

*Introduction to 'The Future of Native Title Anthropology', convened by the Centre for Native title Anthropology, Queensland South Native Title Services and the Department of Anthropology at the University of Queensland, held in Brisbane on the 4<sup>th</sup> and 5<sup>th</sup> February 2016*

## **The Future of Native Title Anthropology**

Nicolas Peterson  
Australian National University

Up to the present we can distinguish three periods into which native title claims fall. The first period from 1994 to approximately 2000 was a period dominated by litigation in order to clarify the nature of native title. In the second period from around 2000 to the present we have a period that has been dominated by consent determinations and ILUAs. We are now entering a third period in which the overall number of claims is in decline and compensation claims are beginning to appear.

This raises the question of how the changes in the native title environment alter the nature of the involvement of anthropologists in this field (see Martin et al. 2011).

In moving from phase one to phase two, we have seen a slow increase in the preparation of claims by in-house anthropologists. This has been nothing like as strong as it should be but at last in-house anthropologists, who have always been vital to the preparation of claims, are now not only beginning to get the recognition that is due to them but the credit for it that is important to their professional development and advancement.

Along with this change has gone a change in the balance of the backgrounds that anthropologists involved in claim preparation come from. Initially many were from academic backgrounds and somewhat fewer full-time consultants. This changed quite quickly as the numbers of claims grew with many people switching from mainly Northern Territory land claims to work on native title. At the same

time there was a rise in the number of anthropologists working in Representative Bodies, with at least 74 recorded in 2013.

There have been concerns about the renewal of the numbers of anthropologists working as consultants as older practitioners cut back on their availability or retire, however I believe that some of this concern is misplaced as there is an excellent new cohort of people emerging.

The challenge in the future comes from the diversification of the kinds of native title work that anthropologists should be involved in, along with the fact that a whole new range of people with non-anthropological backgrounds are entering this broader field. This field will include dealing most obviously with disputes of various kinds, agreement making, community development, and governance issues. Of the many non-anthropologists becoming involved in consultancy in these new areas, few have anything like the understanding of the social and cultural contexts they are entering as anthropologists, but they are valued for their specific expertise.

This faces anthropologists with a new version of an old challenge first addressed at length in the book edited by Max Gluckman, *Closed Societies and Open Minds: the Limits of Naivety in Social Anthropology* (1964). Gluckman and his co-author Ely Devons ask two questions. First by what criteria social anthropologists decide how to limit their field of study given their holistic epistemology; and what and how much do anthropologists have know about all the other disciplines that they draw on in their analyses? Like any scientist they have to isolate a field out of the complex reality they observe and determine what they can do with anthropological techniques and modes of analysis, as against that of sociologists, psychologists, ecologists and others. How sophisticated does our abridging of the conclusions of these other disciplines have to be for our analyses not to go astray? For example, we write about people's motives, purposes, and feelings, among many other things, so how much do we have to know about psychology, and psychoanalysis not to go astray? Can we afford to be naïve or artless about what we know to be complex and treat it as simple while we get on with the job? They argue that we can and endorse it as necessary and essential, outlining the considerations to be taken into account.

Of course, exactly this same problem is faced by the community developers, governance experts, and mediators who are now working widely in Aboriginal affairs. How much do they have to know about anthropology, Aboriginal social organisation, and Aboriginal ontologies in order to do a good job? How naïve can they afford to be about Aboriginal culture? Why should those employing consultant in these new areas prefer people with one background to the other?

In my own view it is increasingly clear from the failure of previous policies and from the current policy paralysis in Aboriginal affairs, just how important an understanding of Aboriginal social and cultural realities and their diversity are to effectively collaborating with Aboriginal people in any area of social change, development and in achieving effective policy outcomes. There is no reason for us as anthropologists to leave the new ground to others simply on the basis of their expertise in areas where there is such a large overlap in the social context and in the populations both groups are dealing with.

A good example of this problem about specialist expertise is the assumption from granting agencies that international development oriented NGOs (INGOs) know something that local NGOs don't, and that harnessing their expertise garnered in the third world, will ensure greater success in development projects here in Aboriginal Australia. I think the evidence on this is quite clear, INGOs have no magic bullets they have had no better success than home grown NGOs, and many of the people they end up employing out of necessity are people who only have local experience.

However, there is a challenge for anthropology and anthropologists in moving into the applied field beyond the preparation of native title claims, connection reports and disputes. The preparation of claim and connection reports is a technical task constrained by legal requirements and so is tightly framed and only applied anthropology in a restricted sense. While the reports require a great deal of knowledge, the expert opinion required is technical. When we move into the area of applied native title anthropology the situation becomes a lot more complex. We can no longer rely simply on technical expertise, and we have to recognise that in most situations we have to surrender some of our commitment to cultural relativism and replace it with a more goal oriented, policy pragmatism. If we fail to do that there is a danger that we end up in the situation where our

interventions are largely negative: we end up outlining a hundred don'ts for every ten dos in relation to any policy proposal.

Of course, anybody implementing a policy or dealing with issues in the applied native title anthropology fields wants to know what not to do, but what they are much more interested in is positive advice about what to do, and how to successfully implement their programs. We need to reverse the ratio of dos and don'ts characteristic of anthropological advice. But in doing so that takes us in to a terrain that is in some ways more complex for anthropologists than it is for non-anthropologists. The anthropologist comes up against policies that almost always bring change with them, often including some unintended negative consequences for aspects of practices and ways of being that Aboriginal people value, as well as positive outcomes. It is a terrain in which moral, ethical, existential, pragmatic and political judgements are often unavoidable and as a consequence it is often a quite fraught field. But that makes a sophisticated anthropological sensibility that is knowledgeable not just about Aboriginal ways of being but about our culture too, central and essential: we are, I firmly believe, needed in this radical centre, especially at a time when the tempo of social transformation is becoming increasingly rapid and complex,

## **References**

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