

## The Care and Tending of Our Archaeological Heritage

Many people wanted to understand the relationship of native land claims to archaeological sites on private property, and in particular whether you are liable to have your land taken away in a claims settlement. In short, the answer is, “No”. While First Nations include both Crown land and private property in their claim areas, they only ask that Crown land be given back to them; compensation (monetary or otherwise) is sought in lieu of private land within the claim area. Thus, compensation might be requested by First Nations for all the privately owned land on Lasqueti, but individual parcels, whether they have archaeological sites on them or not, are highly unlikely to be singled out for return to First Nations as part of a claim settlement. As I understand it, there are currently five First Nations groups that include all or part of Lasqueti in their claim area.

People have also asked me about the legal and ethical aspects of disturbing an archaeological site. The law is clear: disturbing a site, whether on private or public land, whether knowingly or not, is against the law—and can result in substantial financial penalties. However, the enforcement of the law is considerably less clear and in fact, no one has ever been convicted under the Act. Most archaeologists would say the law is not intended to apply to casual, minor, disturbance of sites, such as in the course of digging a garden. It is, however, clearly intended to provide protection to sites being destroyed during larger-scale development.

Archaeologists are working with policy makers to create legislation that clarifies the intent of the law, but it’s complicated. For instance, an Islander told me that a few years back she was working with a company on Vancouver Island that was putting in a swimming pool for an expensive home. In the course of excavating the pool they uncovered twelve native burials. A quick decision was made—the one that is usually made in such cases—to put the bodies in the flowerbeds at the edge of the pool and to keep the whole thing quiet. What was the owner’s responsibility in this case? Should s/he have paid the money to for a professional to properly excavate those remains? To me, the answer is a clear “Yes”. But, what if it was someone on Lasqueti who discovered the burials in the course of putting in a much needed orchard or developing a new garden? Many people here could not pay for such archaeological work to be done. What is the landowner’s social responsibility in this case? From the perspective of an archaeologist, if the landowner cannot afford a proper excavation of such a site, then they should try and plan the garden or orchard in such a way as to avoid it.

Beyond the simple legalities of the issue, it is important that we understand why we should protect our archaeological sites from destruction. Archaeological sites are *non-renewable* resources (despite the fact that the Liberal Government just moved the Archaeology Branch to the Department of Renewable Resources!). That is, they contain a detailed history of the past that, once disturbed, is gone forever. That history is represented by the artifacts, bones, and shells that people find, but even more importantly by their relationships to each other in layers in the ground.

The analogy that I like best is this: an archaeological site is like a book, where the artifacts and layers are like the words on pages. If the words are ripped from the book and scattered, they still might be beautiful words, but the story they once told is lost forever. So too for artifacts that have been removed from a site without recording details about their context. Was it found in a trash heap and possibly no longer functional? Was it in a burial and possibly a family heirloom? Was it in a storage pit and intended for future use? As many people saw that night at the school, for most artifacts, all I could tell you was its function and roughly (within a thousand years or two) how old it was. The rest of the story those artifacts could tell has been lost.

In the past few weeks I have been excited by how much of Lasqueti's archaeological history is still left—and saddened by how much has been lost. Both older and more recent logging has disturbed many sites, and roads have cut through sites. I have heard stories of tourists coming to the island and taking artifacts away. I know of at least two extensive collections of artifacts gathered by former Lasqueti residents that have now been lost. Such things happen all the time. The question is, as a community, what can we do to preserve the precious sites that have large portions still intact?

There are several things I think we could be doing. First, when planning on building a house or garden in an area with an archaeological site, choose a location that will have the least impact on the site. If you do find artifacts while building or gardening, then put them in a bag in your house with as many details as possible about where they were found (the depth below surface, which portion of which garden, whether there was charcoal, shell, etc. with it). What you swear you won't forget now, I promise will become blurred in several years unless you write it down—and it may be someone else, not you, who is trying to recreate the context for those artifacts. The same applies to an artifact you find on the beach. Most of these likely eroded out from a site on the shore, and thus have lost much of their archaeological meaning, but it is still important to record from where on the beach an artifact was collected. I guarantee, as archaeological sites become rarer on the planet (like all non-renewable resources), this information will become increasingly important. On Lasqueti, we have been granted the stewardship of many resources that are in short supply elsewhere, and our archaeological heritage is one of these resources.