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What did they say?

I have this thing of why am I even bothering with the university system and academia, I don't need the Western system to validate my being, my knowledge, my anything; but they're all tools in the toolbox and there are opportunities through there to bring about change. We need to work with them until we have enough of our own Aboriginal linguists; we still need to work with the mainstream system.

Vicki Couzens, Interview, 2016

4.1 Indigenous control of language and cultural knowledge

We are beginning to see a growing awareness among Indigenous people in Australia of the impacts that linguistic research has had, and continues to have, on Indigenous people. Currently, the majority of linguistic research has the effect of taking language and cultural knowledge out of the control of the Indigenous people to whom it belongs and perpetuating the image of us as subjects of research with no agency over how we are represented or what happens to our language and cultural knowledge. We can see that many non-Indigenous linguists are also becoming aware of these issues and are struggling in positive ways to work with Indigenous people to develop a more equitable linguistic research framework.

Yet despite this growing awareness among non-Indigenous linguists, and their best intentions, from an Indigenous perspective we are still a long way from achieving anything like genuine equity. This chapter

aims to identify what are the barriers to realising genuine and equitable collaboration in linguistic research that meet the human rights needs of Indigenous peoples and the possible ways to achieve that goal.

4.1.1 Group A responses

In what is now referred to as a post-colonial environment (although some would argue, myself included, that Australia is not post-colonial), Indigenous people are coming from a standpoint steeped in deep trauma experienced through the loss of our languages, cultural knowledge, heritage and so much more throughout Australia, that persists through generations to this day. The growing awareness of the impacts that research has had on us as Indigenous people has left many, understandably, feeling a strong sense of protection over their languages and cultural knowledge.

Jeannie Bell, Jaky Troy and Vicki Couzens are passionate advocates for the rights of Indigenous people to regain control of their languages and cultural knowledge and see positive reform in the field of linguistics. All three women grew up in situations where Standard Australian English was the dominant language and they, like many other Indigenous Australians, were deprived of their traditional languages. Couzens says:

Nobody can take my freedom of mind and they have no authority or control over my language; it's my birthright and myself and my family have the right to reclaim and reacquire my mother tongue. I don't care, the government or anyone.

We are seeing a growing and urgent need for Indigenous people to regain control over their languages and cultural knowledge. With the understanding that the academy or the field of linguistics offer no real solutions in this regard, Jeannie says that, increasingly, Indigenous people are beginning to realise that the only way to regain control of language and cultural knowledge is for Indigenous people to do the research themselves:

They want the power to do it themselves and that's one of the things that Veronica Dobson¹ fights for all the time.

1 Arrernte Elder and co-author of Henderson and Dobson (1994).

Vicki Couzens feels that the Australian university system has failed to validate her custodianship of her language and cultural knowledge but says, importantly, that the same system can be used to effect positive change and build our own Indigenous knowledge base and evidence when we engage in the same system:

it's a tool, we learn how those things work and we take those and turn them into tools to work for us. Therefore, I have a purpose when I'm going to do papers or publications to get that voice out there and talking about what we're doing and my PhD, because I see within the system that research is evidence which forms policy and resourcing, so we have to create our own because a lot of our evidence in our Indigenous stuff, we have to look overseas. We need our own evidence here as well, not that we don't have some, but we need to build that body of knowledge and evidence again.

This is a crucially important point; the more Indigenous people engage in the academy and publish on subjects that are important to them and their communities, the more we will see a push back against the ideas about us constructed by the Australian settler/invasers. For example, the Australia Indigenous historian Bruce Pascoe's book *Dark Emu: Black Seeds: Agriculture or Accident?* (2014), challenges the popular notion held by many academics that Indigenous people were, in pre-invasion times, hunter gatherers, by showing that Indigenous people not only farmed their land but also lived in villages with built houses, harvested grain crops and built complex aquaculture systems. In an article in *The Conversation*,² Tony Hughes-D'Aeth, a non-Indigenous professor of English literature at the University of Western Australia, says:

Pascoe is an Indigenous historian and is clearly motivated by a desire to redress the serial denigration of Indigenous people. His cards are on the table, but this does not mean that he is not a rigorous and exacting judge of the historical record.

Couzens argues that all research and work within Indigenous communities must now be based on the foundational principles of a First Peoples First Framework, which requires following community protocols and including an Indigenous authority in all decision-making relating to the research or project:

2 theconversation.com/friday-essay-dark-emu-and-the-blindness-of-australian-agriculture-97444?fbclid=IwAR3RbeYnI_NBLuYUbcaytmpz9CSWPdGuvur_OucLYM0sZQHx3ym4J9yOgII

In the day-to-day of working in those things you have to make sure that when we are talking about working in community with linguists and projects, etc., there has to be authority and control over that by ourselves, and linguists and all other people involved have to do their utmost to ensure that is the case.

This is the underlying ethos of the Victorian Aboriginal Corporation for Languages. Couzens gives an example of a community in Victoria that has been conducting their own language work without a non-Indigenous linguist for more than 20 years, she says this is their way of asserting their control over their language and cultural heritage:

I'm thinking of the case study and Gunai Kurnai have been working for over 20 years with their Elders and they have not really worked with a linguist. They have done things their own way and maintain a really tight control over that. Sometimes language gets hidden within families or small clan groups where that knowledge is held secretly because that's how it had to be because you weren't allowed to have those things.

Another early example is the revival of palawa, a language of Tasmania.³ The Tasmanian Aboriginal Centre (2021) says:

The *palawa kani* Program was among the first in the country in which Aboriginal people ourselves learnt the necessary linguistic methods which have since enabled us to do all the retrieval work on our language.

These are poignant and powerful stories for everyone. The beginning of colonisation in this country saw many Indigenous people forbidden to speak language or being shamed and undermined for speaking their languages. In the case of Ngiyampaa, Tamsin Donaldson reports someone telling her (1985, p. 134):

'Dagos learn their own kids their own yabber' (or 'gibberish') 'so why are we shamed?'

This shame still persists amongst many of the older and younger generations. For Indigenous people to this day, the shame of 'not knowing' the language or cultural knowledge is very real and a part of the intergenerational trauma that Indigenous people in this situation live with daily. 'Gibberish', meaning nonsense language or the like, is a

3 tacinc.com.au/programs/palawa-kani/

term that was used, among others, to make people feel ashamed of their language, causing the abandonment of its use and advancing the take-up of English. This is another example of how Indigenous people's languages and cultural knowledges have been taken or stolen from them, this time outside of the research context. Importantly, this provides further impetus for Indigenous people to regain authority and control over their languages and cultural knowledges again.

Increasingly, Indigenous people are gaining the skills and linguistic knowledge to be able to work independently on their languages, but this is often a long-term endeavour, and, in many cases, there is an urgency to do this work. Necessarily, there continues to be a reliance on non-Indigenous linguists to help in this regard. Informal training and the passing on of linguistic skills to Indigenous people are emerging as important roles for non-Indigenous linguists, but Jeannie Bell says there seems to be some resistance or unwillingness to the idea:

Some of them will tell them straight out, you know: 'Well we don't want you to do that, we'll do it ourselves and, if you are really helping us, you'll help us to it ourselves', but not a lot of people will do it.

The reasons for the perceived lack of support of non-Indigenous linguists in this regard could be many, including lack of training—linguists are often not trained in teaching methodologies and lack the skills to teach community members; time pressures—if a linguist is in the community for fieldwork relating to undertaking a PhD, they may not have the time to train community members and may fear that they might be doing themselves out of a job in the longer term. However, there is so much work that urgently needs to be done, in the foreseeable future, I cannot see this being the case.

Increasingly, training of Indigenous people to gain the skills to undertake their own linguistic research is beginning to be seen as an important next step for research funding organisations. Critically, Bell points out that Indigenous linguists and language workers better understand the needs of their communities and work with them in ways that make linguistics accessible. However, she says that often, when Indigenous people undertake to do their own linguistic and language work, they and their work are not valued by many non-Indigenous linguists:

just trying to get some sort of understanding that, yes, we are linguists but we're not linguists like a lot of you are, but we still are doing linguistic work for our people, and we want them to understand how all this linguistic stuff can be useful for them, and not just heaping things on them that they can't understand and walk away and, 'Well that doesn't mean anything to me you know'.

I have had this experience myself and it is very disheartening when non-Indigenous linguists are unsupportive and, at times, even quite critical. In my experience, to have to constantly justify your intellect, your rationale and your right to take a meaningful place in linguistics is, in fact, demoralising and traumatising. Thankfully, there are also many non-Indigenous linguists who are struggling to deeply understand the issues and be as supportive as possible.

Core to Indigenous people's concepts around the control of language and cultural knowledge is how the systems of copyright and intellectual property rights impact on this control or lack of control in the research context. Jaky Troy talks about how she believes this should work in the field:

I personally think that really ethical practice is that when you go as a researcher to do work with people, whatever you are doing research on, you're engaging with what they know and what they own and, by being the researcher and having the privilege of working with people and the privilege of writing up what you have learnt, does not ever give you any ownership over it; that's what I believe.

She goes on to say that at no point should a linguist undertaking research in an Indigenous community be able to lock away the rights of the Indigenous people that they have been working with and vest it in the researcher—in the form of copyright—or whichever institution or funding body with which they are affiliated with. She says:

They should never divest the community of any of their rights around their information and vest it in these other people.

It is very often the case, unless otherwise negotiated, that the copyright in the outputs of linguistic research is vested in the linguist or the organisation that employs the linguist or the publisher. In some cases, this may be a language centre or other cultural organisation and this situation is also beginning to cause problems for Indigenous language communities whose copyright in their language materials sits with these organisations.

Troy asserts that Indigenous people are very often co-researchers and contribute significantly to the analysis of the language when working with a linguist in the field and, therefore, also have intellectual rights over that analysis:

if the analysis is a jointly negotiated analysis, so for example if a language speaker is explaining how their language works to me, we immediately have a collaboration in which the language speaker has an equal partnership with me around the analysis. So, the language speaker has intellectual rights to whatever it is that he or she has put into that analysis.

The point that Jaky Troy makes here about intellectual property in the analysis of language is often overlooked by many non-Indigenous linguists and will be discussed in more detail in Section 4.2. I have mentioned it here because it is relevant to this discussion, as issues of control of language and cultural knowledge are intrinsically tied to issues of intellectual property rights and copyright laws and how these laws fail to protect Indigenous people's languages and cultural knowledge. This issue alone is one of the greatest challenges for us as Indigenous peoples.

4.1.2 Group B responses

I think part of the 'how do you do it' is sharing the methods that linguists use to build that competence in the language; over and over and over again, really reinforcing linguistics isn't magic and it's not something we're born with, it's something we were taught, this set of skills, that's how we can do it and that's how we form hypotheses about a language structure and you know to really kind of work with people to see that process and to get them doing that.

Margaret Florey, Interview, 2016

Non-Indigenous linguists are becoming aware of the issues being raised by Indigenous people and some have been actively involved in helping Indigenous people to gain the skills they need to be able to undertake their own language and linguistic work. Margaret Florey and Kris Travers Eira⁴ are passionate long-term advocates for Indigenous people's rights to regain control of and undertake their own language work, and Felicity Meakins strives for best ethical practice in her own work with Indigenous communities.

4 C. Eira and Kris Travers Eira are the same person.

Kris Travers Eira's training and position have led them to develop a real sense of responsibility for ensuring that Indigenous people have access to the same tools and knowledge. Kris points out that languages are lost because of the imbalance of power between non-Indigenous linguists and the Indigenous people they work with. They say:

if you are trying to help and you maintain the asymmetry of power, you are not helping. We are in this post-colonial environment, like it or not, that's where we are.

The ramifications of this imbalance of power, which is not widely recognised within linguistics, cannot be overstated. The linguist or other researcher is in a place of privilege, not only in terms of their education, resources and so on, but also they are often afforded a privileged position within the Indigenous community. This situation was clearly demonstrated in one research context in north Western Australia (Treloyn & Charles, 2014, p. 177):

In the second instance, in this dialogue Rona sets out a clear rationale as to exactly how it is that Sally's collaboration with her elders could result in the removal of their knowledge from the community. In her experience, elders share their knowledge with younger family members when they feel they are approaching death 'They preparing themselves to die, when they want to give their knowledge.' By inserting Sally or other outsider researchers into this time-critical and relationally unique intergenerational knowledge transaction, such as in the gathering of data for inclusion in a thesis, the community runs the risk of losing that knowledge.

Likewise, Richard Grounds discusses the tensions that arose between the linguist and the community in a project to produce a dictionary within his own community and says that, in the end, the linguist won out, in part because the community did not have a representative organisation to adequately address the issue (Grounds, 2007):⁵

In the colonial alchemy, putting the language into books is prestigious and turns the once-assaulted language into a highly valued commodity. I am not advocating squelching scholarly inquiry—I am, after all, a member of the academy—but at this very late stage in the life of the smaller language communities, we must figure out ways to ensure that scholarly endeavours benefit community language efforts, to keep spoken languages alive.

5 Documentation or Implementation | Cultural Survival.

Therefore, it is crucial that Indigenous people have and maintain authority over their own languages and cultural knowledge. Margaret Florey talks about the underlying ethos of the Resource Network for Linguistic Diversity (RNLD) training program Documenting and Revitalising Indigenous Languages (DRIL) and the practical steps they undertake to ensure that they are always working from the point of view that Indigenous people are the authority in their own languages:

So really actively working on, as we've got newer trainers coming in, trying to sort of unpack what are the methods that we use and what are those foundational things that aren't necessarily about methods but are more about practice and our beliefs and how we enact them, and really making it clear that we don't hold any authority over this language, that we deeply respect the authority of the people there and that our job is to work with them to unpack their knowledge and to build their skills in their own language. I think that's very powerful you know, and people pick that up reasonably quickly from us and it's one of the things that builds trust very quickly in a two- or three-day workshop.

Florey's comments here about how powerful this process can be are very important because, as Jeannie Bell points out, some people still want the 'expert' to do these things for them because, in the main, this has been modelled by non-Indigenous linguists themselves for such a long time and it can take some time to unlearn. The process of giving Indigenous people the skills to do their own linguistic and language work is an empowering and important strategy and an incredibly effective mechanism for handing back control of languages to Indigenous people. Florey says that all linguists working in the field can participate:

I think any linguist in the field can do that too, even if you're doing an apprenticeship by having people sit, younger people, sit with you when you're doing your language documentation or elicitation.

Felicity Meakins feels that this is a difficult space for non-Indigenous linguists to negotiate because the issues of authority and control are still complicated, even with a genuine desire to be helpful:

I wonder whether some of what linguists can do is take more of a back seat. Most linguists are non-Indigenous and in trying to help, they might be interfering more than they realise. Taking back control over your intellectual property might not be helped sometimes by having a linguist at the helm. Linguists can be

doing things making sure that when resources are produced, that copyright and intellectual property, stays with the community of course, but that still means a linguist is at the centre of a project and maybe that's not helping in terms of regaining control.

Meakins's point is valid, but linguists do not necessarily have to position themselves at the centre of a project, they can take a back seat and be a mentor and support Indigenous people to take the leading role and this can become a crucially important role for non-Indigenous linguists. Kris Travers Eira says that helping Indigenous people to undertake their own linguistic and language work can become an important motivation for non-Indigenous linguists:

Back off and shut up, I do think we do a lot of perpetuating of that removal of authority and control. We have the agenda of making sure that other people know what we know, and I understand that it's a big internal mandate to pass on what you know—that, in itself, is an important motivation but where we step over the line is when we also think we know what should be done with that knowledge.

Eira places the passing on of linguistic knowledge to Indigenous people squarely on the agenda for non-Indigenous linguists. Critically, they identify the role that non-Indigenous linguists have long held as the people who get to decide what happens to Indigenous people's languages and knowledges and, correctly, they point out that this is where non-Indigenous linguists cross the line. This issue is dealt with in more depth in the following section.

4.2 Copyright, intellectual property rights and agreements

At no point should somebody coming in and doing research with a community ever lock away to the researcher the rights or whatever institution they have come from or whatever funding body had provided funding; it should never divest the community of any of their rights around their information and vest it in these other people.

Jaky Troy, Interview, 2016

Again, Special Rapporteur Erica Irene Daes (1993, pp. 8–9) concluded that, from an Indigenous peoples' point of view, there is no distinction between cultural and intellectual property, and global sciences' distinctions in this regard are artificial. The ownership and control of languages and cultural knowledges is vital to Indigenous peoples' spiritual and physical wellbeing in ways that are clearly difficult for the global non-Indigenous scientific community to comprehend. We could liken this to the divide between Christianity and science: if it cannot be proven through rigorous scientific investigation, it therefore cannot be real.

The issues around control of language and cultural knowledge are of direct relevance to the issues of copyright and intellectual property rights and, therefore, of critical importance to Indigenous people. With no effective laws in Australia that protect Indigenous people's intellectual and cultural knowledge, we are seeing a move towards the use of agreements that negotiate copyright in the products of research in a way that is beginning to address the needs of Indigenous communities in which linguists and other researchers work. The use of agreements that provide a licence to use certain materials in particular ways is beginning to be instigated by Indigenous people and their organisations. This is being done in order to address the huge disparity between Indigenous people's concepts of ownership and responsibility for language and cultural knowledge, and the global system of copyright and intellectual knowledge, which completely fails to address these issues adequately for Indigenous people. This situation also fails to address Indigenous people's human rights in their languages and cultural knowledge.

4.2.1 Group A responses

The fundamental principles of never assign copyright, always have an agreement setting out the terms of your project. Our old people negotiated all the time between each other and mob so they understand about that process.

Vicki Couzens, Interview, 2016

It is now very apparent that Indigenous people are becoming aware that the current copyright laws or intellectual property rights do not protect, in any meaningful way, Indigenous people's languages and cultural knowledge. While intellectual property is usually acknowledged in some way by the researcher or author, this gives no rights or protections to the Indigenous people's knowledge in the research context or publications. This sees

Indigenous people's languages and knowledge being used for all manner of purposes, usually without the consent of the language communities themselves. Just one example can be seen in the AustKin project.⁶ This database has been built from information found in archives and published materials for many of the Indigenous languages of Australia:

The AustKin database is a tool for researching Australian Aboriginal kinship derived from over 600 publicly available sources published between 1834 and 2014.

While the sources that the AustKin project have used are publicly available via archives and published materials, the original sources for those materials most likely would have been the outputs of research in Indigenous communities and published in the usual way, that is without the knowledge or consent of the Indigenous communities involved. The website then goes on to say:

Please do not use words in the AustKin database to name your business, vehicle, racehorse, property or commercial product. It is standard practice to seek permission from the language owners through a regional language centre.

This seems quite paradoxical. It can only be assumed that no such permissions have been sought from language owners in the first instance to include their language and cultural information in the database. The materials used were in the public domain or in an archive, therefore available. I was certainly not consulted about the use of my language. Many Indigenous people may be very happy to have their kinship terms included in such a database but they must be given the choice to be included or not in the first place. I am not saying that this is not a very useful resource for people, including Indigenous people, but this clearly demonstrates the point: language and cultural knowledge can be used for seemingly endless purposes, once it has been recorded in some material way, without any recourse for the Indigenous people to whom the language and cultural knowledge belongs. In this case, as in countless other examples, Indigenous people and their knowledges are the subjects of scientific research. Jaky Troy likens the AustKin project to the entomological practice of pinning insects on a board for study and display (J. Troy personal communication, October 2019).

6 www.austkin.net

Troy says that from an Indigenous perspective, non-Indigenous linguists can only claim their own intellectual and creative input but cannot own the copyright in language and cultural materials. She likens this to the way copyright operates when buying artwork. She says:

I think where the ownership comes in for an academic is in a particular paper, so, if you write a peer-reviewed article and it is published in a journal you should have the right to claim that piece of work, but the information in it, it's come from other people, you never own that information. Any more than these days when you buy an artwork, actually you don't buy the copyright, you can't just buy a painting and use it for any purpose you want to and so you've got a one-off use, and that's how I feel that is how all academic research should be viewed, and that's another reason why joint authorship should always be the practice. I don't see how anyone should feel that it's OK to get a whole lot of information from people and then claim it for themselves.

This is the underpinning of agreements that operate on a one-off licence to use language and cultural material. In a very positive development within the past decade, agreements that negotiate copyright are becoming more widely used by language centres and other cultural organisations. But the deeper issues are not widely understood by many Indigenous people or linguists; particularly around the secondary use of research materials as discussed above, and requirements of linguists in the academy to be publishing in an ongoing manner. In light of this, Jeannie Bell says that the issues of copyright and any proposed secondary use of language materials or data needs to be included in agreements and this needs to be sorted out in the very early stages of a project with plenty of time allowed for the discussions:

I think it's got to be sorted out really early on, at the beginning, because otherwise a lot of the linguists in these universities are working as academics, not linguists, and, as you said before, it's that whole thing of publish or perish and I think that there's got to be a conversation about how that's going to happen in any particular sort of environment or any way that it's done, is definitely explained to people in a really clear way so that they understand. It's got to be really, really made sure over and over, that you do know what we are talking about. People are feeling that they are not being given enough information.

The point that Bell makes here is critical, as the ongoing publication of the outputs of research has been a major factor in Indigenous people losing control of their language and cultural knowledge in the research context. Linguists need to face this fact squarely and ensure that their research with Indigenous people meets the highest ethical standards, ensuring that research conducted with Indigenous communities and individuals does not remove their control over language and cultural knowledge. This is best achieved through robust research agreements.

Bell says that linguists often don't take the time to explain the issues of copyright in a way that is meaningful and ensures that Indigenous people understand the issues sufficiently with respect to what it means for them. She says:

They make copyright seem so simple—'you just have to put that C and then put the ring around it' and that sort of stuff—but that's not enough for people to understand maybe sometimes. Why would anyone think that's going to stop you from not sharing the copyright in as much as we want you to? I don't know because it's one of those situations that's a little bit tricky, isn't it?

The current popular model for designing and using agreements is discussed by Claire Bower. She talks about the secondary use of research materials and says that usually linguists expect and are expected to continue to draw on their research data for multiple projects. She discusses the secondary use of research data (Bower, 2015, p. 154) and recommends that if the community is in agreement for the data to be used in an ongoing way, this needs to be built into the ethics proposal sufficiently broadly so that it will cover future similar work. Bower goes on to say that many Indigenous communities will be happy to agree to this and will expect that the information they provide will continue to be used, as long as everyone is clear about what those uses are, and it is agreed upon. In a positive move, more recently some university ethics committees are not willing to approve ethics applications that mention 'future similar work', requiring instead that the applicant will need to go back to the relevant community to consult.

When linguists are negotiating agreements with Indigenous people, they must be very honest and upfront about what they mean by 'future similar work' or 'ongoing uses' and what this will mean for the Indigenous community and for the linguist. For example, once the language and cultural knowledge is made in a material form, that is, recordings and

publications of any sort including theses, unless the Indigenous community have an agreement with the linguist that states clearly what this material can or cannot be used for, the linguist can then use it in any way they see fit and then others can use it also in whatever way they like. The linguist needs to give concrete examples of what this can mean for their knowledges; again, consider the AustKin project, which is freely available on the internet.

When linguists are encouraged to frame their ethics application and research agreements broadly enough to cover these secondary uses, so as to get around the problem of having to get further and ongoing permissions or negotiation with the Indigenous community in which they have undertaken their research, it continues to perpetuate and compound the problem that has seen Indigenous peoples losing control of their languages and cultural knowledges.

The move towards agreements can be seen as overly restrictive and troublesome for non-Indigenous linguists in the academic setting who are under a lot of pressure to publish continually to maintain their career and to continue to be able to apply for, and receive, research funding. The prospect of seeking ongoing permission for secondary use of research outputs might seem overwhelming to many linguists because it can be a time-consuming exercise, especially if people involved in the original research have passed away or moved away and there is no representative body such as a language centre.

However, if the community in which the original research took place never gets an opportunity to see or vet these proposed ongoing uses to which they have 'agreed' in the model suggested by Bowern above, how can they then have any say in, or control over, the ways in which their language and cultural knowledge is being distributed and used. And, do they get any say about how they are being represented by the linguist in these publications?

Most importantly, when the academic linguist publishes articles as a secondary use of data, often the linguist who authored the article loses copyright of that article to the publisher. This then twice removes the language and cultural information in such articles from the Indigenous community to whom it rightly belongs.

Using broadly framed agreements that loosely cover ongoing secondary uses of research data as a method to shortcut the process of gaining truly informed and ongoing consent is not only unethical, but also, critically,

it presupposes that Indigenous people will not be interested or understand what might be being proposed. As Linda Smith says, the challenge for non-Indigenous researchers is to share knowledge about theories and analysis and about the ways in which information is constructed and presented (Smith, 1999, p. 16). Margaret Florey says that there are no excuses for non-Indigenous linguists to think that Indigenous people cannot understand linguistics:

We say from the get-go, you can explain every linguistic concept in a way that people can understand and if you're not doing it it's because you're not choosing to.

This is critically important if we are to have genuinely collaborative research with Indigenous communities. Indigenous people being included in the research project in meaningful ways will not only foster great research outcomes but meaningful training of Indigenous people themselves as researchers for their own languages.

Teaching people how to use recorders alone does not constitute meaningful collaboration. However, Indigenous people operating the recording equipment in a research project would mean that that person who is operating the recording equipment holds copyright in those recordings and not the non-Indigenous researcher. This in itself would be a positive development and one that would need to be discussed in depth with the community.

The one who presses the button on the audio or video recorder holds the copyright to those recordings; this is a powerful truth. Indigenous people being the recorders of their own language and cultural knowledge in a research project could be a simple way to manage and keep copyright within the Indigenous community. However, would the non-Indigenous linguist or researcher who wants to maintain control over the research project want to give up the simple act of being the one to press the record button? If the non-Indigenous researcher was doing their consultation with the community in a genuinely ethical way, these matters would be explicitly discussed upfront. This is an example of what free, prior and informed consent looks like.

The current model of ethical practice and clearance in the university system falls way short of meeting the definition of 'free, prior informed and consent' from an Indigenous perspective and is seen as an exercise

that serves the interests of the researcher. This model is already out of date and completely unacceptable to Indigenous people who have a deeper understanding of the impacts of research in Indigenous communities.

Importantly, Jeannie Bell says that when these agreements are being discussed, there should be multiple people from the community involved in the process to ensure that the community is in a strong position to contribute and negotiate the agreement and that they are able to articulate what it is they as a community truly want. She says:

Perhaps it's got to be like a multiple number of people that have got to get involved if they are doing something, making story books or if they are doing other things. They might feel like they need to have more than one person say 'Yes, we have copyright of this, you don't. This is for our community, this is for our children, something that we are going to use over and over', perhaps because you are going to put it in schools or whatever.

Bell also says that agreements need to be flexible and able to be renegotiated at any point to make sure that all parties are happy, and everyone's needs are being met. Flexibility is important because linguistic research projects can often take many years. In that time community members might change their minds about aspects of the project or the linguist's needs may change. She says:

you would need to be able to make changes along the way if that's necessary and say, 'Well what do you think, not be talking to this particular Elder?' Or, if it's with the non-Indigenous linguist, 'is that something that's going to work for you?'

She points out that ongoing renegotiation is really important at another level because people in communities are not in the university system, and may not always remember what was agreed to or the way things were done in the first instance:

People have got to understand what it all means. Sometimes people will say 'Well you know, how we did it that other time, you know when we were doing that other book', and maybe people have forgotten how we did it last time and we need to go over it again and make sure.

In research projects that span many years, the linguist/s might visit the community perhaps once or twice a year. While the linguist is often working on the project full time back at their institution, the Indigenous

people with whom they have been working resume their daily lives until the next field visit. It must not be assumed that people will remember the way something happened previously, and time must be taken to ensure that whatever the linguist is proposing is clearly and comprehensively understood. Bell uses the Australian historian Mary Anne Jebb as an example of a researcher who does this well and deeply understands the issues and enacts this in her own professional practice:

She's always got people with her so that she's not doing it on her own; she's always really honest about what she's doing and just in terms of that particular person from that community wasn't happy with this or we had to move this over to here. She's really good at making sure that all the t's are crossed and all of that kind of stuff. She has been doing some good work hasn't she.

In community language centres around Australia, agreements around copyright and the licence to use language and cultural materials are now becoming more and more widely used. Several language centres in Western Australia employ these agreements both in-house for their work with language specialists and with outside researchers. When asked about these agreements in a research context, Jaky Troy says:

these kinds of agreements can work because it is just good common sense and its good form. If you want to be fair with people, then you have to recognise what their contribution has been to your thinking and to whatever you write up from your thinking. Equally I think communities need to consider that in the event that none of your successors are around [at the time of your death] that that information isn't then just locked away forever because there is no one who's inherited the copyright.

Troy talks about the critical importance of succession planning in copyright of language and cultural materials. Linguists and others who might need to seek permission to use the same in the future will have a better chance of finding the right person to consult.

This is a concern for Indigenous linguists, activists and language workers and communities and non-Indigenous linguists alike. Couzens agrees and points out that the agreed-upon uses have to be spelled out specifically:

There should be agreements that you can use my tape [recording] as a resource for this, this, and this and, when I die, the authority goes to my eldest daughter or whatever, we need those succession plans as well. You can will copyright; it survives 70 years after your death.

Non-Indigenous linguists are key to making sure that these kinds of agreements and succession planning for copyright take place in their own research contexts. Also, non-Indigenous linguists need to make decisions about what will happen to their materials when they die and have succession plans in place, ideally to repatriate the same materials back to the communities from which they originated. They also need to ensure that they have good descriptions about who provided what materials and where that material is or will be located.

Jaky Troy again says that joint authorship is critical in helping to protect Indigenous people's cultural knowledge in the academic setting, and journals now are more and more accepting of jointly authored papers where the roles of the co-authors are very different. An Indigenous linguist myself, I have recently published an article with a non-Indigenous linguist, Alice Gaby (Gaby & Woods, 2020). Troy says:

The joint authorship one is absolutely critical, and also not necessarily to put yourself forward as the primary author or the researcher; if your teacher, or several teachers or the community have done more than you have, name it and don't claim first authorship; credit where it is due. Journals are actually now accepting this joint or multiple authorship.

4.2.2 Group B responses

I think that it is so important for copyright and intellectual property to stay with the communities in two different ways. For primary documentation work—like dictionaries and plant and animal books—copyright and intellectual property need to be assigned to communities and I think the easiest way to do that is to publish with Indigenous presses. Many of our books have been published with Batchelor Press, and we just had a collection of narratives published by Aboriginal Studies Press. Those are presses you don't have to have arguments with you just say copyright stays with the community and it's totally straightforward and that's really good.

Felicity Meakins, Interview, 2016

There are a range of responses from non-Indigenous linguists here. While Meakins sees no real barriers to negotiating some aspects of what copyright might rightfully stay with the community and ways this can be achieved, others feel that the issues are too complex or that there is a lack of understanding around copyright generally on both sides.

Felicity Meakins is among a growing cohort of young non-Indigenous linguists who see no real justifiable barriers to truly ethical linguistic practice; however, they need guidance and a framework to work within, especially within the academy, which Vicki Couzens calls 'the colonial brick wall'.

Kris Travers Eira says that Indigenous people's concept of intellectual property rights and copyright creates a confusion of the issues:

I think this word copyright is taken by people to have much wider range in power than it actually does. Copyright is literally about the right to copy. I've noticed that people hope that it has much bigger implications about right to use in all sorts of ways, that copyright law just doesn't go anywhere near.

Eira picks up on the huge disparity between what copyright and intellectual property rights offer, or rather don't offer, Indigenous people and what Indigenous people actually want in terms of the right to control and manage their cultural materials. They say:

the system of copyright and the system of how Aboriginal people are seeing their ICIP [Indigenous Cultural and Intellectual Property], that's been talked about a lot, but there is this massive disparity in mainstream law that doesn't anything like come to grips with that other system, so that's sort of a problem that sits there no matter what you do with it.

While Felicity Meakins says that publishing with Indigenous presses, in most cases, is an easy way to negotiate copyright in certain community-based productions such as dictionaries and text collections, it must be kept in mind that these small independent publishers are vulnerable to financial challenges, as is the case for all not-for-profit Aboriginal community-controlled organisations. Felicity Meakins says it gets trickier when it comes to academic outputs such as grammars, not just because the publishers find this hard to negotiate but because, in these types of cases, she says there are two levels of copyright:

We ended up having all the sound files copyrighted to the community, but we couldn't copyright the book itself to the community, and I was in two minds about it because on the one hand, I think the actual language should have copyright and intellectual property attributed to the community and we were successful in that, but the analysis of the language in a grammar is actually coming from the linguist and not from the community.

I think in that sense I can see that there's two kinds of copyright in grammars and other analytical work, and books should be able to have copyright over different parts of it in some ways.

As discussed above, Jaky Troy says this is a grey area in linguistics. She argues that the analysis of language is a joint exercise and that the Indigenous language teacher who works with linguists is more like a co-researcher in this regard—one who, in order to teach linguists about their language and how it works, also undertakes linguistic analysis. One of the practical ways around this is overtly recognising the speakers' ownership of the language and negotiating a licence to represent their language in books or other publications.

Kris Travers Eira says that the ICIP over the language data is not controversial in the legal sense, although it can be controversial for Indigenous people sometimes. They highlight the current default position:

but what is said about it, is considered to belong to the researcher, so the copyright of the entire thing then would, by default, belong to the researcher and the bits within it, which are data from the Aboriginal person whose language it is, that's still their intellectual property, is kind of the default way of seeing it. The copyright isn't for the language and can't ever be for the language; languages are not legally copyrighted.

We can plainly see that the default position of the global research community is totally out of touch with Indigenous people's views on these matters. Critically, it is exactly at this point that Indigenous people lose control of their languages and cultural knowledges to the researcher.

Eira has seen cases in which linguists have assigned their copyright to the community they have been working with, but this is meaningless once an article or paper is published in an academic journal; if the copyright is not renegotiated, the publisher then owns it:

their name can be on as author or co-author but the copyright belongs to the communities and that doesn't seem to be hugely problematic if you are in control of the publishing, but I think what a lot of people who aren't academics don't realise is that usually when you publish, you lose copyright, the publisher owns the copyright, so that's a different battle, it's a part of the whole thing about copyright doesn't mean what people think it means.

This point was raised by Jeannie Bell above and the situation is not very well known by Indigenous people who are not familiar with the university system and copyright and contract law. As previously mentioned, this has some serious implications for Indigenous people in terms of their ongoing concerns around the control and management of their language and cultural rights.

Importantly, Felicity Meakins points out that the ethics forms that she has seen don't mention copyright:

Actually, our ethics forms don't say anything about copyright.
I know the ethics forms we use here and the ones I know at
Melbourne University, they don't say anything about copyright.

The ethics protocols laid down by the NHMRC, to which universities adhere, do not currently address the possibility that copyright in the research outputs must be negotiated with the Indigenous community in which the research takes place. The mantra in human ethics to 'do no harm' does not consider the tremendous harm that has already been done and continues to be perpetuated by the current model of ethical research. Britt Jacobsen says (2018, p. 38):

The outdated ethics criteria of 'do no harm', which is common to
many research guidelines, fails to hold researchers to account for
doing more than satisfying their own academic interests.

However, the new AIATSIS code does address copyright in the research context. It states: 'It is also important to note that ICIP rights are not well reflected in Australian copyright law. While copyright laws cover things in material form, ICIP rights extend to all forms of tangible and intangible heritage and culture' (AIATSIS, 2020b p.8).

Encouragingly, some more recently published linguist's field guides go beyond the currently outdated ethical standards; however, Jacobsen says that many do not (2018, pp. 10–15). Jacobsen importantly highlights the fact that the national body for Indigenous research in Australia itself does not currently address these issues adequately:

The Australian Institute of Aboriginal and Torres Strait Islander
Studies (AIATSIS) Guidelines for Ethical Research in Australian
Indigenous Studies (2012) encourages consultation and
negotiation with the community, as well as community input

and control of the research process. While this is a step in the right direction, such criteria should be made mandatory, rather than simply encouraged, for a project to receive funding.

While the new AIATSIS code⁷ acknowledges that intellectual property rights do not afford the same protection as copyright law, and while the institution has strengthened and expanded its code, it still does not make its code mandatory.

Margaret Florey says that the issue of copyright is a very intangible concept. Further, she says that we should be looking to co-authorship because authorship and copyright merge:

I think that maybe rather than copyright, that authorship is the thing for us to be talking about you know, that really sort of overt recognition of who the authors are, in some ways copyright and authorship merges because if you are an assigned author then you also hold more rights over a publication. I think all of these things flow from each other; if people are trying to work from a more ethical basis and a more respectful basis then they will, by their nature, also negotiate authorship relationships.

Co-authorship provides an important and valid alternative strategy to deal with the issues of copyright in publications for individual authors, and this is already an acceptable way to publish in academic journals. However, it does not deal with the issue of community copyright. The co-authoring of a dissertation is something that isn't generally accepted within the arts and humanities, but Felicity Meakins says that it is worth looking to the field of science for ways that co-authorship can work in a research context:

it's probably worth looking to science, so in science they have a slightly different kind of dissertation where students write a series of publishable papers and everybody who has contributed to those papers is an author on it, and that would include the major Indigenous contributors, so I think, within arts and humanities we don't have the structure set up to do that yet but I think we should be looking towards the sciences to try and make some inroads into that and to appropriately attribute authorship to Indigenous collaborators when they have been major contributors to research.

7 aiatsis.gov.au/sites/default/files/2020-10/aiatsis-code-ethics.pdf

This is especially important in the field of documentary linguistics where, as Jaky Troy points out, there could be a case for considering the analysis of language as a joint exercise in some cases, with the language teachers being considered co-researchers. There is at least one example of a master's thesis being co-authored with a Warlpiri community member, that of Simon Fisher at Charles Darwin University.⁸

Kris Travers Eira believes that agreements that negotiate copyright can work in the academic research context:

I don't think that interferes with that problem of points and career and all of that, as far as I know it, it doesn't interfere with all of that.

A shift in this direction in the humanities and arts would certainly be beneficial for Indigenous people but it could be a long time coming. In the meantime, agreements that include a licence to use language and cultural materials and co-authoring are becoming an alternative way of negotiating copyright in the research context within Indigenous language centres and communities. Generally, there is an acceptance that this is becoming common practice in linguistics. Felicity Meakins says:

I think it's an appropriate way of doing things, it's how things are; that knowledge is not the knowledge of the non-Indigenous academic. I know that KLRC now has extensive agreements that outline that kind of thing when you undertake work within their auspice. For example, in our work at Balgo, you enter into an agreement with the KLRC, I think that's really great.

However, the use of agreements between researchers and Indigenous communities is a relatively new arrangement and the practice is a cause of some concern for non-Indigenous linguists. Margaret Florey feels that she doesn't know enough about how these kinds of agreements might work from a legal perspective:

I feel like I don't know enough about copyright and who might hold it, I guess, or the way that the licence works and I think for me the questions would be from a legal perspective how you actually would manage that and what steps somebody would legally be able to take if the licencing is breached. I think often those kinds of licences are negotiated without a deep understanding of the law

⁸ researchers.cdu.edu.au/en/studentTheses/pikilyi-water-rights-human-rights

and so you might find you've got no rights to do anything about it if the licence is breached. I hope it's what would come out of respectful relationships.

Florey's question about the effectiveness of agreements and licences if tested is valid. I think that, in time, Indigenous people will increasingly progress the development of these kinds of licences and agreements with legal advice from specialists in the area of intellectual property such as Indigenous lawyer Terri Janke⁹ and others; this is already taking place within some Indigenous organisations. Terri's lived experience as a Wuthathi/Meriam person gives her deep insight into the issues.

Kris Travers Eira says that negotiating these kinds of agreements with universities might be problematic because of the way they view research from the lens of hard science, which can have commercial implications for the researcher. They say:

It's just a matter of getting the contract right and sometimes universities can be a bit stubborn about this sort of stuff. That's partly because most of the research in universities is about hard science, which is a very different issue because there, you're talking about commercialisable [research products], it's a whole different ball game. We don't have that problem in our discipline but that's what the university concerns argue towards and that's why they can find it difficult to move out of that, because it has huge ramifications for hard sciences but almost no ramifications for social sciences—we are not making new plants and making a fortune on the food they produce.

The point that Eira makes here about the potential 'commercialisable' value of research in the hard sciences does have potential implications for Indigenous peoples in social science research contexts also, such as linguistics. I think that there is some overlap here between the sciences that is often overlooked. Marie Battiste says Indigenous people are becoming more aware of the potential to alleviate many of their economic and social problems through the commercialisation of their cultural knowledge in their own time and ways (2008, p. 503).

James Cook University, through the Tropical Indigenous Ethnobotany Centre, recognises the issues and seeks to help the Indigenous peoples of Queensland to 'record, document and research cultural plant use

9 www.terrijanke.com.au

knowledge, which could be of mutual benefit to Traditional Owners and their partners'.¹⁰ Importantly, one of the functions of this program is protection of Indigenous intellectual and cultural property rights over plants. Bruce Pascoe talks about the potential commercial value to Indigenous people in native plant knowledges:¹¹

'[We're] trying to organise ourselves so large food companies don't put a brand on it and dispossess us once again... we don't want to be dispossessed twice.' Bruce emphasises that Indigenous people must be able to sell and take ownership of the native food industry and process.

Non-Indigenous linguists may not think of these issues when working with Indigenous people, and plant knowledge and use is often recorded, sometimes in conjunction with other researchers such as botanists. This is one area of cultural knowledge that has great potential to help Indigenous people alleviate poverty in our communities. While often this knowledge is given back to the communities, sometimes in the form of beautifully illustrated plant books, what then happens to the intellectual knowledge that has been collected by the researcher? Goodwill alone does not address the issues, and agreements are necessary.

There are some notable exceptions, particularly the work of Glenn Wightman (see Hector et al., 2012; Raymond et al., 2018) and Felicity Meakins (see Meakins et al., 2019; Meakins & McConvell, 2021; Wadrell et al., 2019; Wadrell et al., 2015). Both of these authors have made concerted efforts to explicitly acknowledge community ownership of language and cultural knowledge, and co-author with their co-researchers. They set a very good example of what can and should be achieved.

Margaret Florey and Felicity Meakins both say that there is often a lot of goodwill and there are good working relationships between Indigenous people, communities and non-Indigenous linguists, and that these ways of working together can be very productive. Meakins says, however, that some non-Indigenous linguists don't do this well and these agreements do offer some protections:

10 www.jcu.edu.au/australian-tropical-herbarium/research-and-programs/tropical-indigenous-ethno-botany-centre-tiec

11 greatersydneylandcare.org/in-conversation-with-bruce-pascoe/

We didn't do that when I was working at Katherine Language Centre, and I think it was OK because the linguists that we worked with from the university generally had a lot of goodwill, but it didn't protect the language centre from linguists who might not have had a lot of goodwill. I think you do need to have formal agreements in place because there are people who do the wrong thing, and you need some way of protecting communities against those people.

Meakins raises an important point here: while we know that many non-Indigenous linguists work hard to build respectful collaborative working relationships with the Indigenous people and communities that they undertake their research with, just as many do not and have caused and continue to cause great harm both to the Indigenous people and communities that they work with and the field of linguistics generally.

Further, it would be wonderful to imagine that respectful relationships and collaborations would protect Indigenous people's language and cultural knowledge, but, as Jeannie Bell points out above, this is not always the case and Indigenous people often get taken advantage of by the non-Indigenous linguist who has had a long association with the community. In many of these cases, the non-Indigenous linguist is afforded a privileged place in the community and much trust and often love is placed in them, but this will not ensure that the non-Indigenous linguist will vest the copyright of their research or project with the Indigenous people they have been working with and to whom it rightly belongs. They have a position back in their institution and the pressure to publish from the research is unrelenting; this fact alone is one of the major causes of the loss of Indigenous people's language and culture.

The academy must acknowledge this dilemma and address it within their institutional ethics processes, ensuring that ethics applications for researchers working with Indigenous people have an agreement in place that negotiates the copyright in research outputs in a way that ensures protection of Indigenous people's languages and knowledges.

However, linguists wanting to do the right thing by Indigenous people do not have to wait for the academy to change its processes; they can change their own practices in this regard. Seeking permission for future uses of data, for example, is not a hard thing to do and you can design your consent form to take this into account as I have done; you will also want to include succession plans for the copyright of the data. I know that if any

of the co-researchers involved in my PhD became unable to be contacted for any reason, I would have to go to appropriate family members to get that permission and this is standard practice in Indigenous communities. It can take a bit more time but planning for a new publication is often known well in advance of the publication date and if permissions are sought early on, there should not really be any or much delay. It is simply a matter of goodwill on behalf of the linguist, Indigenous or non-Indigenous. This is the highest possible standard of respectful and ethical collaboration; from an Indigenous point of view, it is the way business is done in the normal course of things and is expected.

This does not supplant the need for formal agreements or licences to use language and cultural materials, but it is one thing that linguists can do to show respect for the Indigenous people with whom they propose to undertake research. Most importantly, it demonstrates to ethics committees that this is becoming the practice in linguistics and the more it does become standard practice, over time the more acceptable it becomes to the academy.

4.3 Community directed research: Identifying communities' research needs

We need to develop a whole new approach to what research is in the context of Australian languages. Our languages are dying, let's be honest, they go to sleep. I don't think this country can sustain a model where people come in and do research with our people into the future that isn't going to serve the purposes of the communities that research is being done with, so that should be the starting point.

Jaky Troy, Interview, 2016

Linguistic documentation of Indigenous languages has provided Indigenous people with the linguistic resources to maintain and revitalise our languages. The process of revitalising a sleeping language involves a lot of hard work and commitment on behalf of Indigenous community members. This can take many years if not decades and usually requires the Indigenous people who have taken on this challenge to gain at least some understanding of linguistics. This is because the outcomes of

documentation projects and other linguistic research that Indigenous communities might use are presented in pompous linguistic terminology that has the effect of locking the language away.

Indigenous people are now beginning to question the value to themselves of linguistic documentation, the outputs of which are generally ‘given back’ to the communities in the form of complex grammars and, in the majority of cases, overly complex dictionaries (as noted by Corris et al., 2004). These outputs have not been designed with Indigenous communities in mind, but other linguists. Decades of documentation have not helped Indigenous communities to keep their languages on their tongues or to make language maintenance or revival easy. Indigenous people are beginning to understand that documentation alone will not ‘save’ their languages, when saving a language from a non-Indigenous linguist’s point of view is to ‘document it before the last speakers die’. This position is becoming untenable when we are being told by non-Indigenous linguists themselves that our languages are severely endangered and in the next however-many years, our languages, and everything that they encompass, will all be gone.

Indigenous people are now pushing back and saying that the situation must change, that language documentation and other linguistic research must be under community control and, at the very least, serve the needs of the communities.

4.3.1 Group A responses

Jeannie Bell talks about the 1984 Annual General Meeting of the Australian Linguistic Society (ALS), which she attended at the Institute for Aboriginal Development in Alice Springs. At that meeting the linguistic rights of Aboriginal and Torres Strait Islander communities were workshopped and the outcome was a set of motions and statements¹² that were then endorsed by the ALS. Reflecting on that workshop, Bell says:

I think really that people lost sight of that and Aboriginal and Torres Strait Islander community people or scholars that are doing linguistics, they feel in some ways obliged to remind the non-Indigenous linguist ... ‘have you thought about things this way?’

12 www.als.asn.au

Bell says that, in fact, she does not see any real meaningful progress since that first meeting more than 30 years ago and that Indigenous people have to keep our focus on the issues and find our own creative ways to work out the solutions for ourselves:

We need people like yourself to keep us going with all this stuff because if we rely on all of the different organisations that we are supposedly getting support from ... we might just have to be more dependent on our own creative ways really.

Jaky Troy points out that many non-Indigenous linguists approach linguistics from a scientific perspective, which has no real value on the ground to Indigenous communities who are watching their languages rapidly go to sleep:

In some ways, linguistic research has been about not caring whether or not a community is going to keep speaking a language or not, it's been about document it before it disappears, so instead of linguists actively engaging in the future of our languages, a lot of linguists have in the past been invested in documenting languages before they die out.

Unfortunately, this is still predominantly the case and Indigenous communities are now becoming aware of the fact that documentation of a language alone does not save a language from going to sleep. Linguists argue, and rightly, that the data collected during a documentation project can then be used to teach the language in maintenance programs in the communities. However, the majority of Indigenous languages that have survived, against the odds, in Australia are severely endangered and many Indigenous communities are keenly aware that when their last speakers die, the language and the cultural knowledge will go with them. Indigenous communities in this position have often had a number of linguists come and do documentation work over many years and they have grammars and dictionaries, but they do not have a new generation of speakers coming through. Language centres have sometimes restricted linguistic research in their communities in order to find their own ways of dealing with saving their languages and, to them, it seems that non-Indigenous linguists' goals do not match the communities' goals of creating new generations of speakers.

Importantly, Vicki Couzens talks about the value of those early documentation efforts of her language in the context of revival:

The first one is the recording, now we've got the language and for me the priority that I'm working on is grammar, rebuilding grammar, because I can have 10,000 words in my vocabulary and if I don't have grammar, I can't string them together and talk, I can't speak, I can't converse, I can't communicate; all I can say is the tree, heads shoulders knees and toes.

I would not argue that there is no great value in documenting a language, but with the rapid rate of language loss, we can no longer prioritise language documentation over language maintenance and revival efforts. To do so will see more and more languages going to sleep and language centres becoming cemeteries for Indigenous languages. Jeannie Bell points out that many Indigenous people now are asserting the right to do things their own way:

take central Australia for instance, there are still a number of people who are fully literate in their own language, literate as well as speaking their own language and they are very strong in the sense of saying 'well we want to do it this way, we don't want you to tell us what we want'.

However, Indigenous communities in remote areas of Australia that have not yet become aware of the issues outlined here are particularly vulnerable. Some communities have no formal representative body that advocates for them and through which information can flow. These communities are often in a state of continuous crisis at multiple levels, have not had access to adequate education and experience low levels of literacy. These Indigenous communities are disempowered and vulnerable but nevertheless are often involved in linguistic research because it is often the case that in these isolated communities, the language still persists precisely because of the isolation. This was the case with my own community in western New South Wales.

Jeannie Bell talks about this vulnerability and points out that some non-Indigenous linguists continue to take advantage of the close relationships they have formed with the Indigenous people they are working with:

then there's these other people that come along and say, 'Oh look I just need this because I've got to do this presentation and I really need you to come' and so on and, the people do it because they've been friends with them for a long time and people get used, really. They sort of like to think that it's OK because they've been around this community for a long time.

She says that while some Indigenous people are strong and will speak out, others are not so strong in this situation and the feelings of powerlessness seem overwhelming:

It's kind of a funny situation really because people would like to be able to be strong enough to say, 'Well no you can't do that and this is the way we want to do it and we want you to do it our way'. They are just not maybe strong enough.

I am forever grateful that documentation of my language took place because it is now the only record that we have of our language. I often wonder, however, what if, instead of documentation or as well as documentation, intensive efforts were made to keep my language from going to sleep, and to create new speakers? Would I now be able to speak my language or learn from someone else who, through such efforts, had learned the language? I was a teenager at the time the documentation project was being undertaken so it would have been very feasible. It would mean so much more to me than having a grammar and a dictionary and a bunch of recordings, all of which I now have to decipher through the technical language of linguistics to have access to in any meaningful way. This is the case for all Indigenous communities who have had any documentation work done on their languages.

Importantly, Jaky Troy says that the first step is helping Indigenous people to deeply understand what linguistic research and research generally is about and how it can help their communities, and then working with them to define and develop their own research agendas:

Ask Aboriginal and Torres Strait Island people, what are the big issues facing you and what sort of research do you want done? Do you have a sense of what research actually is and what it can do for you? And, do you understand what it does for the people who come and do research with you? I think universities need to offer themselves up in the way that I am offering up Sydney University and saying, 'Look, it's a public institution, you own it, your taxes are paying for it, paying for us to exist and if we are going to do research, it should be what you want.'

Vicki Couzens agrees and talks about actively engaging universities to negotiate Indigenous people's research agendas:

We need to be asking communities what kind of research they want; we need to maybe direct our graduates into areas of interest that communities have prioritised. There are so many different

levels of research and sometimes I think that it's all very well for the graduate people to have these brainiac ideas because this is so interesting. Communities need to have a research plan and priorities; wouldn't that be good if we had a research plan and priorities so that when the students come out or we can go to the university and start head-hunting people who are looking [to work with communities].

Again, Couzens agrees with Troy here about the need for communities to develop a deep understanding of research and then to formulate their own research agendas, and emphasises that non-Indigenous linguists need to help in the first instance by addressing these priorities:

But the work needs to be done in communities around what are their research priorities, what is research? Why do we do it? What are our priorities and how are we going to do that research and with who? So, priority research. We need Master Apprentice stuff before these old people leave us and, the geeky technical stuff, we can see the importance of it structurally within the language and knowing what it is, but right now, you need to focus on this and in your spare time look at that other stuff, but the same terms and conditions still apply to all aspects of the research project.

Importantly, Couzens talks about prioritising language learning strategies such as the master apprentice program, which emphasises passing on language 'breath to breath', speaker to learner in Indigenous communities. Couzens also talks about capacity building through research projects. She says it is important for non-Indigenous linguists to be working with appropriate and interested Indigenous community members to pass on research skills and linguistic knowledge, and that this is a two-way relationship. The Indigenous linguist, language worker or community member would act as a mentor to the non-Indigenous linguist to help them to understand how the community operates and the appropriate lines of authority:

I think the other thing that really needs to be built in [to research projects] is capacity building in community and working with community knowledge and expertise. So, if there is a community linguist, someone who's been doing the work but not formal-education trained, they must work with these people, they must understand the lines of authority in community and how it all works and training people up, not that they [the linguist] have to deliver the training per se, some of it might be on the job, but be there to be part of handing on skills and knowledge to the community.

When thinking about how Indigenous communities might be able to promote their critical research agenda to interested researchers, Vicki Couzens imagines some sort of database in the future that could match up communities' research agendas with university graduates looking for communities to work with:

What if we had a database where people logged on, and we had like a linguist and community projects, a love match [database]. It could be online perhaps with First Languages Australia.

In light of the fact that significant meaningful change in linguistic practice within the academy in Australia has been painstakingly slow, a group of Indigenous linguists and language activists have formed the Alliance of Indigenous Linguist Research (AILR) in order to take a leading role in the protection and promotion of Indigenous people's rights in linguistics research. In its founding document, AILR states:

Moving on from this seminal ALS meeting and the pioneering work of Jeannie Bell, we have decided to form a permanent group, the Indigenous Alliance for Linguistic Research, to further her important contribution to the field. It is our intention to decolonise the discipline of linguistics and claim it for Indigenous people. We intend to no longer be the 'subjects' of linguistic research but to be recognised for the researchers that we already are and making valuable contributions to the discipline.

At the time of writing, AILR is still in the very formative stages, but it is planned to formally organise the group in the near future. This is a very positive move for Indigenous people's linguistic rights in Australia and one that is in line with Indigenous groups in other parts of the world such as North America and New Zealand.

4.3.2 Group B responses

The new ethics have developed in large part due to the demands by the communities themselves, as they emerge from generations of genocide and oppression, and begin to exercise their own rights of decision making.

Leanne Hinton (2010, p. 35)

Encouragingly, some non-Indigenous linguists are beginning to listen deeply to what Indigenous people have been saying and are taking measures to work in genuinely collaborative ways with Indigenous people

to begin to redress some of the issues on both sides. It must be noted that much of this work is happening outside of the academy. Margaret Florey talks about the underlying principles of the DRIL, and professional development training programs run through RNLD/Living Languages, and says the core principles are twofold: helping Indigenous people to better understand the field of linguistics generally, and being able to undertake their own linguistic and language work or engage with non-Indigenous linguists in an empowered way. She says:

I think that training is an important part of it, that as community people get a better understanding of linguistics and the work that linguists do and it opens up that possibility of one of them being able to do it themselves, but also it opens up the confidence to know a linguist could come and do this and we might stand a chance of understanding what they are doing and if we want to still maintain control, we might still be able to do that. So, it puts people in a stronger position to being able to ask us the question or ask someone else the question, 'that'd be really good for us, do you know somebody who might be able to come in and do this?' Because I think in the early stages people just haven't got a clue what they might even be asking for or what might come out of that. I think there's absolutely that value of trying to do that bridging and that match-making service.

Felicity Meakins also talks about the role that language centres can play in being a bridge between Indigenous communities and universities around negotiating community directed research:

I think that's where really good relationships between language centres and universities are really powerful; the linguists in the language centre were the ones who were on the ground talking to community members and they'd be saying 'we want this' and then we could communicate that to universities, and the linguists in universities often have more funding pull and that sort of thing.

Margaret Florey and Kris Travers Eira say that RNLD/Living Languages and VACL also do that bridging between university graduates and Indigenous communities. However, Amy Parncutt, a young non-Indigenous linguist who was working with RNLD/Living Languages at the time of my research, warns that if Indigenous people rely too heavily on this model, they risk becoming dependent on non-Indigenous linguists in the university system to do their language and linguistic work for them:

You also don't want to, if there are stronger partnerships between language centres and universities, then you also run that risk of it going back to thinking, 'this is the only option for my language to get documented—I need a white linguist to come in, that's how it's done' rather than going, 'oh I can actually do this myself'.

The point that Parncutt makes here is critical; while Indigenous people do want to build stronger and more productive relationships with universities to help them address the issues within their own communities, it must not be the case that these relationships would undermine Indigenous people's aspirations to maintain control and ownership of research or projects that take place in their communities, and which deal with their languages and cultural knowledge.

While there is a genuine desire by Indigenous people to manage and control research projects, there is currently a severe lack of resources that would help Indigenous people do this effectively in their communities and organisations. In the past several years, funding cuts to the federal government's Indigenous languages budget have seen language centre funding cut severely, leaving most language centres with greatly reduced staff. However, in 2021, the federal government announced \$22.8 million in new funding for Indigenous languages 'as part of the Commonwealth Implementation Plan for Closing the Gap'.¹³ The announcement says that the funding will include additional support for existing language centres and the establishment of three new language centres. It is not clear yet if this is ongoing funding, but it will be a welcome boost to language centres' capacity to operate. Importantly, Jess Soller, a young non-Indigenous linguist who was working with RNLD/Living Languages at the time of this research, talks about the extra responsibility that comes with making sure research is carried out in an ethical manner: who has that responsibility and will non-Indigenous linguists need some special training? She says:

I suppose then there's a responsibility for the language centres to make sure that the linguists that are going to come in are going to work in a relatively ethical and good way; whether that requires them have to do extra training with the linguist in that language centre or whether they are going to have to have a relationship and negotiation where students are coming from, to make sure they are trained in an appropriate way.

13 www.firstlanguages.org.au/news

Kris Travers Eiera says that graduate linguists coming out of university are often ill-equipped to be working in Indigenous communities. They say that universities teach students how to ‘do’ linguistics but not ‘how’ to be a linguist working in Indigenous communities and this has often resulted in a breakdown in research projects:

the lack of preparation of the grad students for the realities of working in communities and, my friend in academia who I keep referring to, she went for something like three months’ fieldwork and came back with something like an hour of data, that’s the reality.

The issues raised here by Soller and Kris Travers Eira are not to be overlooked; if the non-Indigenous linguist has no or little understanding of what the issues are, then going unprepared into an Indigenous community can do more harm than good—to both the Indigenous community and the non-Indigenous linguistic community as a whole.

Everyone I spoke to said that they had had no training around the issue of ethics in linguistic research in their undergraduate or postgraduate training, and only one participant undertook a course in fieldwork methods, which she felt had not prepared her for the reality she faced on the ground in communities. Parncutt talks about feeling like she had been given a solid grounding in the issues in her undergraduate studies but when she started working at RNLD in the DRIL training program and hearing what the issues really are for Indigenous people on the ground around Australia, she realised that the training she had received was still missing the mark:

when I was at university, I really thought that a lot of my lecturers, like that that was the training you know. It did seem so community focussed from some of my classes, so I really thought that that was, you know the way to work with Indigenous people and they were doing the right thing by community, but it’s no, until you come to this space and then it’s like ‘oh you think you are but really, you’re still not’.

I believe it is the responsibility of universities to properly educate graduates around the issues of ethics and particularly the critical importance of ‘free, prior and informed consent’ and how that feeds into the development of robust agreements in the context of working with Indigenous people. This of course implies a solid period of consultation with the community to work through these issues. As Parncutt points out, even the fieldwork

courses that are being delivered (and I believe there are only a couple of universities offering these) fall short of the realities and expectations of Indigenous people on the ground in communities.

Currently, the opportunities are very few for non-Indigenous graduate linguists to gain the necessary skills and experience around these issues. RNLD/Living Languages' practice of taking young graduates out into Indigenous communities is clearly a very good—and perhaps the only—model in Australia that truly strives to address the issues in a meaningful way, aiming to meet the needs of Indigenous people and strengthen relationships between the two groups. Some language centres have had and continue to have interns and volunteers working with their organisations, such as Ngukurr Language Centre in the Northern Territory, Mirima Dawang Woolab-gerring Language and Culture Centre and Wangka Maya Pilbara Aboriginal Language Centre in Western Australia, which is also a good model for exposing young graduate linguists to working with Indigenous communities and experiencing first-hand the realities on the ground.

However, universities ultimately have the responsibility to deliver targeted courses for working with Indigenous communities based on sound ethics guided by and developed in conjunction with Indigenous people. As previously stated, I believe that AIATSIS as the peak organisation that represents Indigenous people's rights in research broadly, has a strong role to play in partnering with universities to ensure that graduates intending to work in Indigenous communities, at the very least, meet the requirements of the AIATSIS Code of Ethics, through a mandatory online course or some other instrument.

4.4 The issues and moving forward together

It really is a very big undertaking because this is a post-colonial country we are still wrestling with; how do we be with each other? It's not easy and it's not going to be easy, no matter what you do, that's at the heart of what the difficulties are around ethics and protocols in Australia that as we know, on a broader scale and outside of linguistics totally, that's still not really acknowledged in Australia, but we are getting there and so within linguistics, same. It's not acknowledged how hard that is and why, and what the hell you do about it.

Kris Travers Eira, Interview, 2016

Kris Travers Eira reflects here on what I would consider to be core to the reasons why, to date, there have been no concerted efforts to see what progress we've made in linguistics since that first meeting in 1984.

It's seen to be too difficult, too political and, indeed, it is very difficult and very political on both sides, but nonetheless, there is willingness to try again and to keep trying to work through the issues in small pockets around the country. The work that RNLD/Living Languages and VACL do is a clear demonstration of this willingness, and there are also many language projects that continue to try really hard to get the balance right for all concerned.

Despite this, there has been no forum dedicated to the issues since the meeting in Alice Springs in 1984. Jeannie Bell, who was at that meeting and has worked actively with communities and universities to bring light to the issues since that time, feels that nothing has changed:

It just makes you feel real sad really, you know because we have all done our time protesting and doing all of that sort of stuff and nothing much changes.

4.4.1 What are the issues for Indigenous linguists and practitioners?

Everybody doing linguistics in Australia should be doing something to build the future for our languages and all the other side of it can wait or can be done as a side issue. Any documentation should have built into it an active aspect of keeping a language going, the main object is to get people invested in keeping our languages going. Our languages should be part of our future, not part of our past.

Jaky Troy, Interview, 2016

Jaky Troy hits on a major ongoing concern for many Indigenous people around Australia whose languages are severely endangered, that is 'saving' languages from going to sleep and prioritising language maintenance and revival strategies that ensure the next generation are learning their languages 'breath to breath'. The KLRC have been saying this for some time now and they have restricted documentation in their area because they say that documentation alone does not save their languages. While non-Indigenous linguists are also deeply concerned about the critical rate that Indigenous languages have been going to sleep and documentation

is a major priority for them, the reality is that there is no concerted effort on the part of non-Indigenous linguists to help keep severely threatened languages alive and on the tongues of the speakers. The major concern of many non-Indigenous linguists is to create a grammar and perhaps a dictionary of the language before the last speakers die, which is then given back to the communities in the form of texts that they cannot read unless they then undertake some linguistic training to decode. This is in large part due to the structure of universities and major funding agencies. This was discussed in Section 2.9 in Chapter 2.

Indigenous people want to be in control of research projects and are beginning to push back and say they no longer want to be treated as the 'subjects' of scientific research and, if non-Indigenous linguists want to work with them, then they will have to work to Indigenous people's own research agendas. Jaky Troy says:

I don't think this country can sustain a model where people come in and do research with our people into the future that isn't going to serve the purposes of the communities that research is being done with; so that should be the starting point, not someone has a bright idea they want to understand some aspect of the verbal morphology of Pama-Nyngan languages—and that's a valid thing to do—but if you are going to go and do research in a community, get access to that kind of information, go and find out what the community wants done first and do a PhD on that, and if you want write some navel-gazing piece into the future when you've learnt about the language, do it later on.

This situation puts non-Indigenous linguists and Indigenous communities in a very real bind. Some non-Indigenous linguists are critical of Indigenous communities and organisations that choose to restrict documentation because, in part, this could negatively impact their field and their careers. Further, major funding organisations' narrow views on what constitutes research are out of touch with Indigenous people's growing concerns and awareness of the ethics in linguistic research. Linguists are now beginning to see and experience how this situation is becoming unworkable on the ground in more and more Indigenous communities and organisations. Many Indigenous people have little sympathy or desire to continue to engage with non-Indigenous linguists on these issues. Troy speaks plainly and says:

I hate to say it, but I've got no sympathy for linguists feeling threatened, I actually think that that's part of the colonial process. I don't think that linguists should have any privilege in the process at all, it's a privilege to be a linguist working on an Australian language. It should be 'we are the dog, they are the tails; I am a linguist in a linguist role, I'm the tail not the dog, and I need to take direction from the people I'm working with for the purposes that those people identify, and all the academic navel-gazing stuff can go on but not as the primary exercise'. Our languages are going to disappear and someone getting a PhD on some esoteric aspect of linguistics is a waste of three years' worth of Commonwealth research funding.

Vicki Couzens says that she is exhausted by the ongoing battle to have Indigenous people's issues addressed in the field of linguistics and that her energies now will be focussed on her own family and her own community and doing things her way. She says:

I have less energy and I am less inclined to expend a lot of my energy jumping up and down and screaming and shouting and banging my head against the colonial brick wall anymore. I'm not going to spend the next thirty years of my life trying to educate the white man; I'm going to spend that in my community and my family.

Jeannie Bell notes that when Indigenous linguists and activists speak out and try to make some inroads or bring attention to matters of concern for Indigenous people, they are often criticised, questioned, or put down by non-Indigenous linguists. She talks about Jaky Troy being a strong advocate and warrior for our people:

I don't know because the Indigenous linguists are getting fewer and fewer that are doing actual teaching at universities, there's not many is there? Jaky Troy for instance, she spent all that time in Sydney then back in Canberra and she's always been trying to get things happening but people put her down all the time; like somebody said when I told someone when she got the job at Sydney University, and she went, 'how come she gets that job?' and I'm thinking well what hell has it go to do with you, why do you have to go like that? She's had her PhD for how many damn decades and people just think it's OK to run her down because she doesn't work things like you do.

I can relate to what Bell is saying here. I have had similar experiences myself and felt at times that some non-Indigenous linguists have felt threatened by my presence in the workplace or at conferences because of my activism. I have often been sidelined, ignored or actively undermined by some non-Indigenous linguists in the past. This situation can make it incredibly hard for Indigenous linguists and language activists to maintain enthusiasm to continue to work in the field of linguistics, and, as previously mentioned, perhaps that is why so many Indigenous people do not actively go on to pursue a career in linguistics.

Jaky Troy points out that part of the problem lies with linguists' often overinflated ideas about linguistics and the belief that only highly intelligent people can engage in the field. She says:

There's been a very much kind of 'us and them' approach in the field. I think that linguists need to be a lot less arrogant and of course it's not everybody, but there is still a real arrogance in the linguistic world; that it is a difficult field of study, that only people who are highly intellectual can engage with, and that actually cuts out the idea that the communities that the people are working with are actually highly intellectual, producing materials and information in their own way about their languages and training the linguists, but that's not recognised.

The idea that Indigenous people are not intelligent and could not understand or engage with linguistics is extremely arrogant and deeply rooted in the fictitious notion that Western or global knowledge systems are superior. Vietnamese Australian researcher Chi Luu¹⁴ says:

There are many ways of seeing the world, and indigenous cultures all around it have had a long time to amass a great knowledge about how things work. They have evolved languages to tell people about it in ways that they could understand. By mistaking a culture's hard won history for a fantasy, or by disrespecting the wealth of knowledge in all its different forms, treating it as worthless because it doesn't look like the conventions we expect, we're merely keeping up a Columbian, colonial tradition of treating people not like ourselves as less than human. And that might cost us more than we expect.

14 daily.jstor.org/daily-author/chi-luu/

Linguistics itself is not a complicated field per se; it is only the way in which it is presented, couched in tediously pompous language that makes it hard to comprehend. I would recommend that linguistics move to a plain language model, as is being advocated for in the legal profession in the United States.¹⁵

Troy goes on to say that currently there are no spaces in linguistics in Australia where Indigenous and non-Indigenous linguists, language workers and activists get together to share their knowledge about languages and their shared work:

I still see at the Australian Linguistics Society, there's the forum for the Aboriginal and Torres Strait Islander people and then the forum for the linguists, there doesn't seem to be a real marrying up. I don't think it's a matter of having Aboriginal and Torres Strait Islander people qualified in linguistics; it's about having that discussion that happens in the field, where people do understand each other and giving that a privileged in the space in linguistics. Aboriginal people do do linguistics or linguists wouldn't be able to write anything. We share our knowledge about our languages with linguists and linguists then go away and take that and divorce us from that sharing moment.

This divorcing of Indigenous people whose languages are being presented and discussed at conferences assumes that Indigenous people will not understand or be interested in what is being presented, and, where linguistics is presented in turgid language, that only people with any training in linguistics might have a chance of understanding. This practice alienates Indigenous people from the linguistic work in which they were initially a 'vital' collaborator. Further, this practice continues to perpetuate Indigenous people as subjects of scientific research.

Troy says that many Indigenous organisations, including language centres, are beginning to reject non-Indigenous linguists. She says that researchers from the social sciences generally have been seen to be predominantly concerned with their own careers at the expense of the Indigenous communities they have been working in:

15 www.plainlanguage.gov/resources/content-types/legal-profession/

In some ways, the peak national bodies, both FATSIL¹⁶ and now First Languages Australia, are almost anti-linguist, which is a real problem. I think that what's happened is that anthropology, linguistics, and archaeology as well, these social sciences are seen to be the fly-in-fly-out sort of model, even if people have come for some years to develop their knowledge of a language and then write up a grammar, it's seen as a come-and-take and then go-away-and-put-nothing-back exercise. So, I think longevity of engagement.

Long-term meaningful collaboration is crucial; it is no longer acceptable to divorce Indigenous people from all aspects of their languages and cultural knowledges in the research context beyond fieldwork, as is still the case in the majority of linguistic research in Australia. Many non-Indigenous linguists do maintain long-term relationships with the community in which they have been undertaking their research, but this does not always equate to a meaningful collaboration beyond the fieldwork or the extraction of knowledge. This is precisely why we are seeing an anti-linguist push back from Indigenous people and it is why we are seeing Indigenous organisations and language centres insisting on using agreements to counter some of these problems.

In the language revival context, which is now the situation in the majority of Australia, Indigenous people feel that some non-Indigenous linguists in the academy devalue language revival efforts and fail to recognise the absolute struggle that Indigenous people are facing when trying to revive their languages and what it actually means to them. This suggests that only spoken languages are of any real interest to non-Indigenous linguists and, in many cases, this bears out in practice. Further, many non-Indigenous linguists are often not interested in helping Indigenous communities keep their languages on their tongues but only in documenting the language before the last speaker dies and producing a grammar and a dictionary. By and large, this comes back to issue of the very narrow view of what constitutes valid research and what attracts research funding.

Simon Musgrave and Nick Thieberger say that the work of language revitalisation for Indigenous communities is about 'language affection' and for non-Indigenous linguists interested in the scientific study of languages, this kind of work is 'thin and unsatisfying' (2007, p. 49).

16 First Languages Australia (formerly FATSIL) is the national peak body for all Aboriginal and Torres Strait Islander languages. www.firstlanguages.org.au/about

The rhetoric being used in papers such as this is now being challenged by many Indigenous linguists and activists and is seen as devaluing and unacceptable. Jenny Davis (2017) has dedicated a whole article to this problem and I would highly recommend this article to all non-Indigenous linguists. Further, Jaky Troy says:

People like John Hobson who are actually quite critical, saying that some communities only want to use the language for symbolic purposes; well that perhaps is because that's the only way forward that they can see, but if they can understand what's involved in reviving a language and speaking it again and having your kids growing up learning the language, let's have communities really well informed about the state of our languages and what we can do into the future to make sure that we, as Aboriginal people, will be speaking Aboriginal languages. That's the big question, how do we as Aboriginal people carry ourselves forward into the future speaking our own languages?

Troy goes on to say that all linguists working on Australian languages should be activists for our languages because we are losing them at an alarming rate:

Most of our languages only have a few fluent speakers now, there are only thirteen that are still really strong and are widely used in communities, so we are in a pretty desperate situation and there needs to be a better way of transmitting our languages into the future and growing them, and linguists actually should all be activists.

The non-Indigenous linguistic community has a strong role to play in advocating for changes to research funding that would argue for the value of applied strategies that identify, investigate and offer solutions to the real-life problems of helping Indigenous people do the work of saving and revitalising our languages. Troy says that Indigenous and non-Indigenous people can, in this process, get their degrees, but there needs to be a much more collaborative way forward.

Collaboration must begin well before ethics applications or research begins and this must be factored into a research project. I would recommend at least six months' lead-up time. The Indigenous people involved in language documentation and other types of linguistic research must

be involved in all stages of research planning and development, project management, language analysis, the development of theories and in the presentation of research findings, including theses and publications.

In short, Indigenous people must be seen as fully human, intelligent and capable of being equal partners in all aspects of research that involves or is about them.

4.4.2 What are the issues for non-Indigenous linguists?

Why should Indigenous people try and put their energy there when their energy is needed for the revitalisation side of things, and I think that those issues of authority come into this as well, that if people are fearful of what might happen if people have control over their own language programs, a response to that is, if we are trying to build appropriate and respectful relationships there won't be anything to fear, because appropriate and respectful relationships will look to the needs of all parties and see how we can address them.

Margaret Florey, Interview, 2016

The work that is being undertaken by Living Languages and the organisation's underlying ethos are definitely to be applauded. It is an organisation that has listened deeply to what Indigenous people are saying and has taken active steps to build strong and respectful relationships with Indigenous peoples and their communities.

Margaret Florey, co-founder of the RNLD and director of its Documenting and Revitalising Indigenous Languages training program, talks about how non-Indigenous linguists need to be thinking about what is happening on the ground around Australia with the destruction of Indigenous languages and working hand in hand with Indigenous people and their communities to begin to address some of the issues identified above. She says:

I think Aboriginal people are hearing that there's no hope for our languages so there's this sort of push to document and archive so that we've got the material, because they are not going to live, rather than taking from the perspective of 'if our starting point is well what can we be doing to sort of stop that process of the destruction and really support the languages living now and do

the documentation hand in hand, there's no reason why you can't be documenting MA sessions and doing that enterprise side by side' and I think that's just incredibly vital.

Importantly she talks about RNLD's role in inducting young graduate linguists into the Indigenous communities around Australia to help them get first-hand experience of the issues on the ground around what it means to work in Indigenous communities and build an understanding of what linguistics is and what are benefits of good collaborative linguistic research for Indigenous people:

getting hold of the young linguists as we try and do at RNLD and take them to workshops in their formative years and really get them to be able to sit down face to face with Aboriginal people and talk about what the needs are from both sides.

With more and more Indigenous people and communities asserting that they want to have control over research and projects that concern or are about them, there is a growing tension between Indigenous people and communities and non-Indigenous linguists. Florey says many non-Indigenous linguists have at the forefront of their mind the idea that if Indigenous people have control over their own research and projects, their own careers will be negatively impacted, and that if Indigenous people are not researchers themselves, how will they understand what linguists do?

[H]ow are they going to meet publishing demands, how are they going to meet their research goals if they are having to be concerned about this and, if somebody else has authority over their project, will they be allowed? ... The fear of what are they going to stop us from doing rather than what are they going to allow us from doing [to be doing]. The onus there now is on the non-Indigenous researchers to find a way to help people understand what their projects are about and what the benefit might be not just to science.

This fear is very real for non-Indigenous linguists. They fear that they will have to enter into contracts with Indigenous people that stipulate what can and can't be done with the research results and that such contracts will be overly restrictive compared to the current situation. The prospect of having to renegotiate every new publication or use of the research results might mean that the linguist—Indigenous or non-Indigenous—may have to visit the Indigenous community again; this can be time consuming, and it does not guarantee the desired outcome. But,

as Florey points out, the onus is on the linguist to find ways of helping the Indigenous community clearly understand what the proposed publication or presentation is about and, critically, whether they can co-author or co-present with their co-researchers, and what happens to the copyright of any proposed new publication.

Non-Indigenous linguists need to take into account that Indigenous communities are in a state of constant crisis at so many levels and those communities that still have their languages are often faced with the knowledge that their language is in a critical state of endangerment. This is true of the majority of languages still spoken in Australia. There is very little room in the lives of Indigenous people to be concerned for the careers of non-Indigenous linguists if they are seen to be not in line with Indigenous people's own agendas. Florey agrees and says:

I remember at CoLang¹⁷ when I was taking part in the 'Life in Communities' workshop and a couple of the non-Indigenous people were talking about those demands, and one of my responses to that was, 'well why do you think that Indigenous people should care about your career path and prioritise your career path over what they need to do for their community?' There was a ripple of shock through the room when I said it because I think that still there's this kind of feeling that this is our reality, we have to be able to publish a couple of papers a year, we have to be able to do this kind of research and I think there has traditionally been an expectation that everyone will understand that and will work with it and I think that we are at a crossroads there.

If research is aligned with the Indigenous communities' own identified priorities and identified Indigenous people within the community are engaged as co-researchers, there is a much greater chance that the research will be supported in an ongoing manner and, therefore, a much higher likelihood of the project being successful. I am currently undertaking a PhD program, and this is the premise of my own research. I have prioritised broad community consultation at all stages of the project including well before taking up my PhD program. I conduct regular visits to the communities outside of fieldwork. I have six Indigenous co-researchers from within my own community working alongside of me and I keep the broader community up to date with the progress of the project through a dedicated Facebook page. While I did not enter into a research agreement

17 www.colanginstitute.org

for the project, I did ensure that all of the co-researchers maintained the copyright in their data through the instrument of consent forms that give me permission to use their data only for the PhD project. All other future uses will have to be negotiated with them. This is expected from my community. It is critical to my project that I have and continue to maintain the community's trust and support.

The growing awareness of Indigenous people has caused a shift in the dynamics of the relationships between Indigenous people and non-Indigenous linguists, and this has the effect of creating ambivalence and uncertainty for many non-Indigenous linguists who actively engage in the agenda of returning control and authority to Indigenous people within their own practices. Kris Travers Eira says that it is perceived that the knowledge and skills they bring to the table are undervalued:

I guess a pendulum swing the other way so that knowledge and skills that I bring are disregarded or not wanted. I recognise that that's just pendulum swing, that's what that is, it is pretty frustrating; that's where we are.

Conversely, Felicity Meakins talks about the emotional trauma of being a non-Indigenous linguist working in Indigenous communities. She says that many non-Indigenous linguists feel a deep sense of guilt surrounding the colonial history of this country and she questions the right of non-Indigenous linguists to be working in Indigenous communities. She says that this can be a factor in the tensions that exist between non-Indigenous linguists and Indigenous people:

there's a lot of guilt, I think most non-Indigenous linguists are pretty left-leaning in terms of politics and just know all of the problems that's gone on over the past couple of centuries and so there's an awful lot of guilt associated with that. Then there's a sense that a lot of us that it's not our place to be working in this space; for instance, as a woman in this day and age, if you had men studying women or men running women's organisations there'd be outcry about that ... So, I guess often as a non-Indigenous linguist you're thinking well this isn't really my place to be undertaking language work and when an Indigenous linguist calls you out on something, it hits at all that feeling of unease that you already have and I think that maybe that's why people get their backs up, because they're wanting to do the right thing.

Many Indigenous people say that the guilt of non-Indigenous linguists is a part of the colonial process, as are the continued unethical practices of linguistic research. I think that when the field of linguistics engages in genuinely ethical practice, then this situation will eventually be resolved. Kris Travers Eira talks about how we are still struggling with how to move forward together and how hard the process is and the fact that it is not really acknowledged.

Many Indigenous people would argue that we are not in a post-colonial country: colonial rule is still deeply experienced by Indigenous people. Australia is one of the few countries in the Commonwealth that does not have a treaty with its Indigenous peoples and there is, to date, no recognition of Indigenous people in Australia's constitution. Kris Travers Eira talks explicitly about the very uncomfortable space that we find ourselves in with Indigenous people pushing back and articulating the need for urgent change to redress the human rights concerns in linguistic research, and with non-Indigenous linguists struggling to work out what this means for them and how they will address the requirements of their institutions. This situation is complex and difficult on both sides and has at times caused considerable tension between the groups.

Many Indigenous people are becoming strong and outspoken leaders in their own organisations and asserting their rights around research that takes place in their communities. This move has drawn some criticism from some non-Indigenous linguists such as Musgrave and Thieberger who question their authority and say that some Indigenous people have little sympathy for the aims of linguists (2007, p. 50). Margaret Florey says that some linguists are fearful of working in organisations where there is strong Indigenous leadership:

I do hear from linguists who hear about some language centres who have strong Indigenous leaders, and they sound fearful of those places and well 'We probably can't go there; it's going to be hard for us to work there'. I think strong Indigenous leadership is what's needed, you know, don't be scared of it, let's celebrate it, let's have those conversations, go there, and talk to people. Maybe there are regulations that people are putting in and they're asking you to sign agreements about how your work takes place, that's not a bad thing.

Non-Indigenous linguists are used to being the authority in research and this change in paradigm is unsettling. The idea that they might not be in total control of research projects leaves them feeling understandably vulnerable because they cannot see yet how this will pan out. Florey says that there is a lack of modelling in Australia about how these strongly collaborative projects might work and what they would look like. She says that there are a few in Australia that provide good models:

In Australia, there is a lack of modelling for how that might look, I've just given some examples of a couple of projects where there are deep and lasting, very positive, relationships from both sides that are working very, very hard to meet the needs of both parties and I think they provide good models.

There are examples from the North American and New Zealand contexts among others, that describe what Indigenous-led linguistic research looks like. In the Australian context, there is much less modelling, but one recent publication in the revitalisation context *Living Languages and New Approaches to Language Revitalisation Research*, provides guidance that could be adapted to other situations (Stebbins et al., 2017). Felicity Meakins says that many non-Indigenous linguists want direction for their projects. She gives an example from a project that she has been working on:

I think people do want direction, so the photographer I was talking about, she's Gurindji [Assoc. Prof. Brenda L Croft, The Australian National University], grew up around Sydney and Canberra and it's actually been really great working with her on projects because she's on top of all of the politics of knowledge production and ownership in ways that often community members aren't so much. It's great getting direction and insight from her which I think makes for quite a different sort of project, but she's also very gentle as well, she'll put you in your place when you've overstepped a mark and you haven't realised it, but then is encouraging, saying that the expertise that I have is appreciated on projects and certain things might not have happened if I hadn't been involved.

The situation outlined above highlights several things: it demonstrates what positive guidance can look like, but conversely, it highlights the fact there is not a lot of awareness around the issues of control and ownership of language and cultural knowledge in communities. As previously stated, this situation needs to be urgently addressed.

Meakins also points out that linguistics in the past decade has become highly technical and that this alone creates unintentional barriers and tensions:

so, the equipment is getting harder to use, the computer programs are really hard work sometimes and I actually think the days when documentation was notebooks and pens and simple kinds of computer programs actually put up less barriers. The amount of Western education you need now to undertake these projects in ways that everybody thinks is valid is a real barrier to having the involvement of people who don't have necessarily as high a Western education, or maybe they do but they just don't have the desire to spend huge amounts of time learning computer programs when they just want to get out there and do it.

It has been my experience that Indigenous people generally have no problem with learning to use recording equipment and programs such as ELAN¹⁸ and Audacity¹⁹ with the right culturally appropriate training. Programs such as Toolbox²⁰ are more complex but again with the right training anything is possible. Some of the people that I have worked with did not achieve a high level in the Australian education system and enjoyed the challenge of learning how to use this technology to work on their own languages and produce high quality resources. Meakins goes on to say that this situation might be attracting the wrong type of non-Indigenous linguist as well as putting off Indigenous communities. She adds:

It's becoming an expert via a Western education; language of course is something that you would always just learn as a child.

While I understand Meakins's point here and agree that becoming an expert via a Western education is not the ideal, it is where we are, and I cannot see the situation changing any time soon. Further, it would be nice to think that for all Indigenous people, learning your language as a child was the normal course of things but this is not the reality for the vast majority of Australian Indigenous people: we have to learn back our languages as second language learners. We need to engage in the national education system to access our mother tongue languages and much more.

18 ELAN (Computer software) (2022). Nijmegen: Max Planck Institute for Psycholinguistics, The Language Archive. archive.mpi.nl/tla/elan

19 Audacity Team (2021). Audacity(R): Free Audio Editor and Recorder (Computer application). audacityteam.org/

20 sil.org

Importantly, Meakins asks the question that she says is on the minds of some non-Indigenous linguists:

Some non-Indigenous linguists want to know whether it is still OK to ask the bigger questions which aren't necessarily of interest to the community but are on a larger world scale and I think that's one of the things that comes up a little bit, what the interests of linguists are, some of which intersect with language communities but sometimes not, and I think maybe part of the worry is that if the goals of the community and the goals of the linguist don't overlap then is there a relationship anymore?

A response to that question could be that our goals don't always have to be the same, but they must overlap. We have seen in the data that Indigenous people are saying: 'Talk to us about our research agenda first and help us with that as a priority and work on your own interest as well but not at the expense of the community's priorities'. It may be that the Indigenous community have not yet formulated a research agenda as such, but, nevertheless, it is important to discuss the community's language priorities and the possibilities that research can offer.

Also, as previously discussed, do not assume that Indigenous people will not have an interest in the bigger questions. Find a way to talk about your research interests with the Indigenous people you are working with and see if this is something that might be of interest to them as well. If not, then they will at least know what your own research is about. Further, it is important to keep having these conversations and sharing your research interests and outcomes and looking for ongoing opportunities for collaboration.

We need to continue to work together because there is too much work that urgently needs to be done. However, non-Indigenous linguists will not have an industry in the field of Australian languages in the long term if all of our languages go to sleep, and if they cannot listen deeply and work with us to genuinely redress the inequity of human rights in linguistic research.

Some or even many linguists may choose to work on other small Indigenous languages or migrant languages from other countries, either in Australia or elsewhere, because it might be considered easier to undertake their research without having to think too much about the ethics of their research. This would not be considered a loss to Australian languages from

an Indigenous point of view. Non-Indigenous linguists who embrace human rights and seek to work from a framework of shared mutual respect and dignity will always be welcome. If non-Indigenous linguists care about the loss of Australian Indigenous languages and all that they encompass, then they must listen deeply to Indigenous people and work with us to keep our languages alive or breathe new life back into them.

4.5 Creating opportunities for discussion: A way forward

The main forum in Australia should be around what are we going to do to make sure our languages don't disappear? There is no national conference on why our languages shouldn't disappear and how to stop them disappearing. Where is the conference or the discussion where you can have community coming together with linguists and saying, 'OK let's build linguistic technique from a community perspective'?

Jaky Troy, Interview, 2016

Jeannie Bell talks about the need to create opportunities for discussion of the issues between Indigenous linguists and language activists and non-Indigenous linguists (Bell, 2010, p. 92). She says the underlying tensions between the two groups need to be aired and discussed openly. She says that no space has been made for these discussions in the past 30 years and this situation continues to build resentment that can sometimes boil over at conferences when the two groups come together. I agree. There are many times that I have talked about these issues to both Indigenous and non-Indigenous linguists and language activists and yet the issues continue to get swept under the carpet because they are too sensitive, too political and are generally assigned to the 'too-hard basket'. Bell says we need to go back to that process and work out the guidelines again:

I think that it's got to be something that people are alerted to in some sort of way, and I think the best way is that we've got to have these guidelines or whatever we are going to call them, you know like the ones that we had in the 80s.

4.5.1 Group A responses

Vicki Couzens and Jaky Troy both agree that we need to have a forum where we all get together and try again to find more equitable ways to work together. But, critically, Couzens says that Indigenous people themselves need time to discuss the issues first within their own communities:

[We need to] go through the process and it is a process, it's not something you can sit down[and do] in an afternoon workshop; it brings up things and people need to work through their whatever it is, that emotion, that hurt or whatever it is, can be worked through and go, well, actually look, yes that's what happened then, yes that's what happened to your grandfather, the point is we're going to make sure that never happens again, so then you have the control and the authority by virtue, here's your copyright law, these are the things you can do, you've got your language reference group who are the authority that makes the decisions, this is their terms of reference and their guidelines, here's your plan on how to do your own research agenda.

Indigenous communities need to talk amongst themselves to develop a cohesive position. As we know, Indigenous people and communities are not homogenous and will have differing needs and positions. Importantly, Couzens talks about the work that the Victorian Aboriginal Corporation for Languages have put into creating a tool to help Indigenous communities facilitate discussion and work through the issues:

Right now, we have resources to go into community or families and talk through issues, we have Meeting Point, VACL has Peetyawan Weeyn,²¹ we have our new poster that we can use as tool to facilitate discussion and this is part of it, the issues if you like for want of a better word, again not reinventing the wheel either. I think that communities need to first and foremost talk among ourselves about what we want and what our positions are and then we can talk with the others, and instead of going into something and the linguist says, 'I've got this funding to come and do this research project' and someone goes, 'Oh yes great let's go and do it' and other people going no, no, no, no and then we are blueing amongst ourselves because we haven't talked through issues and we haven't done copyright, we haven't done authority and we haven't done research priorities.

21 Paton and Christina (n.d.).

Couzens points out that educating our own communities around the issues is an important first step; this is needed to help Indigenous people feel empowered and to be able to constructively engage in the issues, but it requires resources. She says:

VACL through our meeting point project, we go to see different things in action and how people were going about things, but people need to feel empowered and VACL do, and we could do that so much better if we again, had the resources to get there and educate our communities.

The issue of physical and financial resources to undertake this level of consultation is no small matter. With funding cuts to the Indigenous languages budget in recent years there is little hope that this kind of large-scale project could be funded by any of the currently struggling Indigenous language centres. Vicki says that once communities have done the awareness-raising and preparation, we could then come together at a forum with non-Indigenous linguists to talk through the issues:

Let's be prepared, let's do the preparation, talk through the issues of the frustrations around discussion of ethics, and that at a place. We might come back to and present a paper because you've done this process in the community and here's what we learnt. With what we know, maybe we have to move beyond about how things have been done before and put them forward. So, whether the community brings it up or the linguist does, someone needs to bring it up and talk about it. We've got to have it out on the table, clear the air, nut them out, draw up the ethics protocols and stuff and then we don't have to worry about it, job done.

Jaky Troy agrees and says that there needs to be a more engaged forum between the two groups and that linguists have a responsibility to be guided by what Indigenous communities have to say about linguistic research:

Linguists haven't made a space to actually sit back and let community tell them what it is community thinks research should be. We go in with our techniques and we are not prepared to hear what it is that communities would give us guidance around, in terms of our research practices.

Vicki Couzens suggests that such a forum should be held according to Indigenous people's ideas about what such a meeting would look like. She says:

You can bring people to a gathering that is structured and run our way and have ceremony and smoking, etc., in our space and our way; I'm sick of conferences and they are all run white people's way. You could have a space for weaving, you could have sit-down circles and so on, yes absolutely, that's a great idea, let's do it.

It is very clear from the above that there is a willingness to come together with non-Indigenous linguists to work through the issues in a constructive way. It is also clear that Indigenous communities need to first have these discussions amongst themselves in order to get up to speed on these issues and be able to put forward an informed and cohesive position. This process could take some time.

4.5.2 Group B responses

I think that it does work; there's very few rifts that are created at CoLang,²² very, very few. I think everyone is there with this genuine willingness and desire to just open up discussion and just throw the field open to change. It is collaborative research and everybody's really looking for this, for ways to do what you're talking about and here, it's a challenge for us in Australia.

Margaret Florey, Interview, 2016

Kris Travers Eira has been committed to being open to having these difficult discussions and listening deeply to what Indigenous people have to say on the issues but says that more non-Indigenous linguists need to come to the table:

We are going to have to accept that you can't really move through it, if you're waiting for the sun to shine it's only going to shine when we get there, we are not there, there's a lot of people carrying a lot of anger and you have to respect that.

They go on to say that currently there are very few spaces where Indigenous and non-Indigenous linguists and language activists can come together to have the difficult discussions. They say that there is no avoiding the fact that in these types of discussions, all sides will feel threatened, and we must find a way to be comfortable with being in an uncomfortable space.

22 The Institute on Collaborative Language Research, known as CoLang, is a biennial gathering for people to learn about language documentation, descriptive linguistics and language revitalisation. www.colanginstitute.org

Eira talks about the working relationship that they have with Couzens at VACL and how their deep trust has enabled them to have these types of discussions:

If there are spaces to do that, they are only very very small spaces like I do with Vicki, I know that I can talk freely with Vicki and she can talk freely with me and we can have it out and that's ok, that's just her and me, it's a solid relationship there, but more publicly, we can't look for non-threatening space because it is threatening, post-colonial country, it is threatening. So maybe instead what we have to do is find spaces where it is ok to have discussion, which is in fact threatening and somehow for that to be a possible thing, not like the blowing up thing that Jeannie is referring to but you know to be uncomfortable in this bloody uncomfortable space it is.

Margaret Florey talks about the CoLang Institute on collaborative language research, and workshops such as the 'Life in Communities' course, and she reflects on how these workshops make it acceptable to confront the issues around the ethics of working with Indigenous communities in the US and from a community perspective, and to be able to ask all those questions about what it might mean for non-Indigenous linguists:

When you're sitting in a CoLang classroom, like the 'Life in the Communities' course that I was taking part in, and you're discussing these kinds of issues where you're actually saying, like yeah what's it going to be like? People are able to ask those questions: ... How would it look? How can I make it OK to come? What do I need to do? And so that, I think, confronts people on that deeper level to really think about these kinds of questions ... Remembering that makes me a little bit more optimistic that I think there are these sorts of venues opening up that are making us all confront the way that we do things, but I still think in general like in Australia, if we think about, or anywhere really, if you think about a standard university classroom situation, you're too protected.

Importantly, Florey points out that universities in Australia are still white enclaves that are safe spaces for non-Indigenous people, where they do not have to move out of their comfort zone and be challenged by the reality of discussing the issues face to face with Indigenous people. She says:

One thing that strikes me like, I think that that's part of the power of CoLang. We were talking a little bit about that earlier and I think that what strikes me about it is that, that's an environment in which you're sitting in a classroom with Indigenous people,

non-Indigenous people, you know linguists, language workers, so everybody's mixed in there together and I think one of the great challenges is that, by and large, even if you're talking about ethical issues in a university, it's happening in a white enclave you know, and so like you're talking about it [but] you're not having to sit there and feel challenged by, in the same way that you [to Amy] say you wonder about how your research would go now thinking of like real people, real Indigenous people.

I agree with Florey here: universities are still not culturally safe spaces for Indigenous people; the balance of power is still with the non-Indigenous linguists.

Couzens's point above about having a forum or meeting that is Indigenous-led and conducted according to Indigenous ways and meeting protocols is crucial to any planned discussions. It is in this way that we can have an equal playing field and Indigenous people can feel culturally safe. Before that can happen however, Indigenous communities need to come together to discuss the issues and find their position and power in what is still very much an unequal relationship with non-Indigenous linguists. Then we can have these discussions with non-Indigenous linguists in forums that might look something like the CoLang example. When thinking about this possibility, Florey says:

I think that they can, and I think it's to the benefit of non-Indigenous linguists to do so. Where might that forum take place and trying to get everybody to take that deep breath, and I think on both sides there's fears: Aboriginal people are fearful about sitting down in the same room with a bunch of linguists who, reasonably they might think, are going to be defensive. I think it's such an uneven table in many ways for Indigenous people, there's still too low a level of understanding of linguistics and what linguists are doing, so rightfully there's a fearfulness about what's going to happen there and for non-Indigenous people there are different levels of understanding communities and community needs and community concerns and so there's a fearfulness about that, and so how do you bridge when people aren't sitting as equals at the table?

Florey talks about the need for the Indigenous community of Indigenous linguists, language activists and language workers to meet in their own communities and places to discuss the issues before coming together:

Maybe it needs to be a series of more regional meetings rather than one big national forum, or a regional meeting and a national forum, something like that. People are always safer on their own country or closer to their own country really letting people know [that] there is incredible goodwill and, sometimes when people say things harshly or in anger, I think it's also because they are expecting not to be heard and when they know that people are there, really with a willingness to hear and respond, then it is different, so yeah let's make it happen.

It is equally important that the non-Indigenous linguists come together in some way to have these discussions amongst themselves also. It has been my experience that there is often resistance to, or misunderstanding of, Indigenous people's concerns in this space, which has contributed to the tensions we are talking about here. There is a huge impetus here for non-Indigenous linguists to come to the table with their ideas for genuinely workable solutions to the issues.

In mid-2021 there was a very positive development in the space. A small group of non-Indigenous linguists and their affiliated universities partnered with Indigenous linguists and activists to create a forum or study group to begin to work through some of the issues.²³

The Indigenous Alliance for Linguistic Research, Centre of Excellence for the Dynamics of Language, Sydney Centre for Indigenous Research and the Research Unit for Indigenous Language, have formed a new study group called 'Decolonising Linguistics: Spinning a Better Yarn'. This study group aims to discuss topics of relevance to Indigenous communities involved in linguistic research and linguists more broadly, around framing a new ethical model for linguistic research based on a human rights agenda.

This study group has been well received and is still running in 2022. As this study group was set up mid-pandemic, the meetings take place online, which also makes it more accessible to people around the country wanting to attend or participate. It is planned to open the meetings to interested international audiences and participants in 2022. The sessions are recorded and are currently placed on the Centre of Excellence for the Dynamics of Language website.

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

While the online study group is a step in the right direction, the online format and limited time frame does not leave much room for deep discussion of the issues and certainly does not replace the need for face-to-face meetings. Kris Travers Eira says that is important to bring together people who genuinely want to resolve the issues and have a deep understanding on both sides. They suggest that this might be possible in smaller groups:

Maybe the smaller groups thing is a key, maybe that could work, I could imagine that. Even if it was a big group like a conference, you could split it into small groups with people who on both sides and there is a both sides still, talk that through at a personal level, if you've got 400 people, you can't really talk on a personal level and sometimes that just turns to venting, and it might include people like Vicki who get both sides of the picture.

This point is crucial: both sides need to choose representatives that they trust to represent their group or community and put forward their issues in a structured and planned way. It would be unproductive to have an open forum that anyone can attend from either side because this situation could lend itself to being no more than a venting exercise. When thinking about what a forum might look like, importantly, Margaret Florey talks about the need to set a safe environment for all people involved:

providing that safe environment for everybody and probably pre-negotiations about what are some ground rules, how do we make sure we're keeping it safe on all sides, what do we do if people stop feeling safe? Can we agree to some rules so that we can ask some hard questions but neither side is going to feel threatened? It's a good conversation for us to keep having; what would it look like?

I support Vicki Couzens's suggestion of a forum or meeting that would be based on an Indigenous model, with smoking ceremonies for healing and harmony and Indigenous ways of respectfully engaging. Margaret says that the community of non-Indigenous linguists does have a role to play in bringing the two parties together:

I think that we are probably at a time where it is necessary and it's possible, it makes me wonder about First Languages Australia and the role that they could play. ILA [Indigenous Languages and Arts]—is it something that the ILA funding body might facilitate because it would benefit all sides? How great to set up some protocols because it's a long time since the Australian Linguistic Society created a set of rules for fieldwork but that was very much

about if you are going to be a non-Indigenous person going into an Indigenous community 'Here's some good things to do' and, this is very different you know, this is about respectful partnerships that serve all parties.

There is enough goodwill and agreement on both sides, and it is now possible to imagine a forum where interested Indigenous linguists, activists and language workers could come together with interested non-Indigenous linguists and pick up where we left off in 1984, furthering the discussions in meaningful and lasting ways so that we can heal all that needs to be healed and move forward together. Kris Travers Eira says:

There are people like Jeannie and yourself now as well that are bridging that gap by your work, that's got to help. Jeannie is so valuable in this area because she is just so patient and so consistent and she's always there and she does not hide her voice, she doesn't mask what she thinks but she has the respect of everybody; it's just awesome, so we could do with more Jeannies that's for sure.

We could do with more non-Indigenous linguists like Kris Travers Eira, Margaret Florey and Felicity Meakins. Unfortunately, Jeannie Bell, Margaret Florey and Kris Travers Eira have all now retired, leaving huge boots to be filled. However, it is encouraging that many young non-Indigenous linguists like Felicity Meakins are coming up through the field who believe that the human rights issues in linguistic research must be a priority and are struggling in very positive ways within their own work practices to strike the right balance.

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