly as a tool of colonisation and as having limited application in assisting Indigenous people with the project of self-determination and development.

Indigenous people should control their own knowledge and do their own research and this should be at the heart of the principles for research policy and practice (Battiste, 2008, p. 502). Importantly, Battiste says that

if non-Indigenous researchers want to enter into a collaborative research relationship with Indigenous peoples, such research should empower and benefit Indigenous communities, not just researchers, their educational institutions or broader society. American linguist and professor emerita of linguistics at the University of California at Berkeley Leanne Hinton gives the initiatives of the Volkswagen Foundation, the Program of Documentation of Endangered Languages project,⁴ as an example of the current trends of strong representation of community interests, and points out that these trends are driven by the communities themselves and their language activists (Hinton, 2010, p. 36). Hinton is also director emerita of the Survey of California and Other Indian Languages, and participates in language revitalisation efforts and organisations, including the Advocates for Indigenous California Language Survival and its biennial Breath of Life conferences.⁵ Importantly, Hinton says that community control of languages may not be a goal that non-Indigenous linguists think about in particular but it is often the goal of community members and can broadly have the following meanings (Hinton, 2010, p. 40):

1. Community access to or possession of original or copies of field notes, recordings, and documents on the language.
2. Communities doing their own documentation of their language rather than relying on outside linguists.
3. Communities working with linguists on community terms, control of who works with the language, and what they do, often involving contracts or retainers of linguistic services.
4. Community members acquiring an education in linguistics or language education.
5. Communities being in charge of their own language programs and their own schools.

Hinton goes on to say that issues around community control can raise possible points of conflict with the non-Indigenous linguist around intellectual property rights of documentation, and around who may or may not have access to language materials that are products of the research project. This is a trend that we are beginning to see in the Australian context also and this is evidenced in the discussions of this research presented in Chapter 4.

4 www.volkswagenstiftung.de

5 en.wikipedia.org/wiki/Leanne_Hinton

2.2 Raising awareness within communities

While Indigenous activists and scholars in Australia are becoming aware of the issues around ethics in linguistic research and research more broadly, many Indigenous people in remote and rural areas who do not have a representative organisation, such as a language centre, are vulnerable to the impacts of research and the protection of their cultural knowledges into the future. Richard Grounds points out that when an Indigenous community has no organisation that speaks on its behalf, the community remains vulnerable. He says (2007):⁶

Within the Yuchi community, our struggle with these questions reached a peak with the request of a linguist to develop a dictionary for the Yuchi language. The formal proposal had already been submitted to the appropriate governmental agency, and a meeting was convened after the fact for approval by the community. In our community, like most small language communities, there was no institutional review board to take up such questions or look after the interests of the community in the context of academic research.

Without strong and robust representation, the idea that free, prior and informed consent would address the issues of copyright, control of language and cultural knowledge and representation in research is yet to be realised in a concrete way. What does free, prior and informed consent look like? The UN Manual for National Human Rights Institutions (APFNHRI & OHCHR, 2013, p. 28) outlines the following:

Free implies that there is no coercion, intimidation, or manipulation.

Prior implies that consent is to be sought sufficiently in advance of any authorization or commencement of activities and respect is shown to time requirements of indigenous consultation/consensus processes.

Informed implies that information is provided that covers a range of aspects, including the nature, size, pace, reversibility and scope of any proposed project or activity; the purpose of the project as well as its duration; locality and areas affected; a preliminary assessment of the likely economic, social, cultural, and environmental impact, including potential risks; personnel likely to be involved in the execution of the project; and procedures

6 www.culturalsurvival.org

the project may entail. This process may include the option of withholding consent. Consultation and participation are crucial components of a consent process.

Indigenous people around the world are increasingly becoming aware of the political issues that face them in relation to the protection of their Indigenous knowledge (Battiste, 2008, p. 506). However, Battiste points out that at the level of the local community, there is still a need to bring communities up to speed on the issues and that communities must become aware and educated to gain a holistic understanding of the issues, practices and protocols for doing research. Communities must decide on processes that ensure that principles of protection and use of knowledge are developed, shared widely and become the normal standards for research within their communities and territories, lest they continue to be vulnerable to the threats to their cultures, knowledges and communities by virtue of research being done on them (2008, p. 502). In Australia, there are huge gaps in Indigenous people's awareness of the issues at the community level in many regional and remote areas. Many Indigenous people would struggle to understand exactly what free, prior and informed consent even is or why it is important in the research context.

Does lack of awareness of the deeper issues within communities create obstacles in forming truly collaborative and productive research projects?

Musgrave and Thieberger say that while collaborative research with community members is ideal, it can be problematic and of limited value. They offer examples from their own research experiences and outline the lack of community engagement. They say that the idea of research 'for' let alone 'by' a community presupposes that at least some members of a community are willing to engage in the research project in order to influence the research agenda, and they say that the community may 'accept' or 'tolerate' the research project but may not be sufficiently interested to provide direction (2007, p. 47). Further, they point out that the onerous ethics and protocol requirements of funding bodies, such as providing funding on the condition of proof of community support, may be a factor in a community's lack of engagement in research (2007, p. 49). Dutch linguist George van Driem agrees and says that introducing ethics and protocols sows the seeds of distrust and potentially spoils the relationship between the researcher and language informants (van Driem, 2016, p. 244).

Are the problems identified above a result of the lack of a grounded understanding of the issues and an active engagement in 'planning' and 'setting of the agenda' of research projects? Did these communities initiate or request the research from an identified need? In relation to the lack of interest noted by Musgrave and Thieberger, is it possible to propose here that this could be attributed to a kind of informal revolt in the form of inertia, a confused and vague reaction against the colonisers (Williams, 1983, pp. 334–335). Referring to the oppressed labour forces in Great Britain between the eighteenth and twentieth centuries, Williams points out that, all too often, withdrawal of interest is interpreted as proving the unfitness of the communities concerned. Williams states that inertia and apathy have always been employed by the governed as a comparatively safe weapon against their governors (1983, p. 335).

If non-Indigenous linguists and Indigenous communities can approach research as a shared venture, recognising that each in different ways may need the other, there will be no need for fear or defensiveness on either side. Canadian linguist at the University of Toronto Keren Rice aptly says (2009, p. 56):

I began this paper by suggesting that there might be two solitudes, dividing linguists and language activists. Must there be two solitudes? The answer to this is maybe not, if there is mutual recognition that a linguist cannot on their own save a language; it takes a community of people to do that. In order to truly work together, general principles such as relationships, respect, reciprocity and recognition are critical.

There has been fear and defensiveness on both sides and for very different reasons. For Indigenous people it has been and continues to be the need to maintain or regain control over their languages and cultural knowledges in line with human rights conventions. For non-Indigenous linguists it is the fear of letting go of control over research and how this might impact their careers; some resentment at the idea of not having the unimpeded freedom to explore the questions they'd like to explore might also be present.

In Section 2.9 we will take a closer look at the how the funding models currently impact both of these factors.

2.3 Motivation for language work

There is a growing urgency among Indigenous communities to keep their languages alive and viable through language maintenance and oral continuation, or to breathe life back into them through revitalisation programs. This is demonstrated by numerous language projects and programs to be found across Australia. Many of these emanate from language centres where it might be assumed that there is some level of local Indigenous control and ownership of programs and the resulting language materials produced. Most language centres have an all-Indigenous board of management, but this may not equate to having total control of operations and projects. Often non-Indigenous staff and linguists are at the helm of management and language projects. This can sometimes be a barrier to meeting the communities' directives and expectations for language maintenance or revitalisation and for being self-determining.

Many articles have been written that describe language revitalisation and maintenance efforts in Australia; for just a few, see various chapters in the edited collection *Reawakening Languages: Theory and Practice in the Revitalisation of Australia's Indigenous Languages* (Hobson et al., 2010) and more recently discussions around Indigenous language education in schools (Angelo & Poetsch, 2019; Poetsch et al., 2019). For examples of local language revitalisation efforts in other countries see Hinton (2013) and Hinton & Hale (2001) and numerous papers in the proceedings of the Foundation for Endangered Languages annual conferences.⁷

However, these types of programs, while incredibly important and central to Indigenous communities, are not the focus of this book. It is the role of universities and the currently accepted model of linguistic research, including language documentation, that is the focus of this volume.

Shawn Wilson, an Opaskwayak Cree from northern Manitoba in Canada, says that research is all about unanswered questions (Wilson, 2008, p. 6). Linguistic research then seeks to answer questions about aspects of how a language works, such as word and sentence structure (the grammar) and word and sentence meaning (semantics). It can ask questions about ancient writing systems and historical accounts of sleeping languages. Linguistic research can also ask questions about the way sounds are made

7 www.ogmios.org/conferences/

in the mouth (phonetics), sound systems of a language (phonology), language learning or acquisition and disorders of communication and much more. Questions around 'how a language is structured' (grammar and semantics) are the focus of language documentation projects.

Some Indigenous communities have been involved in language documentation projects for many decades and are beginning to question if documentation alone will save their languages. They are increasingly choosing to take control of their language programs in an effort to reverse the rapid decline in the number of people speaking the languages and to regain and maintain control of their language and cultural knowledge.

This move has some non-Indigenous linguists concerned that language documentation will take a back seat within communities. They argue that documentation efforts in the past have provided communities whose languages are severely endangered, or which have gone to sleep, with valuable materials for language revitalisation and reclamation projects. Non-Indigenous linguists also argue for the right to continue to pursue their interests and contribute to the scientific understanding of languages in the global field of linguistics.

We are beginning to witness a widening gap in the goals of Indigenous communities and non-Indigenous linguists. Some Indigenous communities are beginning to reject documentary and other kinds of linguistic research that concerns them more broadly.

2.4 Non-Indigenous linguists: Documentation of endangered languages

The non-Indigenous linguist's motivation to undertake linguistic research or fieldwork in Indigenous communities may come either from a genuine desire or commitment to documenting endangered languages and global language diversity and/or be the result of a request from a community where an ongoing relationship exists between the linguist and the community (Bell, 2010, p. 89). Bell says that quite often this research is a requirement of the linguist's academic institution; a requisite for attaining their qualifications. She goes on to say that for the majority of non-Indigenous linguists, an interest in Australian languages is motivated by the universals of language, such as the grammatical,

semantic or typological features of the languages, and the contribution the linguist can make to the scientific literature for future generations of the global scientific community. Musgrave and Thieberger (2007, p. 49) agree and say that, traditionally, university-based linguists are generally concerned with issues of interest to the broader field of linguistics and/or in documenting a record of the grammar of a language. They go on to say that a part of the motivation for linguistic research is to broaden linguists' understanding of universal linguistic typologies. Musgrave and Thieberger say that the work associated with what they term 'language affection', that is the production of language teaching resources associated with language revitalisation, is, for many linguists, 'thin and unsatisfying'.

Giving something back to the Indigenous community is a genuine desire shared by many linguists (Bell, 2010, p. 89). Hinton agrees and points out that there has been a shift from preservation of linguistic diversity for future generations of linguists, to understanding the potential of documentation to future generations of community members. Importantly, she points out that this was usually the motivation of the community people who agreed to work with the linguist in the first place (2010, p. 37). She says that communities whose languages today are 'sleeping' make very good use of previous documentation efforts in revitalising their languages, and this is further incentive for linguists to undertake language documentation that will meet the future needs of the community. In this respect, Hinton talks about documentation projects that include recording conversational language that will be of critical importance to community members in the future as second language learners. In many cases, past documentation efforts have resulted in the creation of much of the recorded material available for some languages as rightly noted by Musgrave and Thieberger (2007, p. 49).

However, giving back to communities that have been involved in linguistic research involves much more than handing back a manuscript or other language resource collected by the linguist. Importantly, Eira (2007, p. 84) says that linguists must now act as agents for giving that authority back to communities and acknowledging their rightful authority as keepers of their traditional knowledge. They⁸ say that to do otherwise means that linguists have not 'returned' anything.

8 I respect Kris Travers Eira's wish to be referred to by the pronoun 'they'.

When working within endangered language communities in colonised countries, Eira (2007, p. 82) says that outsider linguists operate from a position of unequal power relations between the groups. For example, Australian Indigenous people are the colonised people of this country, and they are still very much oppressed. Many live in third world conditions in the midst of a first world nation with horrendous outcomes for their mental and physical health and life expectancy and are in a state of ongoing crisis on many levels. Despite this, Indigenous people are beginning to assert their power as the authorities of their languages and cultural knowledge as perhaps one of the very few things that they assert any power over. This is weighed against the power of non-Indigenous linguists and other researchers, with greater levels of achievement in the national education system and the social and financial power that comes from the privilege of being a member of the academy, and that of being a member of the dominant group in the country.

Eira says that when linguists focus on the language, its grammar, structures and meanings, in isolation from the speakers of the language and the historical and current social implications of colonisation, they ignore the ground of language endangerment and can potentially unintentionally further endanger the very languages they are working to save (2007, p. 82):

Because we still interact from a position of authority in the languages we are working with, we are maintaining the dominance of an outsider instead of acknowledging and supporting the authority of the community in their language.

2.5 Indigenous communities: Language maintenance and revival

For Indigenous people in Australia, as in many other countries around the world, languages and cultural knowledges have been brutally decimated by the impacts of colonisation. In Australia, of the more than 250 Indigenous languages (including more than 800 dialects), only 12 traditional languages are reported as being strong in the National Indigenous Languages Report (DITRC et al., 2020, p. 43). The report states that the languages that are considered relatively strong 'require purposeful and ongoing maintenance actions, so they do not become critically endangered'. The report also states that 'today, there is still a diversity of Indigenous language varieties,

but the nature of that diversity has changed'; and it finds that there are around 31 Indigenous languages being reawakened by communities across Australia (DITRC et al., 2020, p. 58).

Hinton says that of the Indigenous communities that she works with in America, maintaining, learning and teaching their languages is inherently intertwined with a desire to maintain or regain their autonomy and self-determination, along with their identity, spirituality and cultural knowledge in a counter movement against the forces of colonisation (2010, p. 37). The same can be said of Indigenous communities in Australia.

In the context of language revival, Eira (2007, p. 84) says that sometimes the specialist knowledge and skills of a linguist are much smaller than what communities want from their language and it is becoming obvious that this applies to language maintenance situations also. Eira says that many Indigenous people say that formal linguistic treatment of a language is irrelevant or a low priority to the oral traditions of a living language. Further, the formal linguistic treatment of Indigenous languages serves to make the resources produced in documentation projects inaccessible (Hill & McConvell, 2010, p. 421). Hill and McConvell say:

Products of documentation sometimes languish in archives unbeknownst to community members, or unfamiliarity with archive procedures can make applications for access difficult. Alternatively, documentation material may be physically available but inaccessible due to the format in which it is written up. Long stretches of interlinearised transcriptions or untranscribed material are of limited use in a moribund language situation and can be difficult to readily transform into user-friendly resources.

Hill and McConvell go on to say that despite the inaccessibility of material produced in 'pure' language documentation projects, it is vital that Indigenous people and organisations be aware of the importance of collaborative documentation projects that aim to train local Indigenous people to undertake their own documentation into the future. While this is a welcome and much needed development, many of the outputs of current language documentation projects remain locked-up in technical linguistic terminology, for example, in terms such as 'ergative' and 'transitive' that are unfamiliar to anyone but linguists.

Indigenous communities can lose control of their language and cultural information through university-based research projects or funding agencies. I use my own community's experience as an example of how

a community typically inadvertently loses control of language and cultural knowledge through a language documentation project undertaken as a PhD program. In the 1970s and 1980s, a PhD documentation project was undertaken on Ngiyampaa. The outputs and products of that project—by way of the default copyright laws—belong to the linguist, who sadly has since passed away. Our community now has to negotiate with the linguist's children in order to have access to our language and cultural materials deposited at the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS). Fortunately for our community, these people are very supportive, but the fact remains that we do not have control of that material. The same situation still exists today to a large degree, through research projects that are funded by government and non-government organisations. While there is now much more onus on the researcher to negotiate the research agenda and outcomes with the Indigenous community as outlined in the Code of Ethics for Aboriginal and Torres Strait Islander Research (AIATSIS, 2020a), which is a very positive development in itself, it is not usually the case that the copyright in the research outputs will be assigned to the community. While intellectual property rights are almost always acknowledged nowadays, they provide very little protection to Indigenous people's language and cultural knowledge. This point will be discussed in more detail in Chapter 4.

Some linguists believe that researching Indigenous people's language and cultural knowledge is harmless and unlikely to cause any lasting negative impacts. Musgrave and Thieberger say that linguistic research has a limited impact when compared to mining, and that linguists are simply asking people to sit down and talk with them or take them to significant places and they argue that this causes no harm (2007, p. 50). The harm is not immediate nor obvious to many non-Indigenous linguists who are used to the status quo and who might think that the loss of control of language and cultural knowledge as outlined in my communities' case is not significant harm. In fact, the opposite is true: the harm is hugely significant and can be ongoing for many years or decades after the research project has been completed and, often, long after the researcher themselves has passed away. This does not in any way take away from the obvious value of linguistic documentation when done ethically, but speaks to the need to ensure that Indigenous communities and individuals retain the copyright in their language and cultural knowledges through legally binding agreements.

Indigenous communities in Canada argue that a language is not saved by being documented; it is saved when a language is being used and transmitted orally (Hinton, 2010, p. 37). Richard Grounds points out that community members say that they would rather have the language on their tongues than in a dictionary. Grounds says that in small Indigenous communities, the needs of the community and the needs of linguists constitute separate agendas, while on the surface they might seem to be natural partners. He says documentation projects in small communities with very few native language speakers create competition for the very limited time of elderly speakers, which creates conflict (Grounds, 2007, p. 28):

This conflict is a critical issue because the stakes are so high. The bearers of the knowledge that scholars are interested in are also the sole remaining people who can pass forward the gift of language on a breath-to-breath basis to younger learners.

The KLRC says that communities in their area were concerned that, despite all of the documentation that had been done for languages in their area, children were not learning the languages. As a response to the community's concerns, the organisation shifted its focus to support oral language transmission strategies (2010, p. 136). In a refreshingly honest case study that reflects on the impacts of ethnomusicological research in the Kimberley town of Derby and the Indigenous communities along the Gibb River Road (Treloyn & Charles, 2014, p. 177), Rona Googninda Charles articulates a situation that she faced in her own community when, after many years of research had been done on the junba songs of the region, the old people referred to the written records (the thesis) rather than passing on the songs as had always been done, orally. She said:

Rona: Yes! I remember, I call him abi [brother], [he said] 'I'll tell you blokes. I'll tell you the story.' He was one of the main people responsible for teaching my sons. When they made a mistake, he used [to correct them]—[but] he said [to them], 'It's in the book, read it'.

This situation illustrates the underlying concerns of the KLRC and Grounds above, that is, the removal of knowledge from the Indigenous community and its cultural context. In the above case, the non-Indigenous researcher working within the community 'was granted clear privilege over potential learners in the cultural heritage community such as Rona' (Treloyn & Charles, 2014, p. 178). The authors put it this way (p. 179):

Sally (and perhaps the reader) is confronted by a sobering example of not only discomfort but the symbolic violence of colonial Western discourse in action, wherein 'knowledge about Indigenous peoples ... [is] collected, classified and then represented in various ways back to the West, and then, through the eyes of the West, back to those who have been colonized'. Even the returns of research to communities delineate a 'discomfort zone'.

The Torres Strait Islander educationist Martin Nakata says that knowledge generated about the language in isolation from the history of the speakers is flawed, as it separates the act of speaking from that which is being spoken (Nakata, 2007).

This separation of languages from the traditional social context is of great concern to the KLRC (2010, p. 140) also, and they maintain that this encourages the younger generation to think of language as belonging only to the Elders or in books and not a part of their everyday life. This concern is core to the KLRC's change in its strategic plan to move towards a model of language continuation and maintenance strategies with a strong focus on oral transmission (2010). For the Miriwoong people, maintaining their language in the context of its relationship to land and their people's identity was the major factor in restricting outside access to their language. They say that their language cannot be viewed outside of the Miriwoong cultural context (Newry & Palmer, 2003, p. 104). For the Indigenous community or individual, their language represents their cultural heritage, connection to country and forms their identity.

2.6 Participating in the project of decolonisation

As linguists, we are trained to act as authorities in language work. In addition, our positions in the social schema train us to maintain unequal relationships with language communities. Historically, we have moved through roles of benefactor, advocate, and empowerer. But all of these roles are based on a position of power—and ultimately it is power differentials which endanger languages. In my view, the next vital step is to understand our roles as participants in the project of decolonisation.

Eira (2007, p. 82)

Linguists may have lost sight of the role that they can play in perpetuating language endangerment in their urgency to genuinely address language endangerment (Eira, 2007, p. 82). Eira's discussion of the issues is unusually honest and practical and attempts to address the core concerns. They point to linguistic training with its focus on the analytical processes of the language itself and say that it is this practice that perpetuates the status quo of unequal power relationships between linguists and the communities they work in and ignores the authority of the community in their language. Eira says that linguists now need to take a step back in relation to the ways they have traditionally engaged in language work and let go of control over procedures and analysis. I would take this to mean letting go of exclusive ownership of linguistic analysis, providing access to the tools of linguistic analysis, and recognising that the language belongs to the speakers and that it is their decision as to what to make of any linguistic analysis. It is in this way that non-Indigenous linguists can begin to contribute to the larger project of decolonisation. While Eira's own work was in the context of language revitalisation and therefore predominantly involved working with Indigenous communities as second language learners and with archival records, much of what they discuss can also be applied more broadly to language maintenance situations.

The impacts of colonisation are in no way a thing of the past and self-determination and reclaiming sovereignty for Indigenous people is a high priority. Eira says that this is especially true in the context of language revitalisation, and I would add here, language maintenance, both of which are high on the agenda of the larger decolonisation project (2007, p. 83). Eira stresses that linguists must get on board with this agenda if they are genuinely hoping to contribute:

If language revival is ultimately reclaiming authority, reclaiming the right to be listened to, reclaiming respect for one's knowledge and abilities, and reclaiming power over your own business, then a linguist hoping to contribute will have to become part of that agenda.

It's worth repeating here that Eira asserts that the task for linguists is to act as a channel to ensure that stolen knowledge and authority flow back to communities. Eira goes on to say that if non-Indigenous linguists continue to maintain the role of the authorities and keepers of Indigenous people's knowledge, then they have not 'returned' anything, and they liken this to the project of repatriation of human remains and artefacts from museums and universities to their rightful communities.

Another important way that the non-Indigenous researcher can participate in the project of decolonisation is to share knowledge (Smith, 1999, p. 16). Smith says that academics must share much more than surface information, which she terms as 'pamphlet knowledge'. Instead, they must:

share the theories and analysis which inform the way knowledge and information are constructed and represented ... to assume in advance that [Indigenous] people will not be interested in, or will not understand, the deeper issues is arrogant. The challenge is always to demystify and decolonise.

In order to re-engage with Indigenous communities who are pushing back against linguistic research in Australia, Musgrave and Thieberger (2007, p. 50, 53) say:

We would hope that negotiation could lead to a mutually beneficial research relationship including training of local researchers to do their own recording so that there will be good records available for future generations.

And:

We suggest that activities which transfer skills and capacity to community members have an important symbolic effect which can improve the engagement of the community in the research process.

This could be perceived to be a positive symbolic shift in collaborative linguistic research in Australia. However, this contrasts with the Centre of Excellence for the Dynamics of Language's guidelines for Indigenous linguistic and cultural heritage ethics,⁹ which suggest training Indigenous people in the research community in roles such as office administrators or providing training in computing skills or interpreting skills, in line with the need for research to be collaborative where possible (Thieberger & Jones, 2017, p. 15). These guidelines were last updated in 2021.

It is difficult to know what to make of this kind of discrepancy, with the recommendations having gone from training Indigenous people to do their own recording in 2007, to office work or interpreters in 2021. It could be seen as an ever-changing strategy to somehow satisfy the need

⁹ legacy.dynamicsoflanguage.edu.au/index.php

for research to be considered minimally collaborative by major funding organisations, rather than a considered and meaningful approach to passing on important theories, knowledge and research skills.

However, much more is needed than symbolism and rhetoric and Charity Hudley et al. assert that it is no longer sufficient for linguistics to simply meet minimal ethical standards but that research must be inclusive (2019, p. 25):

It is insufficient for research in linguistics to address current theoretical questions within the discipline or to meet minimal ethical standards set by institutional review boards; instead, in an equitable linguistics, all scholarship must be premised on inclusive research questions and epistemological and methodological ways of answering those questions.

In the New Zealand context, Smith says that there has been an important shift in the way that non-Indigenous researchers and academics have positioned themselves in relation to their work with Indigenous communities (1999, p. 17). She says that there is a positive move towards bicultural research, partnership research and multi-discipline research. Smith points out that it is important for non-Indigenous researchers generally to clarify their research aims and to strive for effective and ethical research when working with Indigenous communities.

In an example from ethnomusicology in Australia, Treloyn and Charles (2014) talk about the ethical struggles of a research site in the Kimberley. They talk frankly about how outside researchers and the Indigenous community have managed to overcome many issues that could have had the effect of freezing the collaboration. Instead, they have found that in honestly and transparently addressing the issues with the community and allowing themselves to be in that often-uncomfortable space, they have moved to a more equitable and bicultural model of research. Also, some years before, in perhaps the first well-known case of this kind in Australia, David Wilkins (1992) discusses his own collaborative research context. Also see Little et al. (2015) and Yamada (2007) among many others.

Linguists in Australia have long identified training of Indigenous people as researchers or co-researchers in linguistics as an important and necessary next step (Hale, 1972; Hill & McConvell, 2010; Yamada, 2007). Why, then, do we still have so few Indigenous people trained in linguistics in Australia after all these years? Charity Hudley et al. talk about the narrow

focus of linguistics as a discipline, which excludes studies that would critically deal with relevant issues of race that directly affect Indigenous people within the discipline (2019, p. 26). They say:

Ideological divisions that play out along differentially racialized cross-disciplinary and subdisciplinary lines therefore stifle deep discussion and research around race and racism within linguistics while also systemically marginalizing linguists from racialized groups to the detriment of the discipline and the profession. Such exclusionary boundaries must be eliminated, and community issues must be recognized as intellectual issues within a larger social justice framework.

Therefore, they say that it is distressing but not surprising that people of colour have not gravitated towards linguistics. When Indigenous people feel excluded or marginalised and not culturally safe, they find it very hard to engage or stay engaged in linguistics. This has certainly been my experience and struggle over many years.

2.7 Specialist training

The movement towards Indigenous people being formally trained as independent documenters and educators in and of their own languages has been seen in North America, with many Indigenous people undertaking doctoral programs in linguistics and the development of community and university training programs and manuals to train Indigenous people to undertake their own language projects and documentation (Hinton, 2010, p. 38).

In Australia there have been degrees and diplomas in linguistics offered to Indigenous educators since the early 1970s by the School of Australian Linguistics (SAL) (Black & Breen, 2001). The programs offered by SAL were, for various reasons, later merged into the Batchelor Institute for Indigenous Tertiary Education (BIITE). More recently, BIITE has offered a diploma of Indigenous language work, an associate degree of Indigenous languages and linguistics, and a bachelor of Indigenous languages and linguistics.¹⁰ BIITE says on their website:

¹⁰ www.batchelor.edu.au/languages-and-linguistics/

Batchelor Institute provides a culturally safe learning environment for Aboriginal and Torres Strait Islander people from all Australian states and territories.

The University of Sydney offers a Master of Indigenous Languages Education developed specifically for Indigenous people wanting to improve their knowledge of Australian languages and improve Indigenous people's employment prospects in schools and community settings:¹¹

The program delivers a broad knowledge of the linguistic features of Indigenous Australian languages as well as covering theories of language acquisition and learning. It integrates and applies the areas of linguistics, language education theory and practice to Indigenous Australian languages.

More recent approaches to providing training outside of the university context for Indigenous people in linguistics and language work include the TAFE sector, which was reviewed for each state and territory by Mary-Ann Gale (2011). Unfortunately, the program at Pundulmurra College in Port Hedland, Western Australia, no longer exists. Training is also offered by the not-for profit organisation RNLD, now known as Living Languages, which says in its mission statement:¹²

RNLD's mission is to advance the sustainability of Indigenous languages and to increase the participation of Indigenous peoples in all aspects of language documentation and revitalisation through training, resource sharing, networking, and advocacy.

One of Living Languages' core activities is to provide training to Indigenous people around Australia. Their Documenting and Revitalising Indigenous Languages Program (DRIL) is aimed at giving Indigenous people the skills they need to develop, manage and operate their own language programs and projects independently to support the long-term maintenance of Australian Aboriginal languages. Other important aspects of the Living Languages training program are the Leadership Professional Development workshops. The goals of these workshops are to:

Increase the professional capacity of Indigenous people engaged in language work, strengthen the participants' knowledge of linguistics, language documentation, and language revitalisation methods; develop the capacity of Indigenous language activists

11 www.sydney.edu.au/courses/courses/pc/master-of-indigenous-languages-education.html

12 www.rnld.org/

to become trainers and share skills with other people in families, communities, and workplaces, and help to build a professional network amongst Indigenous language activists.

The trend for Indigenous people to gain specialised education to become language educators and expert consultants for their own and other communities could see the development of specialist training programs for Indigenous people to gain the skills in language work, documentation and leadership as the most important contribution of the academy to Indigenous language work (Hinton, 2010, p. 39).

Hinton points out that very few documentary and theoretical linguists are trained in language teaching theory or methodology. Importantly, she says that linguists planning to work with communities involved in language revitalisation (and, I would add, language maintenance and reclamation given the current trends in Australia) would be advised to receive such training, with the focus being on teaching endangered languages as opposed to world languages.

Creating new language speakers is at the heart of the trend towards the focus on oral language literacy in both maintenance and revitalisation programs. Hinton points out that methodology in language acquisition falls into the broad categories of classroom teaching of language, teaching of language through literacy, and language immersion and situational learning (2010, p. 38). Hinton also points out that the role of the non-Indigenous linguist in literacy programs is more clearly defined than that in oral literacy programs. She says that oral language programs involve intense immersion processes that sometimes entail, as a precondition, teaching of the language to the 'missing generation' of Indigenous people as second language learners in language revitalisation contexts.

Hinton points out that the language revitalisation situation is complex and often beyond the training of linguists, and that it requires a multi-disciplinary approach from the fields of linguistics, education and language teaching. She says (2010, p. 39):

As the field of teaching endangered Indigenous languages progresses, training of both community members and their consultants must become more specialised to their specific needs.

Indigenous Native American scholar and language activist Richard Grounds says that the challenge is to work out strategies moving forward to align the endeavours of scholars with the needs of small Indigenous

communities to ensure that living languages are being passed onto the next generations to keep the languages alive (Grounds, 2007). This is the responsibility of the field of linguistics and there is a need to develop and enact policies within the discipline that are in line with Indigenous community expectations.

Further and critically, Charity Hudley et al. (2019, p. 23) assert that the Linguistic Society of America's Statement on Race, while necessary, is not sufficient to combat racism, white supremacy and colonialism within linguistics:

Scholars and students of linguistics are rarely trained to develop a critical perspective on how race and racism, as mechanisms of structural inequality, shape, and harm both our research and our discipline. This lack amounts to a 'race gap' in linguistics—that is, linguists have significant deficiencies compared to practitioners in other disciplines when it comes to the critical study of race and the inclusion of racially minoritized groups in our student and faculty ranks. There is thus a dire need for more research in linguistics—using tools from related social sciences as well as language-related fields and critical race studies, which are more welcoming to and structurally supportive of scholars of color and their work—to interrogate why such a 'race gap' exists and how to resolve it.

Likewise, the attempts of the Australian Linguistic Society (ALS) to address Indigenous people's rights within linguistics have been well intentioned but insufficient. This will be discussed in more detail in Section 2.8.

2.8 Guidelines, protocols and linguists' field guides

In 1984, the ALS, at its Annual General Meeting in Alice Springs, passed a number of motions that set out linguistic rights and guidelines for working with the Indigenous people of Australia and the Torres Straits, inspired by Jeannie Bell.¹³ While these guidelines held out a great deal of hope for Indigenous people at the time, not much has changed in the practices of the field of linguistics in the academy in the following 35 years. This is in spite of the establishment of language centres across Australia and recognition of the importance of Indigenous languages

13 als.asn.au/AboutALS/Policies

by the federal government in funding these language centres and other language projects. The establishment of language centres came about following the release of *Keeping Language Strong: Report of the Pilot Study for the Kimberley Language Resource Centre* (Hudson & McConvell, 1984).

However, in recent years we have seen a positive shift in ethical linguistic practice that is driven by the demands of Indigenous communities themselves. Other places such as North America and New Zealand (Hinton, 2010; Smith, 1999, 2000) are well in advance of Australia in this regard, due in large part to the fact that there are so few Indigenous linguists in positions within the academy in Australia that might effect any real change. This is true for other colonised countries to varying degrees also, but perhaps it is because Australia is one of the few colonised countries without a treaty with its Indigenous peoples to date that the voices of Indigenous people can be all too easily ignored.

Some organisations in Australia are beginning to take a stronger stance on ethics in all areas of research that involves Indigenous people, with the continued development of guidelines and policies such as the AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research¹⁴ and the National Statement on Ethical Conduct in Human Research,¹⁵ which universities use as the standard for their ethics boards.

Further, local Indigenous organisations such as the Innawangka Banyjima Nyiyarpali Group¹⁶ and Wangka Maya Pilbara Aboriginal Language Centre¹⁷ in Western Australia among others, have also developed their own ethical guidelines, protocols and agreements for working with Indigenous people in their communities.

However, this movement is still somewhat in its infancy in Australia, with the current AIATSIS code containing no compulsion for researchers to adhere to its guidelines. As mentioned above, universities adhere to the National Statement on Ethical Conduct in Human Research, which requires researchers to submit full ethics applications when working with Australian Indigenous people, and according to these, any research that involves Aboriginal or Torres Strait Islander peoples must adhere to the AIATSIS guidelines. Jacobsen (2018, p. 39) points out the AIATSIS

14 Code of Ethics | AIATSIS.

15 National Statement on Ethical Conduct in Human Research (2007) - Updated 2018 | NHMRC.

16 ibngroup.com.au/who-we-are/

17 www.wangkamaya.org.au/home

guidelines encourage consultation and negotiation with the Indigenous community but she says that such criteria should be made mandatory. The ALS, in 1989, adopted a statement of ethics, which at item 4 states:

Persons deemed to be conducting research not in accordance with the spirit of this ethical statement may be subject to disciplinary action by the Australian Linguistic Society, according to principles that may from time to time be determined by the Society.

The ALS does not state what form this disciplinary action might take and I have not heard of anyone being subject to discipline in this regard. Further, there are always concerns with organisations regulating themselves.

I would recommend that AIATSIS develop an online ethics-in-research course that includes, as a necessary outcome, the development of a research plan and the development of a legally binding agreement with the relevant Indigenous community. Such an agreement must clearly outline such things as copyright to ensure Indigenous control and ownership of language and cultural materials. The agreement should also clearly demonstrate that the research and the researcher meet the requirements of the AIATSIS guidelines. Indeed, some institutions are already outsourcing their Indigenous ethics applications to AIATSIS. Such a course could be utilised by universities as a part of their ethics processes for research projects that involve working with Indigenous communities.

Vetting ethics applications already takes place in some communities in Canada such as at Cape Breton University, which has the Mi'kmaq Ethics Watch (MEW).¹⁸ In its research principles and protocols, MEW states:

Any research, study, or inquiry into the collective Mi'kmaq knowledge, culture, arts, or spirituality which involves partnerships in research shall be reviewed by the Mi'kmaq Ethics Watch. (Partnerships shall include any of the following: researchers, members of a research team, research subjects, sources of information, users of completed research, clients, funders, or license holders.)

In the absence of similar controls in Australia, Indigenous communities and their languages and cultural knowledges remain vulnerable. Under the current model, the human rights of Indigenous communities involved in

18 www.cbu.ca/indigenous-affairs/mikmaq-ethics-watch/

linguistic research, or any other research in Australia, have been considered optional, with the researcher opting in or out as she or he chooses. The AIATSIS guidelines have been recently tightened with the requirement that all research with Aboriginal and Torres Strait Islander people go through full ethics clearance with the relevant university, as already noted. However, while it is recommended in the AIATSIS guidelines there is still no compulsion to ensure that researchers draw up research agreements with the Indigenous communities concerned—that is, there is still no real accountability.

Without some form of compulsion for researchers to adhere to guidelines and protocols, the loss of languages and all that is encompassed in those languages is at stake, as well as the possibility of any commercial gain that might assist in the struggle against ongoing poverty (Battiste, 2008, p. 508). Importantly, Battiste says that while communities are working this out for themselves and are often in a state of ongoing crisis at so many levels, the academy should not impose standards that contravene communities' desires to control their own knowledge:

any research conducted among Indigenous peoples should be framed within the basic principles of collaborative participatory research, a research process that seeks as a final outcome the empowerment of these communities through their own knowledge.

Battiste stresses that in practical terms, this means Indigenous people must be involved in all stages and in all phases of research and planning (2008, p. 508). As Eira points out, previous models of the linguist being a benefactor, advocate and empowerer are no longer viable as each of these roles assumes the linguist is in a position of power (2007, p. 83) and says, 'I can only give a community something, if I have it and they lack it'.

Linguists who want to work on Australian Indigenous languages must get used to the idea that any research or work that takes place must be under community direction, jointly developing the research project and the research agreement in ways that ensure both that the community retains control of their language and cultural knowledge, and that the linguist will be able to satisfactorily address their research needs.

The majority of linguists' field guides, while generally well intentioned, do not offer any concrete strategies or sound advice around the important issue of protection for Indigenous people's language and cultural knowledge.

Exceptions are: *The Routledge Handbook of Language Revitalization* (Hinton et al., 2018), *Living Languages and New Approaches to Language Revitalisation Research* (Stebbins et al., 2017) and *Understanding Linguistic Fieldwork* (Meakins et al., 2018). These field guides represent the current positive trends in linguistic research and documentation (Jacobsen, 2018, p. 29) and are more in line with Indigenous people's expectations. For a review and discussion of fieldwork guides published between the years 2000 and 2018 see Britt Jacobsen's masters dissertation (Jacobsen, 2018). The review does not include *Understanding Linguistic Fieldwork* (Meakins et al., 2018).

Eira says that it is crucial to move from thinking about the issues to actually taking action in a different direction. They suggest that on a day-to-day basis, linguists can do some practical things when working with Indigenous people and communities (Eira, 2007, p. 87):

- Actively sit down and remember not to take charge (otherwise, we'll [linguists] do it in spite of ourselves).
- Listen most of the time; talk when asked to. People are so used to non-Indigenous people talking over them, they often need a lot of listening space before they are willing to talk.
- Avoid deciding things, even when asked to. Communities and linguists alike are used to the norm where the linguist or non-Indigenous person decides things. It can take a while to unlearn.
- When decisions are being made, avoid being the person 'holding the chalk' (Stebbins, 2001). The person writing up decisions necessarily has the role of deciding what to write.
- If someone asks an open question, leave it for someone else to answer. We [linguists] assume very easily that any question is directed to us.
- If someone wants a story, song, etc. written or translated, don't do it—help the person to do it themselves.
- Remember that the people we [linguists] are working with are the people with the right to know their language—not us [linguists].

The pathway forward could include both Eira's suggestions as to what to do on the ground, engaging with the literature from Indigenous linguists and scholars on the issues, some of which can be found in the references at the end of this book, and the importance of places where these issues

can be openly discussed so that deep understandings and change can take place amongst other things. This will be discussed in more detail in Section 2.10.

2.9 Funding for linguistic research and language projects

2.9.1 Who gets funded for what and what are the real issues?

Major research funding agencies and universities have a very narrow view of what constitutes research and are out of step with the needs of Indigenous communities on the ground; language maintenance or revival programs are not considered 'research' activities and therefore do not attract research funding. Therefore, language documentation and language maintenance and revival projects are usually funded separately (Musgrave & Thieberger, 2007, p. 48). There are inequities between the funding for linguistic research and documentation and the funding for language maintenance and revitalisation and this situation can sometimes be a factor in tensions between Indigenous communities and non-Indigenous linguists.

In terms of Commonwealth funding for Indigenous Languages and the Arts (ILA), there is very little funding for language projects per se. While this funding program overall is worth \$20 million Australia wide, \$11.9 million is dedicated to operational costs for language and art centres, while the remainder is split between arts and language projects (Mahboob et al., 2017, p. 9). Mahboob et al. say that in 2015–2016, projects funded shared in \$3.1 million and of those projects, only seven had a language component – between them receiving \$383,000.00. The inequity in government funding for Indigenous language centres to undertake their own language projects and research is clear and Mahboob et al. (2017, pp. 11–12) say:

If the value of grants programs is an indicator of Australian government priorities, languages are a low financial priority. The federal ILA Program is the largest source of government funding for Indigenous language projects in Australia, but even this program has distributed more funds to Indigenous arts projects than to language projects.

In July 2022, the Government announced that it would boost support for Indigenous languages and the arts with an additional \$57 million over three years (\$19 million per year).¹⁹ The funding will be shared by 84 community-based language and arts activities under the Government's Indigenous Languages and Arts program (Office for the Arts, 2022).

This is a very welcome and much needed boost to funding for Indigenous languages but as always, we are not sure what will happen at the end of this three years and a possible change of government. The funding includes:

Over \$41 million shared between First Languages Australia and the network of 23 Indigenous languages centres located throughout the country.

Over \$6 million towards eight activities that bring stories to life and preserve culture.

Over \$4.8 million to support seven organisations to deliver targeted language teaching and learning activities.

Over \$4.5 million towards 44 Indigenous languages and arts activities, including cultural performances, establishing digital languages databases, and community workshops.

Major research funding organisations, such as the Australian Research Council (ARC), offer large grants for language documentation and other linguistic research. This funding is for the research project alone and does not include things such as administration costs (e.g., rent or insurances etc.) that are necessarily associated with running a language centre. In a major research project, these costs are usually absorbed by the associated university. Huge inequities exist between the funding available to Indigenous language centres or communities for 'language projects' and the funding for 'linguistic research and documentation'.

Musgrave and Thieberger say that large sums of money generally cannot be accessed by Indigenous communities whose languages are endangered, and, therefore, that the role of the linguist or researcher is crucial in accessing money (2007, p. 48). They go on to say:

19 www.arts.gov.au/news/funding-indigenous-languages-and-arts-projects

This situation does appear to give grounds for the accusation that language documentation is often a 'colonialist' activity, at least when we consider models where control is located with external bodies and with researchers as their proxies.

It could indeed be said that language documentation is a colonial activity. It is no longer enough for non-Indigenous linguists to be concerned with the criteria they apply to their field within research funding frameworks and to worry about how they will minimally meet them. It is time now to positively and proactively engage with Indigenous communities' requirements to realise genuine collaboration and free, prior and informed consent. This will lead to better research outcomes for research for all involved. Pérez González (2021, p. 143) says:

I suggest, from personal experience, that one's social conscience and the collection of linguistic data in minority languages should be inseparable actions in which teaching should be mutual and collaborative, not only with respect to collaborators but with respect to the community as a whole.

I agree with Pérez González's sentiments and believe that ultimately it is our own organisations, such as language centres, that are able to work in the best interests of communities and their languages and cultures. I recommend that organisations such as language centres be able to apply for funding for documentation and other linguistic research projects, engaging linguists, either non-Indigenous or Indigenous, to facilitate such projects. Many language centres and other Indigenous organisations have the capacity to undertake large funding grants; this is no longer true of universities alone.

Language centres have the interests of their communities at heart. They have the capacity to offer meaningful training of language workers in an ongoing manner through such projects, and to arrange language maintenance and revival activities around documentation and other linguistic research projects—for example, a master apprentice program or a language nest could be the site of a documentation or other linguistic research project.

Tying research to a language centre or other Indigenous organisation would be a simple solution to the perceived problems of having to make sure or prove that the research project is not only collaborative, but also ensures that the community involved benefits from the outputs of such research, such as maintaining and strengthening languages. Language centres have

capacity in all these areas that independent outside researchers often say they find very hard to balance in a research project, as they are only in the community for short and intermittent periods of time and have other responsibilities to their funding bodies or home institutions (Musgrave & Thieberger, 2007, p. 53).

2.9.2 The requirement of Indigenous community consultation and agreements

As stated above, it is now time for major funding bodies such as the ARC and others to consider making major grant funding available to language centres and other Indigenous organisations that have the capacity. In the meantime, we have to find ways of addressing these continually frustrating problems that are currently hampering the work from both sides.

The desire of some non-Indigenous linguists to maintain control over research within Indigenous communities and their languages is not going to be viable into the foreseeable future. Indigenous communities are insisting on having a greater say in how research takes place within their communities, and they are now insisting on research agreements that ensure this takes place in line with protocols in their areas. Major funding organisations are reflecting this in their guidelines for funding and the expectation is that, at a minimum, applicants show that they have support from the community in which the research will take place. Musgrave and Thieberger (2007) have explored some of these issues from the perspective of non-Indigenous linguists.

Where Indigenous communities or language groups or individuals have no representative organisation, they remain vulnerable to research that does not protect their language and cultural knowledges. The onus then rests with the non-Indigenous linguist or researcher to make sure that they are honouring that community's basic human rights. They must take it upon themselves to ensure that in whatever research takes place, the language and cultural knowledge remains the property of that community or individual, through assignment of copyright in the research outcomes and not just the intellectual property, through the drawing up of a research agreement. It is a small thing to expect that non-Indigenous linguists and other researchers would undertake to respect and protect the human rights of Indigenous people.

Meriam/Wuthathi lawyer and businesswoman Terri Janke has recently published *True Tracks: Respecting Indigenous Knowledge and Culture* (2021). This book is a comprehensive and impressive guide to Indigenous Cultural and Intellectual Property (ICIP) across a broad range of fields, including visual art, performance art, languages and cultural practices. Terri Janke has for many years assisted Indigenous communities on these matters and has more recently been involved in helping Indigenous communities draw up agreements that would protect language and cultural information within research, either with universities or other organisations.

While this is a very positive and much needed development, there is presently no recognition of, or funding available for, adequate consultation or free, prior and informed consent or the drawing up of agreements with Indigenous communities in the research context. A development such as this would address the concerns of both Indigenous communities and non-Indigenous linguists and other researchers if done sensitively.

The initial idea and planning to undertake a research project happens well in advance of an application for funding a project or the taking up of a masters or PhD program. Negotiation with Indigenous communities should take place when the first seeds of an idea for a research project with that community are sown, not after the intended research has been funded or approved. Presently, this may mean that the linguist or researcher will have to go out of their way to plan and get free, prior and informed consent and agreements for the research project with the community in whatever way they can. Importantly, if consultation is done well, the community will have the opportunity to either accept, propose changes or reject the proposed research project. Indigenous educator and program director of Indigenous studies and Aboriginal education at the University of Sydney Lynette Riley gives some very practical and helpful suggestions about the process of working through free, prior and informed consent with Indigenous communities (2021, pp. 21–23).

This is the approach I took with my own PhD and consent seeking has happened and continues to happen via phone calls, Facebook pages and zoom meetings. At the time, I lived in Port Hedland in Western Australia and my community is scattered all over the eastern states and much further afield. While I was able to visit communities and do direct consultation on the ground in the earlier stages of my PhD, during the current COVID-19 pandemic I have had to resort to online meetings. This online way of communicating now commonly takes the place of meeting face to face in

many sections of society and presents solutions in this space. Importantly, this approach can ensure that the research project has the best possible chance of being productive and successful for both the community and the researcher because consultation has taken place and can continue to take place. While this is far from ideal, it is the approach I had to take because there were no financial or time provisions in my PhD program to undertake more meaningful face-to-face consultation.

The lack of the provisions of time and financial support to undertake comprehensive consultation with communities urgently needs to change. I recommend that funding bodies, such as the ARC and universities, acknowledge that free, prior and informed consent by way of a research agreement is critical to research involving Indigenous people. Further, this process needs to take place well in advance of the application for, or ethics approval for, a research project. I would recommend that another category of smaller seed funding grants for community consultation needs to be established in the case of funding bodies. These smaller grants could be made available either to Indigenous organisations or groups looking to have research done, or academic linguists and postgraduate researchers looking to seek permission to undertake research with an Indigenous community.

This kind of smaller funding could support two-way community consultation and the forming of robust agreements. Further, an extension of the overall timeframe for the same purposes should be established for completion of a research project in case of honours, masters or PhD students that propose to do research with Indigenous people.

2.10 Decolonising linguistics

[T]he new relationship between linguists and indigenous communities is a highly positive change, in the sense that human rights, dignity and equality are being respected and enhanced. Linguists, whether native or not, will have a role in language documentation and language revitalization for a long time to come, but their relation to the community and to the linguistic data they collect is being constantly redefined. (Hinton, 2010, p. 41)

There are very limited opportunities for Indigenous linguists, language activists, language workers and non-Indigenous linguists to have professional discussions around areas of ongoing concern (Bell, 2010,

p. 92). Bell talks about an Indigenous languages conference she attended in 2007 where discussions took place in an unplanned manner, and these became heated because there had never been a forum prior to this for concerns to be aired, let alone for resolutions to be found. She says that while some non-Indigenous linguists became defensive when confronted with the frustrations and anger of Indigenous people at the conference, many chose to hang in and engage in discussions.

It is clear from the literature that there is a great deal of goodwill on the part of many non-Indigenous linguists to address and move towards resolution of the issues. It is clear that there is also a huge amount of frustration, resentment and mistrust among Indigenous communities and language activists due to many decades of being mistreated in the research context and to the ongoing trauma of the impacts of colonisation. There is no escaping the fact that in the Australian context, as in many other parts of the world, working with Indigenous people involves having to deal with the impacts of colonisation to the present day. Many non-Indigenous linguists often feel as though, despite their best efforts to assist in finding solutions, Indigenous people are constantly attacking them. This is in most part not personal but a result of the fact that there are currently no real and genuine opportunities for Indigenous people to have their voices heard around these issues and for the two groups to work together to address the issues on the ground.

Opportunities for non-threatening discussion between non-Indigenous linguists and Indigenous linguists, language workers and language activists have to be a high priority. Unless a person is studying linguistics with a particular concentration on ethics, which in my experience is not at all usual, one would not come across the many great publications, only some of which are referred to in Chapter 1, that non-Indigenous linguists themselves have written in their efforts to contribute to a constructive conversation of the issues.

Conferences really are the only place where we all get together and enjoy opportunities to have formal discussions; however, these must be on the agenda, with plenty of space and time for them to occur. This situation has presently been disrupted by the current COVID-19 pandemic and most of our conferences are online for the foreseeable future. When we do come together, there is always the potential for the situation to become heated. It must be understood that what can be perceived as a personal attack is usually not personal at all; what it is really about is the need to

speak out, the need to be heard and, if we can all remain grounded in the knowledge that we are allies with many shared goals, then I feel we can find our way to the other side.

The very few Indigenous linguists in Australia are often placed in awkward positions balancing the concerns of their communities with the concerns of their non-Indigenous linguist colleagues. Jeannie Bell talks about her role as an Indigenous linguist being seen by non-Indigenous linguists as a bridge between the Indigenous community and the linguistic community—a common and sometimes uncomfortable role for Indigenous people in her position (2010, p. 93). I agree that it is a very uncomfortable position. Bell points out, and again I agree, that we can then be seen by the community to be standing too close to the ‘academic’ linguists. Bell says that some people within her own community refused to work with her because they believed she might take away the language and ‘give it to the university’. Importantly, she talks about the personal strain of being an academic and the challenge of maintaining her moral and cultural responsibility both to herself and to her community, and she points out that she is committed to ensuring she maintains the standards that her community expects of her in her roles as a teacher and a researcher. Again, I agree; my first priority is to my community and to the broader Indigenous community.

Jaime Pérez González, Tzeltal (Maya) linguist from Tenango, Ocosingo, Chiapas, Mexico, and PhD candidate at the University of Texas at Austin, discusses the issues of linguistic fieldwork methods from an Indigenous perspective and says (2021, p. 135): ‘Those of us who do activist work do so not by choice, nor due to academic requirements, but to honor our language, our ancestors, and ultimately our own existence on the earth.’

This situation speaks to the delicate balance that Indigenous linguists must strike when studying or working in the academy. Often, when Indigenous linguists raise issues of ethics, we do so at great personal cost to ourselves, in no small part because the issues of ethics in linguistic research serves to retraumatise us. Further, our voices are often silenced or ignored. The issues raised here also speak to why linguistics is currently not a culturally safe discipline for Indigenous people to engage in and, possibly, why there are so few Indigenous linguists in Australia. Charity Hudley et al. (2019, p. 23, 24) say:

Compared to many other fields, linguistics remains predominantly white, even twenty years after Rickford exposed this shameful fact as 'an academic limitation for our field as well as a socio-political embarrassment' (1997: 171). It may be more comfortable to convince ourselves that linguistics just isn't for everyone, but to do so is to abdicate our professional ethical responsibility to make the discipline an equitable and inclusive place for students and scholars of all backgrounds, and particularly for those whose communities provide a disproportionate amount of the data that advance linguistic knowledge.

The end result is that the literature from Indigenous linguists' perspectives in the Australian context is very scant; while some Indigenous scholars aim to address the issues of ethics in research more broadly, to date there are only a handful of Australian Indigenous linguists and activists who have contributed to the literature of ethical research in linguistics (Bell, 2010; Couzens et al., 2020; Fesl, 1993; Gaby & Woods, 2020; Janke, 2009, 2021; Riley, 2021) (this list is not meant to be exhaustive). Some Indigenous authors have co-authored with non-Indigenous linguists, myself included.

While I feel a real responsibility to do that bridging between the two groups, I believe that there is huge impetus here for the broader community of non-Indigenous linguists. The challenge now is to actively engage with Indigenous people and communities on the ground, face to face and be proactive in providing real opportunities for discussion and resolution of the issues. Clearly there are some non-Indigenous linguists already doing this in small pockets around the country, but we now need to see a holistic approach from the field of linguistics more broadly. Charity Hudley et al. (2019, p. 24) say:

Linguists—and especially white linguists, who bear the greatest responsibility for dismantling white supremacy in the discipline (Bucholtz forthcoming b)—can use our scholarly expertise and our institutional access to work for greater social and racial justice (Charity Hudley 2013). If linguists are to take seriously our responsibility to undo the racism and colonialism that were a founding motive of our discipline and that continue to do damage to our research, we must begin a process of critical, race-conscious self-examination and reparative and restorative work—for racialized language communities as well as linguists from racially minoritized groups, for practicing linguists as well as linguists-in-training.

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