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Where to now?

5.1. The publish or perish dilemma: Secondary uses of research data

Up to the present, non-Indigenous linguists and researchers in other fields have had total control of research projects and research data and have published prolifically. This situation has been driven by the demands of the academy that requires academics to publish in an ongoing way to maintain their careers and continue to be able to apply for, and receive, research grants.

This situation alone has been responsible for many decades of removing Indigenous people's languages and knowledges from them and handing them over to the global scientific community. This can be likened in some ways to the removal of Indigenous artefacts and human remains to museums. However, artefacts and human remains can in most cases be repatriated: language and cultural knowledge cannot be so easily returned, and consequently much secret and sacred knowledge, among other knowledge that rightly belongs to Indigenous people, is now forever in the public domain.

In response to Indigenous people's deep concerns about how research was and still is impacting them and their knowledges, human ethics protocols for working with Indigenous people in Australia have been implemented in all universities and other government organisations involved in research. This process minimally requires researchers to 'do no harm' when researching in Indigenous communities but, to date, it does not recognise, let alone seek to redress, the 'harm' done to Indigenous people by the loss of language and cultural knowledge.

Linguistic field guides and, in my experience, ethics boards often encourage the inclusion of clauses about wide ranging, non-specific, ongoing secondary uses of language data as this facilitates unencumbered ongoing publication. The use of such clauses aims to shortcut the need for ongoing consultation with Indigenous communities that may be seen as inconvenient and time consuming.

The practice of framing ethics applications and agreements this way could be seen as a thinly veiled continuation of the exploitation of Indigenous peoples and their cultural knowledges for the purposes of scientific research.

This practice is unethical for several reasons: one, it continues to perpetuate Indigenous peoples as subjects of research; two, it denies Indigenous peoples the right to claim their knowledge as their own and to protect it in any way whatsoever; three, it denies Indigenous peoples the right to have any say in how they themselves are represented in these publications; and, lastly, it denies Indigenous peoples the opportunities to co-author publications and share in presenting their knowledges at conferences, because, critically, it assumes that Indigenous people will not understand or be interested.

Genuinely ethically informed consent must entail explaining the above situation honestly and clearly to the Indigenous people with whom the researcher intends to work.

This will require non-Indigenous linguists to find ways of talking about their proposed ongoing uses of research data, such as articles for academic journals, in ways that the Indigenous community will genuinely understand. It is no longer acceptable to say that the Indigenous community will not be interested or understand what the non-Indigenous linguist is proposing. The onus is on the non-Indigenous linguist to use plain English or the language of the community to make sure that there is a deep understanding of the proposed new uses for language data and how that data will be protected, as it must be, and to actively encourage co-authoring in such publications. This is considered best collaborative practice and is core to truly informed consent.

The use of agreements with Indigenous communities participating in research that negotiates the control of research data is now becoming seen as best practice by Indigenous people.

5.2 Indigenous control of research and use of agreements

The current ethics process in the Australian academy and AIATSIS offers no real protection for Indigenous people's knowledges and can be seen by Indigenous people as box ticking exercises. While there is strong encouragement to comply, there is no real compulsion to do so and no deterrence for not complying. In the current revised version of its ethical guidelines, AIATSIS has moved from the wording 'guidelines' to 'code' in an effort to strengthen the impact; however, this code can be interpreted as optional, with no instrument that would ensure that intended future research meets its requirements. Therefore, the Indigenous peoples of Australia are still currently vulnerable to the impacts of unethical research.

The AIATSIS code strongly encourages the use of research agreements and research partnerships, and this is a very encouraging development, but the onus is on the Indigenous community to facilitate agreements and, as pointed out above, there is still a huge gap in understanding what research actually means in many regional and remote areas of Australia. This is particularly true in communities that do not have a language centre or other cultural organisation with strong Indigenous leadership.

In organisations that do have strong Indigenous leadership, the use of agreements is becoming common practice, particularly in language centres, and this is considered to be best practice by Indigenous people. Typically, these agreements aim to keep the copyright of language and cultural knowledge with the language speakers and within Indigenous families or communities and include succession plans for copyright. These agreements usually are in the form of a licence to use language data for specific agreed outcomes, including secondary uses of data, with the expectation that non-Indigenous linguists will continue to seek, in an ongoing manner, permission for each proposed new use.

The use of agreements as outlined above should also be standard practice in linguistic research that emanates from the academy or any other organisation involved in research. While there is no compulsion to do so from ethics committees, non-Indigenous linguists must now act in 'good faith' of their own volition, according to the AIATSIS code, and actively seek to negotiate these types of agreements where ongoing control of research data would remain with the speakers. This is particularly pertinent in communities where there is no strong representation or organisation

that would help them negotiate an agreement. Acknowledging that control of language and cultural knowledge in research data remains with the speakers is of crucial importance to Indigenous people's human rights. Non-Indigenous linguists are slowly coming to terms with this situation and there is a general acceptance that best ethical practice benefits the field of linguistics in the longer term.

5.3 Indigenous linguistic training and work

It is abundantly clear that Indigenous people want the skills and knowledge to be able to undertake their own linguistic and language work, and for that work to be valued and supported by the community of non-Indigenous linguists.

In light of the fact that intellectual property and copyright laws and the systems within the academy fail to protect Indigenous peoples' language and cultural knowledge, Indigenous people are best able to manage their language and cultural knowledge within their communities into the future; in this way, they themselves get to make the decisions about who has access to that knowledge and how that takes place.

Indigenous people have taken the view that if non-Indigenous linguists want to be helpful in this space, then they will actively engage in this agenda in a way that gives Indigenous people agency in whatever shared linguistic research or work that takes place together in the future. In this shifting paradigm some non-Indigenous linguists are beginning to see training and passing on linguistic skills to Indigenous people as a valid and meaningful role for them in linguistics.

Encouragingly, many research grants now require that training Indigenous people to enable them to undertake their own linguistic or other research must be a part of the outcomes of a project. This is a welcome and much needed development.

5.4 Community education of the issues

There is a huge lack of awareness within Indigenous communities around exactly how research currently operates to lock away their rights in their language and cultural knowledges with intellectual property rights actually offering no protection.

Many Indigenous communities have no representative organisation or structure that allows for the flow of information in either direction; they therefore remain vulnerable to the research that is undertaken by non-Indigenous linguists and other researchers, who believe that the current status quo in universities is acceptable.

Indigenous communities in regional and remote regions of Australia are generally unaware that the systems of the academy and the unrelenting thirst for new knowledge and knowledge production see Indigenous peoples' languages and cultural knowledge taken away from them, more often than not inadvertently, through the structure of research itself, copyright laws and the systems of publishing. This system often serves the academic needs of the researcher.

Further, there is also very little understanding that it is possible and desirable to have control over research that happens in Indigenous communities and how research can be of benefit to their own agendas, protecting Indigenous languages and knowledge and for the economic development of their communities.

This is one of our greatest shared ethical dilemmas and challenges and there is an urgent need for Indigenous communities to become educated on the issues so that they can begin to operate from a position of knowledge and power. The community of non-Indigenous linguists needs to actively work with Indigenous people to find ways to reform these systems.

5.5 Co-authoring

Many non-Indigenous linguists are struggling in very positive ways to understand and support the aspirations of Indigenous people in regaining control of their language and cultural knowledge. Co-authoring with Indigenous co-researchers is beginning to be considered as a practical way of managing copyright for the individuals involved. However, co-authoring has limited value as it does not address the larger problem of the rights of the speech community.

This is already an acceptable way to publish articles in academic journals and texts but co-authoring with Indigenous co-researchers is not yet common practice in the Australian context. Co-authoring dissertations is already a practice in the hard sciences but is not yet seen as an option in

the arts and humanities, and I would recommend that this be considered as a potential model in the field of linguistics in the context of research involving Indigenous people. It has been suggested that Indigenous people involved in language documentation projects are co-researchers because they are teaching and describing their language in depth to the linguist, and this is considered joint analysis and should be recognised as such.

However, publishing with many academic journals means that the authors will lose copyright to the publisher. In this context, co-authoring does not provide any protection to Indigenous people's language and cultural knowledge, and has the effect of twice removing from Indigenous people and communities their language and the cultural knowledge contained in these types of publications.

It is recommended that non-Indigenous linguists look for publishing opportunities that do not seek to take the copyright in the article or book. If this is not possible and the article contains language and cultural information of a people, the linguist needs to negotiate this in a very honest and open way with the Indigenous community involved and respect their decisions to allow publication or not, or seek alternative publishing options.

5.6 Shared goals

Many academic linguists are locked into a system driven by the scientific search for new knowledge and a 'publish or perish' environment that many feel is out of their individual control. While this is not true for all linguists working in an academic setting, and no doubt many enjoy the process of sharing their research, publications are generally considered vital to improving their chances of receiving ongoing research funding and advancing their careers. Non-Indigenous linguists wonder how these ethics, that seem so out of kilter with the requirements of the academy and what is expected of them, will impact them in the longer term. Non-Indigenous linguists now wonder if they and Indigenous communities will still have a relationship when, on the surface, it seems so unworkable and onerous.

The onus here is on non-Indigenous linguists who want to work on Indigenous Australian languages. They must now begin to find ways in their own work practices to account for the fact that control of

language and cultural knowledge is a high priority for Indigenous people. This must be factored into ethics applications, grant applications and agreements processes. Non-Indigenous linguists must also understand that consultation with and seeking permission from Indigenous communities is an ongoing process.

Linguists must also take this into account when planning their research or projects and factor in that it will take longer. This might seem inconvenient, but from an Indigenous perspective, it is crucial. I would recommend that PhD programs also be extended by at least six months to allow for ongoing community consultation.

Further, can non-Indigenous linguists genuinely say that they share the same goals as Indigenous communities in ‘saving’ their languages or preserving their languages for future generations if all that they offer the Indigenous community is a grammar and a dictionary—which then requires the community to understand the technical language of linguistics in order to unlock that material and, only once they have done this, can they then use these resources to re-learn their languages as second language learners, once the last speaker has died?

It is crucial that linguists now actively seek to work with Indigenous communities on their priorities in ways that give Indigenous people agency in all aspects of that work. Training for Indigenous people in linguistics and research skills is a priority and must be factored into research projects. Linguists can still undertake research in their specific interest areas, but Indigenous people are now saying that this must not happen at the expense of their language priorities and needs.

Linguistics as a field needs to urgently reform. We have seen a shift away from the traditional view of description of language through the production of a grammar, a dictionary and a set of texts, to thinking about the value of documentation to other areas of linguistic enquiry, such as language shift among many others. We now need to see a shift to the value of linguistics to Indigenous people themselves.

Non-Indigenous linguists continue to produce resources that they think will be of value to Indigenous people, but the reality is that these resources are still overly reliant on linguistic jargon, and, therefore, are difficult to understand and are of no real practical value to Indigenous people. I would include here the majority of dictionaries that are produced by linguists. Dictionaries are usually produced with other linguists as the

main target audience with the hope that it will also be of some value to the Indigenous community: of course there are exceptions, but not many. More recently, we have also seen the production of learners' grammars or guides intended for the Indigenous community that are still very much couched in the technical language of linguistics, making them, unfortunately, still predominantly inaccessible.

We need to see a shift in the direction of practical strategies to support living languages to stay alive and thrive, or bring sleeping languages back to life. Linguistics needs to move to an interdisciplinary approach, incorporating fields such as applied linguistics that identify, investigate and offer solutions to real-life problems in communities and combine this with other fields, such as descriptive linguistics.

Can we imagine documenting a master–apprentice program or language nest for example? These programs can be conducted in language revival situations also. I can imagine several PhD or MA research projects happening in one language site.

This would see a new paradigm in linguistics in the Australian context. However, currently there are barriers to seeing this actualised. These barriers generally have very little to do with the non-Indigenous linguist's genuine desire to help Indigenous communities urgently save their languages from going to sleep, or breathing life back into them. The barrier is in fact the research funding model.

5.7 Research funding

Major research funding bodies, such as the Australian Research Council and universities, have a very narrow view of 'research' and currently do not support language maintenance or revival activities. These types of activities are funded by a different government organisation that supports the type of practical language activities described above and more, such as the operational costs of language centres.

However, this funding is very small compared to research funding and is dependent on the government of the day and that party's idiosyncratic support for Indigenous languages. In the past several years, we have seen major cuts to the Indigenous budget, leaving language centres all but crippled, with very little support for language maintenance or revival.

We are already beginning to see a shift in research funding in the requirement to demonstrate that research outcomes are more applicable to Indigenous communities on the ground. Again, can we imagine language maintenance and revival activities as linguistic research sites? Can the field of linguistics lobby research funding agencies to recognise these activities as valid and crucial research sites that also support language maintenance and revival?

Critically, it is now imperative for non-Indigenous linguists to begin to align their research to the agendas of Indigenous people. Before too long there will be no living Aboriginal languages left to study in Australia, as non-Indigenous linguists themselves keep telling us.

Further, with Indigenous communities beginning to reject linguistic research in some areas and some Indigenous organisations becoming anti-linguist, the situation is likely to get worse until Indigenous peoples' concerns are taken seriously and acted upon. Critically, then, non-Indigenous linguists must continue to lobby for change within the academy and funding bodies to bring research practice into line with the human rights of Indigenous people.

5.8 Appropriate training for non-Indigenous linguists

Many graduate non-Indigenous linguists go out into Indigenous communities with little or no understanding of the issues. They do much continued damage to the Indigenous communities in which they work, and they do much continued damage to the field of linguistics regardless of their best intentions.

It is of genuine ongoing concern that linguists get no formal training around the ethics of working with Indigenous communities and that the fieldwork courses that are offered (and there are not many in Australian universities) do not go anywhere near to addressing the issues from an Indigenous perspective. The same can be said for the majority of linguistics fieldwork guides, with the exception of just a couple.

This is a very unfortunate situation because it continues to perpetuate and compound all of the issues put forward in this book, and there is no hope for a deep understanding of the issues and change. It is therefore critical

that undergraduates of linguistics—Indigenous and non-Indigenous—undertake some targeted in-depth training around the ethics of research and working with Indigenous communities if they intend to work on Indigenous Australian languages.

Such a course would need to be developed by Indigenous people. I have previously suggested that this could potentially be in the form of an online course developed in conjunction with and run out of AIATSIS, and that such a course could be a mandatory component of the ethics review process for working in Indigenous communities at all Australian universities.

As previously mentioned, in 2021 an online study group was formed called 'Decolonising Linguistics: Spinning a Better Yarn'. This study group offers insights into some of the issues outlined in this book and is open to anyone willing to learn.

Indigenous and non-Indigenous linguists can also take advantage of opportunities to work directly in Indigenous communities, such as an internship with Living Languages (formerly RNLD) or a language centre. Negotiating to volunteer at a language centre would better prepare young graduates for a career working with Indigenous Australian languages and give them some valuable on the ground training.

5.9 A new direction for collaboration

The steps to reform outlined in this book represent an incredibly positive move for the future of linguistics in Australia, as they are steeped in a human rights agenda that we can all feel good about. It might take some time to achieve, but it is, and will be, worth the effort we all make in the present.

Indigenous people have rightly pushed back against linguistic and other research that constitutes a breach of their human rights and will continue to do so until we see the changes we need. This could mean further restrictions on research in a variety of ways, including materials in archives and libraries, and this is already being realised.

However, this is a pendulum swing, and it will right itself when Indigenous people can see real change in linguistic practice that sees Indigenous people themselves as the authorities and protectors of their language and cultural

knowledges again. Indigenous people need to be able to genuinely trust non-Indigenous linguists to be able to enter into genuinely collaborative research relationships that do not threaten this authority but, instead, deeply respect it in every regard.

But we need to come together and have those conversations about what this might look like on both sides. It is recommended that interested Indigenous linguists, language workers and language activists with a deeper understanding of the issues, and non-Indigenous linguists with a genuine desire to see change in the field of linguistics, come together at a forum to discuss and workshop the issues with a view to finding equitable and practical ways of moving forward together. However, we need to have those discussion within our respective communities first in order to be able to come to the table with clearly thought through and constructive positions.

This would be the most logical next step to gaining broad-ranging consultation and consensus on both sides and developing recommendations that would assist in bringing about long-needed reform around ethics in linguistic practice and research. We cannot wait another 30 years.

It is in this way that we will be able to genuinely collaborate, and this is the key to achieving all of our goals. Indigenous people can have their research agendas met and non-Indigenous linguists can have their research agendas met. They don't necessarily have to have the same goals, but the goals must be deeply understood and agreed to on both sides. We can turn the tide of linguistic and all research, from being seen as a tool of colonisation, to being seen as a part of an important strategy in Indigenous peoples' agenda in the continuing struggle for basic human rights and self-determination.

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