Ontario Archaeological Society

Arch Notes

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Mark your calendar for June 7 to participate in the Claremont Archaeology Festival. For more information see Page 5. Alexandra Sproule trowels features at the Graham House Site. Photo: Jessie Francavilla

OAS News

Articles

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Vito Vaccarelli

President's message

The journal *Ontario Archaeology* has undergone many changes in its more than 55 years of publication. Throughout these past five decades it has nonetheless remained true to its prime reason for being, which is to report on new discoveries in the archaeology of the province of Ontario and to provide a permanent record of those advances and new insights into the past of our beloved piece of the planet. In 1954, J.N. Emerson, the founding president of the OAS, ended his provocative article "Is Archaeology a Luxury Item" with this stirring and near prophetic statement:

"Moreover there is, most important, of all, a public demand for archaeological work, a demand which can rationally be solved by a long term programme worked out by local and provincial interests. Ontario, as the richest province in our dominion, must feel a responsibility in providing the leadership towards a Canada proud of her historical and cultural heritage, a country which can take her place in the brotherhood of nations, a place determined by cultural achievement as well as economic and political considerations. The archaeologist must be aware of his place in this development; by the nature of his work he is not only a scientist, but a public servant. He must share in the responsibility of keeping the minds of his fellow citizens to their mark, the development of a mature set of social values appropriate to an atomic world."

In keeping with the spirit of his passage, the Board of Directors of the OAS is pleased to inform you that you may now access online, full text PDF versions of virtually all *OA* articles up to the past four years. This journal is a treasure-trove of data and ideas about millennia of human history in Ontario, and the articles its volumes contain are the gems in the trunk.

This project has benefited from Student Employment Programme funding from the Ontario Ministry of Culture as well as internal OAS resources. The work of digitally capturing and creating PDF versions of these articles was undertaken by Stephanie Hallett, Melannia Point and David Robertson. Luke Dalla Bona and Greg Tammi of Pictographics in Sault Ste-Marie (our internet service provider thanks to an arrangement with the Canadian Archaeological Association) helped us set up the earlier abstracts database and the current articles database to allow a smooth use of this wonderful resource. Most importantly, we are grateful to all those authors who, over the past five decades, chose OA as the platform for sharing their knowledge with then current and future readers. Your work will now radiate even further afield!

Our most sincere hope is that the knowledge of Ontario's past contained in those articles will now be available worldwide with no barriers to their use. OA has now entered the digital age and perhaps we will now witness a wider use of this information outside of the narrow confines of the Ontario archaeological community. Additionally, we might also see a resurgence of interest in articles published decades ago and now instantaneously accessible through the use of the keyword search function that sorts through titles and abstracts for matches.

More on Standards and Guidelines

In other matters, and you can read more elsewhere in this issue of *Arch Notes*, the Ministry of Culture is again set to unveil and officially release a new Standards and Guidelines document for use by archaeological consultants working in Ontario. The still current document dates from 1993 and clearly, much practical experience has been acquired on both sides of the consulting equation since then, both by consultants as well as by Ministry staff responsible for overseeing the consulting process in Ontario. At the moment, the new document itself has not been released and so it is premature to comment on details that may or may not be contained in it. The OAS and others were invited to attend an information session where the process for rolling out the new S&G was outlined.

In many respects, this new document is a bit like the Canadian constitution; it will not please everyone, but a new one is needed to move forward. There will inevitably be provisions which may result in more work being required to satisfy the Ministry. It may result in higher costs for developers having to pay for additional work. It may be found wanting in a number of areas. Or perhaps not. At the end of the day, it must provide better assurances that archaeological sites are being given the consideration they are due.

Some certainties: 1) the first set of guidelines date to 1993 and needed to be revamped in order to incorporate the great deal of firsthand experience with applying and evaluating them that has been gained since; 2) a significant amount of input has been received in the process leading up to the finalisation of the new document; 3) there will be new Standards and Guidelines for archaeological consulting in Ontario.

In the world of consulting archaeology, there are almost always competing interests; those of the land owner, those of the developers, those of the consulting archaeologists, those of the academic community, those of the various levels of government, those of the general public, those of descendent communities. Ultimately, the new Standards and Guidelines will create clearer expectations of how archaeological consulting is to be carried out in Ontario and most importantly, they will allow all of the above interested parties to better assess how their interests have or have not been safeguarded or taken into account.

The OAS is pleased to take part in discussions surrounding the new document and its release. Moreover, with hundreds of members representing a wide range or interests, including those of consulting archaeologists, academics, avocationals and the general public, we hope to be able to add significant and considered opinion to the discussions which will almost certainly arise concerning this or that aspect of the document. For the time being, we eagerly await the release of the new Standards and Guidelines and we will actively solicit the comments and opinions of our members.

As I sit in my office typing these few words I can see large pans of ice moving down the Ottawa River, taking away with them the accumulated debris from the past few months. It's impossible to foretell what the coming summer will bring but you'd have to be a fool not to look forward to the potential that this change of seasons represents.

Many of you are already in the field, others are finalizing their plans to do so. Work safely, find lots, share your new knowledge and consider writing it up for inclusion in *Arch Notes* or *OA* and think about what it would be like to be read all around the world...

Jean-Luc Pilon
President, OAS

OAS Chapters' Corner

HURONIA CHAPTER

Unless otherwise indicated, chapter meetings take place at the Huronia Museum (549 Little Lake Park, Midland, Ontario) on the second Thursday of every month. The Huronia Museum has generously given the chapter the use of their facility at no charge. Huronia Chapter can now host larger meetings.

On Feb. 12, Kristin Thor presented a talk on the Schlegel site, a Middle Woodland site located near Honey Harbour, Ontario. Jamie Hunter presented on the Christian Cemetery at Ste. Marie at the March 12 meeting.

With the kind assistance of Dr. Alicia Hawkins, Huronia Chapter finally got their new website up and operating (http://huronia.ontarioarchaeology.on.ca/). We hope that this will facilitate greater communication between members and other interested parties and by so doing both keep old members informed and attract new ones.

HAMILTON CHAPTER

Hamilton Chapter will present on April 16 an illustrated lecture by Mr. David Richard Beasley, titled Hamilton's First Settler Reveals Our Past. Author David Richard Beasley, who is the great, great, great, grandson of Richard Beasley, 1761-1842, speaks on the salient points underlying the early history of the province, including the personalities, politics and nefarious designs for land and power, as narrated in his latest book, ***From Bloody Beginnings: Richard Beasley's Upper Canada*** (Simcoe: Davus Publishing 388p., illus. $15.95 ISBN: 978-0-915317-24-0). The lecture will talk place at the Fieldcote Museum, 64 Sulphur Springs Road, Ancaster, Ontario starting at 7 p.m. This lecture is free and open to the public.

During May and June OAS members will be conducting an archaeological survey and reconnaissance of the Reimer Site and surrounding area. The Project Director is James B. Bandow.

LONDON CHAPTER

The January 2009 meeting of the London Chapter was held on Jan. 8. The speaker was Dr. Lisa Hodgetts, Department of Anthropology, University of Western Ontario, who did an informative presentation about her recent Arctic research entitled: 'The Place Where People Travel: Archaeological Survey in Aulavik National Park.'

The Feb. 12. meeting was the traditional favorite 'Member's Night', where a slate of chapter members presented brief overviews of current research including Christine Boston, Darryl Dann, Holly Martelle, and Chris Ellis.

On March 12, the speaker was Dr. Jeff Bursey, who spoke about his recent Ontario Archaic research in a presentation entitled: 'Aspects of the Early Archaic (Kirk Corner-Notched) Around the Western End of Lake Ontario.'

OTTAWA CHAPTER

On Jan. 8, Stacey Girling-Christie and Janet Young spoke on repatriation at the Canadian Museum of Civilization. On Feb. 12, there was a guided visit to Tombs of Eternity exhibit at Canadian Museum of Civilization and on March 12, Andre Miller spoke on 'Stylistic Variation in Middle Woodland Pottery: Archaeological Sites of the Ottawa Valley'.

Jean Luc Pilon, Ian Dyck and Brenda Kennett have been participating in an adult education series at West End Learning Unlimited.

The chapter had a display at Ottawa City Hall on Heritage Day, Feb. 27 (members Sherry Dyck and Cara Pelletier).

The chapter prepared a one page hand-out encouraging the protection of artifacts found during shoreline clean-ups (Director Stephanie Goodfellow), distributed to the Ottawa Riverkeeper and the Rideau Valley Conservation Authority.

The chapter received $5,000 from the Algonquin Forestry Authority to be applied to excavation at Basin Depot in

Algonquin Park, Bonnechere River watershed, in October 2009.

The chapter has undertaken to package and mail ***Ontario Archaeology***.

THUNDER BAY CHAPTER

On March 27 at 7 p.m. Ben Stride-Darnley (contract lecturer, Department of Anthropology, Lakehead University), who recently completed his Ph.D. from McMaster University, gave a guest lecture entitled 'Combining academic and practice questions – doing ethnographic research with mental health services for young people.'

TORONTO CHAPTER

The Toronto Chapter had a busy first quarter. In February, the annual Members Winter Weekend – a tradition of more than 15 years – was spent at Lake Solitaire Lodge in the Limberlost Wildlife Reserve north of Huntsville. Fourteen members and family members spent a fabulous three days snow-shoeing, cross-country skiing, trail hiking, birdwatching and deer spotting, creating great meals and playing endless games around a roaring fire.

Also in February, members staffed a Chapter display at Toronto City Hall as part of the annual Heritage Showcase.

In March, members volunteers at Black Creek Pioneer Village, where the Toronto Region and Conservation Authority organized mock archaeological digs for children during March break. The kids were able to dig in metre-square boxes of earth to uncover bones, pottery and other artifacts.

The chapter continued with its monthly speaker program.

January is traditionally Members Month, and this year there were three member presentations: Charles Garrard entertained us with an account of his visit to Simcoe's grave at Wolford Chapel in England; Janice Teichroeb outlined some of her Master's degree research in the area of Burley Falls, Ontario; and Norma Hall and Sylvia Teaves recounted their volunteer activities excavating a newly-discovered 16th English burial ground in Cupids, Newfoundland last summer.

In February, Robert von Bitter described the management of archaeological data at the Ministry of Culture.

In March, Dena Doroszenko of the Ontario Heritage Trust outlined ongoing excavations at four historic sites in Southern Ontario.

Membership at the end of the year had risen to 77 – the highest in very many years.

WINDSOR CHAPTER

Windsor Chapter took part in an exclusive tour of the Windsor Community Museum François Baby House on Feb. 11. The tour included a look at the archaeological collection and storage area of the museum.

Claremont Archaeology Festival

Sunday June 7, 2009 from 10 a.m. to 5 p.m.

Location: Claremont Field Centre, Pickering, ON
Claremont is located on the west side of Westney Road, about 2 kilometres north of Highway 7 and 15 kilometres north of Highway 401.

Join us for the first annual Archaeology Festival for the general public, which will feature rare opportunities to participate in and witness archaeological excavation and experimental archaeology activities. Activities will include participation/observation at the excavation of the Graham House site, homestead of the blacksmith and his family who lived on the Claremont property in the 19th century, hikes of the Duffins forest and valleylands to learn about the native plants used for food, medicines and resources by past peoples, participation/observation of 'experimental archaeology' activities such as fire-making kits, basswood bark twine/nets, stone tool making versus blacksmithing and vendors and displays in the theme of history, Aboriginal skills and crafts, local museums.

Visit www.trca.on.ca/events for more information or call 416-661-6600 ext. 6280 to register for the event!

From the Desk of the Executive Director

Dear Members:

It was a busy Christmas season here at the Ashbridges House. The month of December involved training on operating the membership database and learning the administrative duties the OAS office. A great many hours were volunteered by Henry Van Lieshout in preparing me for processing the annual membership renewals and registering the new OAS members. A special 'thank you' goes out to Henry for making my training an easy transition.

At the end of December, accompanied by Charlie and Ella Garrad, I met Rob Leverty, the Executive Director of the Ontario Heritage Society (OHS), who provided an interesting educational tour of the reference library, archival photographs/paintings and the fine restoration work at the John MacKenzie House (OHS office, www.ontariohistoricalsociety.ca). We discussed the need for the continued relationship building between our society members, Aboriginal community relations, and future endeavours. Thank you to the OHS staff for your hospitality and welcoming introductions.

Ella Garrad (left) Heather Broadbent (back), and Stewart Leslie congratulate Martha Kidd on receiving a Lifetime Achievement Award at the Lieutenant Governor's Heritage Awards presentation in February. Photo: Charlie Garrad

The New Year began with a sea of membership renewals and the first OAS Board Meeting of the year was held on Jan. 11, 2009. We have been receiving an increasing number of new OAS and Chapter Memberships. Welcome to everyone who has recently become a member and thank you to the renewing members for your continued support and donations. The OAS also received the 2008 Provincial Heritage Organization Operating Grant during the month of January. Thank you to the Ontario Ministry of Culture for supporting our initiatives and goals in 2009.

In February, I attended the annual Lieutenant Governor's Ontario Heritage Awards held at the Legislative Building, Queen's Park. Special Congratulations to OAS Members, Stewart Leslie (Archaeology/History of the City of Hamilton) and Martha Kidd (historical preservation of the City of Peterborough) both recipients of the Lifetime Achievement Award. These Awards were established in 2007 by the Honourable James K. Bartleman, former Lieutenant Governor of Ontario, in partnership with the Ontario Heritage Trust (www.heritagetrust.on.ca.) and they are to recognize outstanding achievements to preserve, protect and promote Ontario's heritage. The Award for Lifetime Achievement recognizes individuals who have made sustained volunteer contributions over a period of 25 years or more; Award for Youth Achievement, recognizes the most exceptional youth group and the most outstanding individual nominees; and the Award for Community Leadership, recognizes communities for exemplary leadership in conservation and promotion. Perhaps there are other eligible OAS Members to be recognized? Please let us know.

Following the Award Ceremony recipients and guests were invited to socialize and meet with the Lieutenant Governor, David C. Onley. It was a pleasure also speaking with the Honourable Lincoln Alexander, Chairman of the Ontario Heritage Trust, who expressed his support and interest in the work of the OAS.

While at Queens Park, I inquired about the tours and

OAS Executive Director Lorie Harris congratulates Stewart Leslie on behalf of the OAS Board of Directors and members. Leslie received a Lifetime Achievement Award at the Lieutenant Governor's Heritage Awards presentation held at Queen's Park in February. Photo: Charlie Garrad

programs available to the general public. They offer Art & Architecture, Victorian Tea and daily Walking Tours and interesting programs such as the Community Exhibit (East & West Wings). This especially caught my attention – a possibility of an OAS Exhibit at Queens' Park? It was suggested the OAS would be an eligible participant. Specific additional information needs to be obtained; certainly an item of interest for my spring agenda.

In March, OAS Board Members, Jennifer Birch, Neal Ferris and I attended an information session with the Ministry of Culture, on the Status of the Standards and Guidelines for Consultant Archaeologists. The meeting was very informative, with a common approach and exchange of ideas.

The 2009 Field Schools are soon approaching. If any members have updated information to share or knowledge of the volunteer opportunities available throughout the province please contact the OAS office; it would be greatly appreciated.

Arch Notes by email! It's cost effective and it's in colour. We certainly encourage you to consider the option. If this does interest you, please forward your request, Attn: Arch Note upgrade.

Along with OA and merchandise orders both remaining constant, we would be interested in knowing your views about fundraising. The fundraising committee is working towards a semi-portable display for events.

We look forward to a busy spring; completing the yearly membership renewals, indexing the records at the office and liaising with other heritage organizations. If I can be of any assistance, please feel free to contact me by email at executive-director@ontarioarchaeology.on.ca or by phone 416-406-5959 (office hours Tues. – Thurs.)

Lorie Harris
OAS Executive Director

A Sea Change in Ontario CRM Archaeology

Peter Timmins, of the University of Western Ontario and Timmins Martelle Heritage Consultants Inc., advises he is organizing a session at the CAA 2009 meeting in Thunder Bay on this topic.

The conference will be held May 13th to May 17th.

Conference information is available at http://flash.lakeheadu.ca/~pnhollin/CAA2009.html.

Ontario Cultural Resource Management archaeology is undergoing a sea change as the industry adjusts to a new regulatory environment, new challenges in the area of First Nation consultation, a looming collections management crisis, and consolidation and professionalization of the industry as large environmental firms move in to the region.

This session examines the state of Ontario CRM in 2009, while highlighting recent contributions to Ontario archaeology from the CRM sector.

OAS members are encouraged to attend the conference and to contact Peter directly at ptimmins@uwo.ca if they would like further information.

Advocacy Report:
Ministry of Culture and the Draft Standards & Guidelines for Consultant Archaeology in Ontario

by Neal Ferris, Director of Advocacy

On Tuesday, March 3rd, members of the OAS Board of Directors and appointed staff (Jen Birch, Lorie Harris and myself, as Director of Advocacy), attended a meeting held by the Ontario Ministry of Culture. The meeting had been called by the Ministry to present to the OAS their long delayed plans for the proposed Standards and Guideline (S&G) for consulting archaeology in Ontario. The S&G that would define expectations of practice for everything from background studies and fieldwork, to artifact analysis and reporting, to Ministry review of consultant reports.

As such, it is both tremendously important to and a great concern for those who work in consulting archaeology. And, as it will define the standards to be used for recovering and documenting the archaeological record that will ultimately serve as the primary material for future research and understanding of Ontario's past, it is really of tremendous importance for the entire professional and avocational community. It will also be an important document shaping the evolution of archaeology's relationship with government, the public, and First Nation-/Aboriginal communities. For these three reasons of importance, the OAS should be and is very interested in seeing what the Ministry has planned, and also the role these standards will play in shaping our future.

Background – Guidelines and Consulting Archaeology in Ontario, 1985-2009

Given that the development of the S&G dates back almost 15 years, and given the dramatic changes to consulting archaeology that have occurred since then, it may help to provide a little background on those trends. As someone who worked in the Ministry from 1987-2007, the evolution and development of standards of practice for consulting archaeology was certainly a recurring theme to many of the experiences I had during that time. As such, let me offer a brief recollection of the history around the use of standards and guidelines in Ontario consulting archaeology.

Officially, the draft S&G is intended to define standards of practice for consulting archaeology by building on and expanding the Ministry's 1993 Technical Guidelines (TG). For those of you not familiar with it, the 1993 TG provided limited direction, largely related to field and site assessment activities, and the reporting of those. But even as the 1993 TG was adopted, the province committed to developing standards for excavations, and by 1996 the Ministry had circulated a questionnaire to licensed archaeologists and field directors on a wide range of topics (e.g., evaluating site significance, protecting or excavating sites, collections analysis and reporting, etc.), for the purpose of developing broad, consensus-based statements of practice that would enable further consultation.

In all, 102 copies of what was a substantive (13 pages/140 questions!) questionnaire were distributed. Of those, 55 (54%) responses were received back over the next 18 months. It then took quite awhile to compile the feedback received, but by 1998 the Ministry began to issue a series of newsletters summarising the results of those questionnaire responses.

In the following year the Ministry also initiated something it called the Archaeology Customer Service Project (ACSP), which aimed at overhauling provincial archaeological programs and services. This included following through on developing expanded standards, increasingly seen as necessary given the growth over the previous decade of legislated requirements to conserve archaeology. This had led to many new kinds or forms of projects that were not captured within the TG. As well, given the limited range of practices covered off in the TG, the 1990s also saw the rise in consulting of a whole series of what could be called 'ghost' standards – i.e., alternate approaches to the TG or standards for things not specifically addressed in the Technical Guidelines. These had been largely negotiated between individual licensees and individual Ministry staff on a case by case basis. Over time, these in-the-moment solutions created both expectations for how things should be done (among those who had agreed to the strategies), and frustration by others who didn't happen to be aware of these informal practices, but were still being held to account for them.

But perhaps the greatest challenge to the TG status quo was the fact that the scale and face of consulting had changed dramatically since the late 1980s. When the Ministry first held a meeting with the consulting community in 1985, it could take place in the London regional archaeological office, and consisted of about 20 people, but yet represented the majority of people shaping consulting practice (in and out of government) at the time. Two years later, when the Ministry hosted its first meeting with the consultant community to begin developing the TG, that meeting attracted about 35 people. Fast forward to today: the industry now consists of hundreds of individuals who, in one way or the other, find full or seasonal employment in the commercial or applied archaeology sector. From 300-400 consultant projects a year in the late 1980s, now as many as 1,800 projects are undertaken each year, documenting anywhere from 500 to 900 sites, many of which are excavated and documented in advance of development that otherwise would be destroyed and lost without any record.(1) The implication of these changes has been that every form of land developer, municipal or provincial approval authority, planning or engineering professional, etc. in Ontario have had to become familiar with archaeological conservation and employ archaeologists in order to meet development requirements. They've adopted archaeological lexicon (assessment, mitigation, significance, Stage 2, Stage 4, etc.), become familiar with the archaeological history of Ontario, and know what a lithic scatter, Iroquoian village, or 19th century domestic site means, both as a heritage resource and as a cost implication for their projects. Indeed, as all land use development statutes require proponents to pay for things like archaeological conservation as part of their projects (e.g., EA, Planning Acts), this sector have funded the vast majority of archaeological activity in Ontario for over 20 years.

But with the 1993 TG silent or vague on so many practices, and 'ghost' standards being developed by happenstance and individual precedent, very little of the costs borne by these proponents could be justified beyond assertions of personal opinion individual consultants or Ministry staff regarding what a 'normal' industry standard of practice might be in any given context. And when opinion differed, such as over whether or not to excavate a site, or to excavate it one way or the other, a proponent could (and many did) find themselves looking at staggering cost differences between consultants who, in the proponent's mind, were all proposing to do the same thing: clear the development of archaeological concerns.

Not surprisingly, over the years this has created angry developers, stressed Ministry management, and challenged the applied archaeological community to justify these differences in practice. It also made it hard to assert a professionalism in archaeology, when, from the outside looking in, it could appear an archaeologist was charging someone the cost equivalent of a very expensive sports car to dig up what looked like little more than road gravel, for example, for reasons that seemed far removed from the more noble and broad sentiment of conserving Ontario's past before it was destroyed.

In short, little of what consultants did and little that Ministry staff insisted on could be referenced beyond assertions of professional/personal opinion, which may have sufficed in the 1980s world of a small industry and limited development application, but not so much by the late 1990s. The tensions and challenges this created for practice certainly contributed to the sense, emerging through the ACSP and things like the former Red Tape Commission, that the rules of operation and expectations needed to be formally defined. This realisation emerged at the same time the Ministry was trying to move towards developing newer, more comprehensive standards of consulting practice, and so the new standards came to be thought of not just being technical standards of fieldwork and reporting, but also as the means by which to provide that formal definition of expectations in commercial contexts.

More recently this theme of standards needing to formalise expectations also began to be intertwined with the concerns of First Nation communities for archaeology.

Emerging from several unrelated issues, First Nation communities and Aboriginal individuals have argued that excavation and removal simply to enable land development was an appallingly wrong decision to make for very significant sites such as pre-contact villages, and likened such Stage 4 excavations to site destruction. They argued their communities need to have a say in decisions to dig or preserve, and to have a say over the quality of excavations when they occur. These concerns also picked up on the fact that new standards (and the perception these would improve the quality of work especially for Stage 4) have not yet been adopted. So from the Ipperwash Commission hearings to high profile issues like Caledonia and on down, First Nations communities and Aboriginal individuals have criticised the provincial government for not adopting what they perceive to be necessary, improved standards of archaeological practice.

The point here is that the intent and expectations for the draft S&G have evolved far from what the 1993 TG were thought to achieve, and these reflect how far the consulting community itself has evolved. As such the draft S&G have come to be thought of by many in government or outside of archaeology as something that articulates not just technical detail, but also broader expectations that are brought to bear when archaeology intersects with wider societal interests. This highlights the challenges any such document will have in negotiating such a diverse range of expectations, opinions, and needs. So how did the archaeological community and Ministry develop the current draft in order to achieve (or not) these many aims?

The Development of the 2006 Draft S&G

As the Ministry of Culture stated repeatedly in its informational material that accompanied the draft S&G, the intent of the document is to provide defined expectations of practice for consultant archaeologists working in Ontario and undertaking archaeological work for development proponents. These requirements arise from a wide range of legislated land development approval processes. Importantly, changes earlier this decade to Section 48.1 of the Ontario Heritage Act made it clear that no archaeological site can be altered except by someone holding a valid archaeological license issued by the Minister of Culture. So any development proponent required to address archaeological conservation must engage the services of a licensed archaeologist. This, then, is the role the consultant archaeologist plays, bringing to bear their expertise for those without that expertise who nonetheless must deal with the archaeological sites on their development property.

And, as defined under changes to the licensing regime made as part of the ACSP, to act as a consultant an archaeologist must hold a professional license, the criteria for which includes holding a thesis-based MA and having completed two full years of fieldwork. As with all licensees, the consultant is obligated to file a report with the province detailing each project they undertake, and is also obligated to care for any collections generated under their license. And under the terms and conditions of the consultant's license, they also must adhere to all Ministry-issued standards and guidelines.

So a critical function imagined for the S&G, then, is that it will define common expectations of the archaeological practices followed by consultants – as archaeologists – as they apply their expertise, business acumen and professionalism in manoeuvring through their clients' needs and legislated requirements under development legislation, as well as their own (i.e., licensing) and their clients' (i.e., no unlicensed alterations) requirements under the Ontario Heritage Act. In other words, in the absence of any project-specific contexts that require a deviation to those standards of practice, consultant, client, and Ministry reviewer (and, by extension other affected interests like the archaeological community broadly and First Nations) should all have a clear expectation of the professional practices that will be followed for any stage of undertaking, as well as a clear expectation of the logic of decisions to be made arising from that work. Of course, a particular project may indeed require deviation from standards, but the logic is that any such deviations from expectations (set out either in the standards of practice or allowable alternatives defined in the guidelines) would need to be fully documented and justified, as, as the draft S&G stated, "...must be reviewed and agreed to by the Ministry before implementation."

In theory, the creation of a document that spells out the detailed technical expectations of professional practice for professionally defined licensees would in turn allow the Ministry report review of that work to shift away from the hunt and peck process of looking for ambiguous statements and details in reports. The logic would be that professionals making their in-the-field decisions and fully justified in their report would not need to be second-guessed in the subsequent report review process. Rather report review could become more about applying a limited number of broad benchmark tests for S&G adherence, or perhaps identifying broad licensee trends over many projects. In effect, this would lay the foundation for the practice of consulting archaeology to mature, and allow Ministry efforts to focus more on 'big picture' issues and outcomes of work rather than on field or report-specific idiosyncrasies that don't reasonably affect those outcomes.

This imagined key role for the S&G of defining expectations was laid out in a draft document that consists of several sections, discussing practices for Stage 1 through 4 fieldwork, artifact analysis, report production, and for the Ministry report review process. The document also included smaller sections on submitting Project Information Forms (PIFs), site record forms, and even a section summarising how to record GPS data and how to engage with First Nations through all stages of project decision making. Each section included a series of specific statements – either 'Standards', which set out minimal requirements, or 'Guidelines', which set out best practices and alternate approaches to standards in defined contexts. Together these S&G were intended to encompass the practices consultant archaeologists would follow for most of the consulting project contexts they would encounter in Ontario.

The process of developing the S&G was a long one. As the Ministry points out in its introductions to all drafts, the draft standards and guidelines are based on the 1993 TG, the Ministry's 'primer' on archaeological conservation in land use planning (a document the OAS distributed for the Ministry in the late 1990s to generate revenue), the consensus of archaeological community opinion reflected in the Stage 4 questionnaire responses, Ministry internal research on standards of practice in other Canadian and American jurisdictions, and ongoing feedback on practices from archaeologists in the province. The draft was also subjected to a 'focus group' or Technical Advisory Group (TAG) of consulting and government archaeologists, along with individual representatives of academic and avocational archaeology, and First Nations perspectives, who met for day long sessions to go over the document in detail and suggest ways of revising it. The Ministry then released the revised drafts of sections (2004-2005), and the entire document (2006), which were followed by a series of day long regional consultations (in 2004 and 2005), or one central meeting in September of 2006. The feedback received on each occasion (and from the written responses received to the drafts) was compiled and informed further revising the document.

During consultation and revision, many issues were raised: that individual statements were too prescriptive or not enough, that something was missing to account for particular contexts, or that a standard should only be a guideline or guideline should be made a standard. Also, a number of concerns emerged around regional differences of practice. This was particularly the case for Stage 2 test pit survey standards, which largely replicated the standards from the previous TG requirements. In discussion it became clear that the concerns were partly arising from the fact that previous practices in the north and east never mirrored the TG requirements. Instead, this was an instance where the use of 'ghost' alternate standards had been adopted, so that full test pit survey coverage of property (i.e., the TG philosophy that full inventories of all archaeological resources present was required in Stage 2) had largely been replaced by more targeted surveying of areas having the greatest archaeological potential (i.e., the philosophy of seeking sites of archaeological significance by checking the locales where those sites were most likely to be located). Since the latter practice was much more based on licensee professional opinion and knowledge of the local archaeology, capturing that as a standard of expected practice for any archaeologist working in the region (whether locally experienced or not) was a challenge. In the end, the use of guidelines for alternate practices were adopted that allow for more limited test pit survey in the north and east, and the use of Stage 1 property inspections to justify the elimination of portions of a property from survey.

Whether or not this balancing of differing standards (and, really, differing philosophies over what the point of Stage 2 survey should be) proves effective or even palatable remains an open question. But the example does illustrate the challenges and compromises faced by any articulation of standards of practice or the defining of expectations, and the fact that 'consensus' really only will represent the "norm," not the broad range of individual preferences professionals may hold.

Since September 2006

At the time, the September 2006 consultation was characterised as a last kick at the can, prior to final revisions and release in 2007. But, as can be the case for many government initiatives, critical resources, last minute issues, the contingencies of the day, internal Ministry restructuring, and so on all contributed to slowing down momentum. And as the years passed word on how things were progressing faded.

But in many ways the genie was already out of the bottle. Even before the release of the final draft in August 2006, the various iterations of the S&G had begun to take on a quasi-life of their own, with some consultants following some or all of the new standards (or indicating that they had always followed many of the S&G standards of practice). Consultants also asked the Ministry if they could use new processes outlined in the draft (e.g., report submission extensions for large scale excavations), while Ministry staff began referring to individual draft standards as industry benchmarks, best practices, or guidance for figuring out how to determine appropriate strategies for particular project or site contexts (e.g., for Stage 4 activities where no standards otherwise could be pointed to).

The irony, though, was that the draft S&G existed largely as hard copies people had been given for the purpose of consultation. And peoples' memories of what was or wasn't addressed in those various drafts of a 100+ page document, could and do differ. So the last three years have been a kind of betwixt and between place, where variable practices, use of the draft S&G, and differing reads over what the draft may or may not require have generated a lot of consternation in day to day practices. This is clear in any conversation with people working in the consulting industry, where they express frustration over the variability in practices currently being followed, Ministry imposition of draft standards on projects or report review expectations as if they were already implemented, and a general sense of uncertainty and lack of consistency in expectations from project to project, or report to report. Rather ironic, given that the aim of articulated standards of practice was to achieve greater consistency of expectations from all sides! So professional consulting practice and Ministry review has found itself, in early 2009, at a very odd place – there is no status quo to go back to and nothing in this current 'in-between' place that can avoid further drift in expectations and revising requirements. So, where do we go from here?

Ministry of Culture March 3rd 2009 Meeting With the OAS

The meeting on March 3rd in Toronto between the Ministry and those of us from the OAS board (originally the meeting was also going to include the APA executive, but they ended up meeting with the Ministry on another day) provided insight into where they would like to go next with the draft S&G. The Ministry announced that they were planning to release the final S&G this spring, allow for a transition period, and then implement the S&G later on in the summer. They indicated that they want to hold a series of orientation sessions for both archaeologists and municipal/provincial approval authorities across the province for people to learn about and understand how things will work under the S&G. They reported that while the technical standards have not changed, the document has been revised for "plain language" (i.e., making it easier to read), and some minor revisions to process changed where internal Ministry review identified inconsistencies between sections. The Ministry also indicated that the section on First Nations engagement was removed from the S&G and expanded into a 'Technical Bulletin', providing more guidance as well as summarising all of the individual standards and guidelines that are still in place throughout the S&G that directly define the requirements or best practices for engagement.

From the OAS side we confirmed that the S&G is intended only for consulting archaeology. We also asked a number of questions around implementation, noting that it seemed rushed. We encouraged the Ministry to consider releasing and then going with a longer transition period, with implementation only occurring in 2010 (happily, the

Ministry subsequently indicated that this was now going to be the case). We also suggested that while we acknowledged the Ministry's reluctance to open up the technical requirements of what is supposed to be the final document to further reconsideration, there still should be opportunity to bring forward issues that appear related to apparent inconsistencies or contradictions in the document. This is something members of the S&G TAG group had also requested. The Ministry did seem responsive to addressing issues of process through the transition, and to exploring the particular means by which to facilitate that level of discussion.

Where Does Ontario Archaeology Go From Here and How Can The OAS Help?

We all individually have, or at least will have after reviewing the latest iteration, our own views on how well or not the S&G articulates standards of practice, and can debate whether or not it will aid or hinder the day to day activities of the professional archaeologist. And while most would agree that establishing clear expectations of practice and a high level of heritage conservation are laudable goals, I suspect we will all be able to point to individual standards in the document we personally like or dislike, or find confusing. And oral histories abound that either suggest the draft S&G will significantly increase costs and compromise resources, or suggest cost increases will be minimal while ensuring a higher quality to managing the archaeological heritage. But it is also debatable whether or not any document that attempts to mediate differences of professional opinion can ever be 'perfect', since the ultimate aim for any variant put forward, after all, will still be to encompass the many core issues that exist in the current state of practice, and mediate between differences of expertise and choice within archaeology, and the differences of expectation over the management of archaeological heritage more broadly between all interests impacted by or concerned about archaeology in Ontario.

But at this point, some 13 years after those questionnaires were first sent out, what seems essential for the archaeological profession and for the province's management of archaeological heritage is to find a way to move on. Because the void between the old status quo and the other side of implementation that we find ourselves in now (complete with variable practices, expectations, understandings of requirements and constant second-guessing) appear to be generating far more problems and impacts on day to day practice than where we will be once expectations of practice are finally defined. So, while inevitably there will be specific issues with particular elements of the S&G, and a need to correct deficiencies in process (rather than personal differences of technical detail) that come to light during the transition period, how can the archaeological profession and province move forward?

At the meeting with the Ministry we indicated that, from the OAS perspective, the critical questions that need to be thought through now are around how things will work on the other side of implementation, for example on how broad issues connected to differences of opinion over the interpretation of the S&G between archaeologists, and between archaeology and the province, can be addressed and resolved. Or what kind of process can be used to address deficiencies in the S&G that only come to light after implementation? These questions in turn, are linked to the broader questions of what kind of professional practice, and what kind of relationship with the province, do we want to work towards in the years after implementation? Can we move beyond the more paternal relationship that has characterised how archaeology has been managed in the province previously to one where the archaeological community can engage in the issues of the day and find our own solutions to the needs and concerns of the archaeological profession? And by moving in this direction perhaps the role of the Ministry would also shift – going from being arbiter of all matters of archaeological practice, expertise and information, to more the provincial mediator of all the interests, archaeological and non-archaeological, that are brought to bear and intersect within commercial, applied contexts.

If this path towards a future, sustainable archaeology is worth working towards once we get to the other side of whatever S&G are ultimately implemented, then a critical early step in that direction will be to help the Ministry identify and commit to an ongoing process of dialogue, review, mediation and resolving differences together, rather than by fiat or dint of loud complaint. That can only really be done if the process operates above the particular, and if the archaeological community has meaningful input in this process.

A critical dimension to facilitating this will be providing the professional archaeological community with a regular opportunity to voice and consider issues in order to establish a broad consensus on those matters of professional practice. In essence taking the initiative to go beyond identifying problems to outlining innovative solutions informed by the collective expertise and experience of the profession, and bringing those informed and constructive solutions to the Ministry as something the archaeological community collectively sees as a necessity for the province to implement.

The OAS can and should play a key part in enabling these various initiatives on behalf of the archaeological community generally, and on behalf of the sizeable part of our membership that constitutes the vast majority of those working and participating in applied archaeology today. This can be done both by engaging in regular, high level discussions with the Ministry on those broad issues of the day affecting archaeological practice, and by serving as a conduit for professional and applied community members to bring forward major issues of practice and evolving standards of practice to both the broader archaeological community these practitioners are all a part of, and to all our partners in conserving Ontario's archaeological heritage.

Towards that end, the OAS would invite you to raise your thoughts and views on the direction of applied archaeology generally, or on the S&G specifically, to myself or other members of the board, so we can compile and present the broader perspective all individual experiences are contributing to. One option might be to organise a forum on behalf of the OAS later on this year, to invite people to come and discuss both their negative and positive experiences working through the S&G, to identify those broad sector-wide concerns that must be addressed. It will also be an opportunity to talk about where we want to go as a profession after implementation, in order to develop constructive strategies for ensuring life on the other side of the S&G improves day to day practice, and the capacity of archaeology to both service the key dimensions of archaeological conservation and research, and the broader non-archaeological interests that also shape the management of Ontario's archaeological heritage.

ADDENDUM

On March 30th OAS president Jean-Luc Pilon and myself participated in a conference call with the Ministry of Culture. The Ministry wanted to report on changes to their implementation plan, which now entails the immediate re-releasing the 2006 draft S&G, in order for further comment to be received on that document. By May 7th, that additional comment will be incorporated along with previous 2006 feedback to generate a final draft S&G, to be released in June. That draft document will serve for a pilot period ending Sept. 30th, during which time people will have the opportunity to provide further feedback on that draft, and see how it works in day to day application. A final version would then be posted by Nov. 1, to be implemented Jan. 1, 2010.

Importantly, the Ministry has asked the OAS to partner with Association of Professional Archaeologists to strike an advisory committee that would review the feedback being received and provide direction to the Ministry on further revisions to the final draft. The details and nature of the committee will be worked out by May. In the interim, the Ministry also asked each organisation to invite their members to provide comment on the S&G to their respective boards, so that the OAS and APA can provide consolidated feedback on member's concerns and interests (The ministry would provide logistical support as needed for this group, but the two organisations would be expected to take the lead to develop direction to the province).

Further detail will be posted on the OAS web page, including links to the Ministry S&G drafts, and where to send feedback, or copy us the comments you choose to send directly to the Ministry. This is an exciting opportunity to the archaeological community, and the OAS and APA respectively, to take an empowering role in shaping the future of archaeology in Ontario!

1. For information on the history of archaeological consulting in Ontario and the numbers I'm referring to here, readers can check out to my article in the latest issue of Ontario Archaeology (# 83/84).

OAS Awards Call for Nominations

The July 1 deadline for nominations for OAS awards is fast approaching. Do you know someone who deserves to be recognized for their outstanding contributions to Ontario Archaeology? Please review the short descriptions of the awards below and refer to the OAS website http://www.ontarioarchaeology.on.ca/awards.php for a full description of each and nomination criteria.

The J. Norman Emerson Silver Medal is awarded on occasion to an outstanding Ontario non-professional archaeologist whose life's work has been consistently of the highest standard, who has made an exceptional contribution to the development of Ontario archaeology and who has earned acclaim for excellence and achievement. It is the highest honour the Society can bestow. The award has not been handed out in a decade and we are eager to reinstitute this highest honour.

The Ian and Tim Kenyon Memorial Award is awarded to non-professional archaeologists who have made an exceptional contribution to the development of Ontario archaeology, and who has earned acclaim for excellence and achievement. Next to the J. Norman Emerson award, it is the highest recognition that the Society can bestow.

The Heritage Preservation Award is given in recognition of a significant voluntary contribution to heritage preservation within the Province of Ontario, above the requirements of Canadian law, with a year prior to the announcement of the award. It may be awarded to an individual or to an organization.

Individuals, groups and organizations are all eligible for the Peggi Armstrong Public Archaeology Award. This award recognises excellence in the promotion of public interest in the study of archaeology through the use of displays, workshops, training, site tours, and/or the development of educational programmes and materials. Past winners have also been recognised for fostering awareness of cultural resources and heritage preservation and efforts to advance the ethical practice of archaeology.

Nominations for all awards should be submitted to the Director of Membership Services, Alistair Jolly (alistairjolly@hotmail.com) by July 1, 2009.

The Heritage Conservation Act and Heritage Protection in British Columbia

by Pete Dady

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On December 12th, 2007, the Victoria Branch of the ASBC hosted a panel discussion entitled 'The Crisis and Promise of Archaeological Heritage in British Columbia: A Public Discussion'. The notice for the meeting said: Heritage conservation in British Columbia is at a turning point. The protection of First Nations heritage sites has never had a higher-profile, yet these ancient and irreplaceable archaeological sites continue to be developed and destroyed. Government policy places the onus on developers, municipalities, and private property owners to finance archaeological work in the public interest while the provincial budget for heritage conservation remains stagnant. Meanwhile, First Nations are witnessing the ongoing destruction of their ancestral heritage in the face of inadequate funding, protection, and enforcement. This panel discussion brings together politicians, local First Nations and archaeologists to discuss the strengths and weaknesses of the existing system and to explore ways to improve provincial heritage conservation for our common public benefit.

The panelists were Maurine Karagianis, the MLA for Esquimalt-Metchosin; Ron Sam, Archaeological Officer of the Songhees First Nation; Eric McLay, then President of the ASBC; Morley Eldridge from Millennia Research Ltd. and a member of the B.C. Association of Professional Archaeologists [BCAPA]; and Dr. Quentin Mackie, Professor of Anthropology at the University of Victoria. Diane Bailey, chief of the Katzie First Nation was not able to attend, but a letter from her was read to the well-attended meeting by the moderator, Gerald Merner, Treasurer of the ASBC Victoria Branch. Summarized briefly, the following presentations were made.

Maurine Karagianis related how she had introduced a Private Member's Bill during the last sitting of the legislature which proposed changes to the Heritage Conservation Act (HCA). The bill was introduced, and then tabled immediately. She plans on introducing it again. Titled BILL M 223—2007, it is available online at http://www.leg.bc.ca/38th3rd/1st_read/m223-1.htm. Ms. Karagianis characterized her proposed changes as adding protection of sacred sites and sites "of cultural interest to First Nations" to the HCA. [To view the Heritage Conservation Act, visit http://www.qp.gov.bc.ca/statreg/stat/H/96187_01.htm.]

Ron Sam works as an archaeological field assistant within Songhees traditional territory in Greater Victoria. He doesn't think that the current status quo is protecting archaeological sites from destruction. As evidence he presented a slideshow of the recent destruction of sites due to development, as well as of archaeological investigations he has participated in.

Eric McLay stated that the destruction of our fragile archaeological heritage by development is at crisis levels in British Columbia. There are over 7,000 recorded archaeological sites on Vancouver Island, the Gulf Islands and the Fraser River. The majority of these ancient sites are located on private, urban lands. Despite strong provincial legislation—the HCA—there is a historical lack of enforcement and prosecution of offences under it. McLay argued that the province does not 'manage' or care for archaeological sites; it instead regulates permits to manage impacts for developers.

While First Nations hold ancient traditions, values, and customary laws for their heritage, British Columbia has yet to largely recognize a meaningful role for First Nations in provincial heritage conservation.

While opinion polls indicate a strong public interest in archaeology, the public demonstrates a common ignorance, if not fear, of the presence of First Nations' history in their own back-yards. Meanwhile, archaeologists, government, and First Nations keep the archaeological record and site information confidential for fear of vandalism, artifact collecting and site destruction by the public.

What can B.C. do? McLay stated that we can lobby the government to renew B.C.'s investment in provincial heritage conservation and to increase funding, staff and resources available to the Archaeology Branch in 2008-2009. Also, we can try to get local governments involved in provincial heritage conservation, so that they review building and development permits, rezoning and subdivisions applications for heritage concerns. Owners And Contractors Protective liability coverage policies and land-use by-laws should be developed. McLay continued by arguing that we can rebuild the mandate for provincial stewardship and management by creating funding for conservation, management and research; by strategic regional and site management planning; and by improving monitoring and enforcement. He acknowledged that there doesn't seem to be much political will for such changes or for renewed investment towards heritage conservation. For instance, lots of fines are handed out in Forestry and Fisheries, and there are wardens provided for enforcement in those areas, but not for heritage.

McLay also stated that we need to address private property rights and interests. Place recorded sites on land titles; provide tax incentives to conserve sites; develop better information and tools for property owners to 'care for' heritage sites; fund the purchase of heritage sites in conflict on private land. It is also important, he said, to get First Nations and their cultural values integrated into provincial heritage conservation as well as to develop greater public awareness of the HCA and appreciation of archaeological heritage as Canada's national heritage.

Morley Eldridge noted that, despite the problems, many heritage managers from all over North America still look at B.C.'s HCA as the most powerful and wide-reaching protection of archaeological sites in existence. In spite of popular notions to the contrary, traditional use and sacred sites can in fact be protected under Section 4 of the HCA, though this requires signed agreement between the government and First Nations, and can be difficult when aboriginal title could be going to court.

From the point of view of many professional archaeologists, he pointed out weaker parts of the HCA and its implementation, such as an overly complex and time-consuming permitting system and the arbitrary date of A.D. 1846 for automatic protection. The system works well for large projects with a year or two lead time, but can be catastrophic for family trying to build a residence. Also, the HCA does not give the Archaeology Branch a mandate or a budget to enforce the Act itself. RCMP and local police, who by default should be enforcing the HCA may know nothing of it or lack cross-cultural sensitivities, and may not do proper, timely, or adequate investigations. Furthermore, the Archaeology Branch is not provided with a staff or budget to conduct field reviews or audits of the work of developers or consultants. Moreover, he argued that there is piecemeal and uneven review of professional standards. He noted that the BCAPA does have conduct and other guidelines—including audit standards, reviews for grievances—but this is not an organization with full-time staff.

With the current system, Eldridge pointed out that land-owners have no incentive to "do the right thing." When time delays can cost as much or more as doing archaeological work (or even archaeological work plus a paltry $50,000 fine), their financial incentive is to destroy sites or to bury evidence. Many would say that's a no-brainer—for those with no scruples.

Eldridge argued that the idea that government and archaeologists are privileged stewards of archaeological resources is an outdated concept. The majority of professional archaeologists foresee that First Nations will increasingly be managers of pre-contact/aboriginal archaeological sites and heritage, and want to work with First Nations and other interested groups like the ASBC to create legislation, or a system, that works for all parties.

In her letter, read to those present, Chief Bailey wrote "The Archaeology Branch has no resources with which to investigate alleged infractions of the Act [HCA]. Resources (personnel and financial) need to be dedicated to creating an arm of the Branch or a separate entity altogether for investigation and enforcement." Also that First Nations are often at "the front lines" in reporting infractions of the HCA. They are forced to report such infractions to the RCMP—yet RCMP officers, in her experience, have a limited understanding of the Act. This leads to inconsistencies in approach to evidence gathering, which can negatively affect subsequent efforts to prosecute. "There is little public awareness [of the HCA] and the pace of development in Katzie territory (as in many others) often outstrips our ability to ensure that proper archaeological procedure takes place."

The last speaker, Quentin Mackie, framed his presentation as a series of open messages to the Archaeology Branch, First Nations, consulting archaeologists, academic archaeologists, and developers. A rough summation of what he said has been reconstructed from his speaking notes (kindly lent to me) and my own notes and recollections, and is provided below.

In summation, most of the speakers and many members of audience, which included many consulting archaeologists, argued that the HCA is a good act. As written, it has far reaching ability to protect sites and objects of value to First Nations and archaeologists and the public. Sacred sites and sites 'of cultural interest to First Nations' can already be protected under the HCA. The consensus seemed to be that it is not changes to the HCA that are needed, but changes in how it is implemented and funded by the provincial government.

Messages on Archaeology in BC

The following presentation was made by Dr. Quentin Mackie when he was a panelist at a special meeting of the Victoria Branch of the ASBC, on December 12th, 2007. The discussion was entitled 'The Crisis and Promise of Archaeological Heritage in British Columbia: A Public Discussion'. They appear here with his kind permission.

Message to the Archaeology Branch

[The Archaeology Branch is not represented at this meeting. Why? Because they get dumped on a lot at these events. They are the ones in the middle with pressures coming from all sides, and the most clearly defined set of responsibilities. The people who work there got into archaeology for good reasons, the same reasons as all of us, and at the core they hold positive values. If we treat them poorly there will be no dialogue.]

The Archaeology Branch needs to

implement and encourage HCA Section 4 (Agreements With First Nations, under which "a schedule of heritage sites and heritage objects that are of particular spiritual, ceremonial or other cultural value" can be protected) and Section 9 (Heritage Designation) site protections. Supposedly the reason they don't is because they have received legal advice that these are non-viable. But—lawyers are paid to give opinions, and judges are paid to make decisions. So, get some new lawyers, instruct them on what is in the public interest, and ask them to find a way to make that viable. Don't be looking for ways not to protect heritage resources. Act in good faith: inculcate a sense of stewardship in the owners of properties, not one of sites being a burden. Get the existence of sites or even possible sites onto land titles. Send out blanket letters to all coastal property owners informing them that they are likely to have a site on their property and what their responsibilities are. Don't let the lawyers say you can't do it; instruct the lawyers to find the right language to make it clear that owners have legal responsibilities and under what circumstances they need to be extra careful respecting the HCA.

Don't offload the problem on municipalities. I understand the Archaeology Branch is working on informing municipalities about how to work around archaeology and prevent problems. It is important to inform municipalities that their policies should not encourage conflict with the HCA. Work together with them to get archaeology onto land titles and onto municipality registries, etc.

Take archaeology seriously in Provincial Parks, similar to what Parks Canada does in national parks—pro-active management in the context of conservation.

There should be provincial funding for important archaeology as a cost of civilization. Also, alternate funding models should be considered—a flat 0.5% tax on certain kinds of development, for example, or some kind of pragmatic approach—where, for instance the Oil and Gas Commission could write off 10% of all impact assessments in the Northeast in return for the money to go into a pool to do actual research-based archaeology. The key point here is this: millions are spent on archaeology every year in this province, and yet we learn so little because the wrong sites are being investigated in the wrong way to actually learn anything. Most archaeological work in B.C. is carried out as impact assessment and mitigative data recovery—of sites about to be impacted or destroyed—in direct response to development. As such, the work is carried out where and how development dictates, rather than where or how a scientific research plan would best have it. Creative funding to develop regional archaeological knowledge bases would allow better, smarter, and perhaps even cheaper Cultural Resource Management practices in the long run, as accurate estimates of cultural and scientific significance could be made.

Somehow, get the Archaeology Branch personnel out of the office and into the field more. They should be out monitoring the practice of archaeology in the same way that forestry or fisheries wardens are out monitoring fishing guides, loggers, and poachers.

A Message to First Nations

Work with Section 4 and Section 9 of the HCA, proactively. Get on the Government's case about this. Heritage sites are not defined by physical remains in the HCA [Section 1 "–'heritage site' means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people." In other words, a sacred site or traditional use site is a heritage site and can be protected under the HCA.

Within the bounds of reason, get lawyers to agree on language that allows for site protection under the HCA without compromising land claims or treaty rights or acknowledging the sovereignty of the crown, or whatever the various issues are. This is what lawyers are paid to do, and if the government and First Nations can meet in good faith on the specific issue of heritage, then progress can be made in protecting significant sites. Reconsider the 1992 and 2003 statements by the Union of B.C. Indian Chiefs about B.C.'s 'illegal ownership' as a righteous fight that is having negative consequences.

How can this be reconciled—the needs of the past in collision with the needs of the present? You need to contemplate trade-offs and prioritizations—because sites are being destroyed under the current system. At the very least, be strategic about which battles you choose to fight. Don't go to the wall for a single culturally-modified tree and then allow a rock shelter to be blown up.

Reach out to the inner good in archaeologists, most of whom are motivated to steward the archaeological record, even if business may have made them cynical. Most got into archaeology and anthropology for the good reasons of cross-cultural respect, appreciation of heritage, and respect for social justice. There is common ground there; they are on your side more often than you may realize.

Consider conducting pro-active inventories of your traditional territories. Some First Nations are already doing this. Establish comprehensive archaeological databases. Access money for this in the context of land claims or from the federal government—money that cannot be accessed otherwise or for other purposes. This proactive inventory process would raise the profile of archaeology, allow for better Cultural Resource Management decisions, strengthen the legal and moral case for treaty settlements, and could be an avenue for meaningful archaeological training of First Nations people, as well as other educational opportunities.

Share positive stories. The public is only hearing the bad news in the press. Work together with archaeologists to publicize good news in archaeology, to help overcome the perspective that archaeology is an obstacle. This could slowly change to a perception that archaeology is part of the collective heritage and is valuable to all British Columbians, and that it is our privilege to have ancient history in our midst.

A Message to Consulting Archaeologists

Work with First Nations to publicize positive stories about archaeology, and encourage the implementation of existing HCA provisions such as Sections 4 and 9.

There is an over-riding responsibility to the archaeological record that transcends your responsibility to a client. Be very aware of any conflicts of interest, real or perceived. Consultants are in the most conflicted position, with their various responsibilities to their clients, to First Nations, to the HCA and their legal/permit obligations, and to the discipline as whole. This requires that un-conflicted archaeology both be done and be seen to be done.

Licensing of archaeologists is not the answer. Self-policing is not realistic because of the small number of professionals in B.C. The nursing or engineering professions are not a good analogy here because they have many more members and it is possible for them to find arms-length peers to enforce professional standards. There may be room for some improvements in the archaeological permitting system but oversight must be done and seen to be done.

A Message to Developers

Development is OK and making a profit is good. Also, we know we cannot save every material remain from the past and tradeoffs are necessary and inevitable. Having said that—behave yourself! Do your homework. Do not wait to be spoon-fed by the municipalities. Put archaeology on your radar as the ultimate example of an ounce of prevention being worth a pound of cure.

Expect the unexpected. Assume that there will be sites wherever you move earth. Archaeological remains are more likely to become an obstacle to your development if you try to sweep them under the rug. Be proactive, and treat professional-quality impact assessments and inspections as a form of insurance against time-sucking delays caused by the fallout from finding or destroying unexpected or un-sought sites. This is basic due diligence and is a cost of doing business.

Ignorance of the law is no excuse. Inform yourself. Everyone knows of the recent conflicts over archaeological remains. These conflicts could happen almost anywhere, at any time. Being proactive and having pre-existing relations with First Nations and with archaeologists, acting in good faith with pre-established protocols, can go a long way to ensuring that ethical development happens in a timely manner.

Properly approached, archaeology need not be an obstacle. There is huge latent public interest in archaeology, and the goodwill in all sectors of the population generated by a generous attitude towards heritage could pay many dividends down the road.

Above all: be respectful. First Nations have been here for 10,000 years. This is their history and they may have very different world views that are nonetheless deeply held about the proper treatment of the remains of the past. Do not leap to the conclusion that their concerns are brought forward for political reasons. They may well be deeply-held beliefs, violation of which can produce real grief and heartbreak in the present. Respect that.

A Message to Academic Archaeologists (including myself)

Do a better job of public education. Make public archaeology more of a priority. Contemplate creating useful regional syntheses and regional culture histories. Promote archaeology in the K-to-12 system, perhaps as a prominent part of Social Studies 11.

This is doubly apt regarding First Nations groups. Promote community-based archaeology. Graduate students may be able to work on the regional projects or serve as a cadre of archaeological good-news bearers. Academic archaeologists may be able to serve a role as honest brokers between the various interest groups.

Stick up for the archaeological record, no matter what or whom is threatening it. This may involve inserting yourself into public disputes or issues arising from structural discrepancies in the practice of archaeology, such as ethical issues. Use your academic freedom. Write letters and get mad.

Overall

There is a lot of money being spent on what amounts to a managed destruction of the archaeological record [the government's main concern being the issuing of permits to dig in or destroy archaeological sites], and so little knowledge is gained from it. The wrong sites are dug and there is little synthesis of the bits and pieces that are learned; what little synthesis there is carried out is poorly presented. Why is this?

A major reason is that the majority culture does not think of aboriginal heritage as 'their own'. Some may not value it at all, while others may value it but not feel comfortable 'appropriating' it. Since the majority does not consider it as 'their own'" then money does not follow, interpretation and publication lags, and a vicious circle of devaluation of the archaeological record sets in.

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Reflections on the Blacksmith Shop at Sainte-Marie I

by James W. Shropshire

Archaeology is like a detective story. We may believe the butler did it, but can we prove it? Where is the mud on his boots, who saw him on the stairs at 9:23 p.m. precisely, are we quite certain that only he had access to the key to the room? We accept these standards of proof in a detective story, in court, in everyday life. Archaeologists demand similar standards of proof about the past. Sometimes such proof is unobtainable at present. The research has not been done, or it was done a long time ago and not very well, or we are asking a question which the techniques available simply cannot answer. In such cases we make do with the most likely explanation.

(Peter White: The Past is Human.)

Sainte-Marie I is located on the Wye River outside of present-day Midland, Ontario. Established in 1639 by the Jesuit Order, it was to be an administrative centre and a retreat for the missionaries in the field, or in modern terminology, a base of operations for their missionary work amongst the Huron and the neighbouring tribes.

Sainte-Marie had a short life of only 10 years, being abandoned and destroyed by fire by the Jesuits themselves when they fled under pressure by the invading League Iroquois to nearby Christian Island, and then a year later to Quebec.

Over the years, Sainte-Marie has been looted of its masonry and, to some unknown degree, pot-holed by curious settlers. It has been mapped and excavated. The first excavation was by Father Martin, a Jesuit priest in 1855; he spent two weeks in Huronia mapping and sketching the above-ground ruins and carrying out limited excavations around the north and southwest bastions, looking for the “west defensive wall” (which we now know doesn't exist). From 1941 to 1942, Kenneth Kidd from the Royal Ontario Museum conducted major excavations on the eastern portion of the site. His work was a masterpiece in excavating and recording, at a time when Canadian historic archeology was still in its infancy. Kidd was followed by Wilfred Jury, who carried out highly questionable excavations, and it's on these excavations and Jury's interpretation of them that the present-day reconstruction of Sainte-Marie is based.

Over the past few years, the author has attempted to do a re-analysis of Kidd's work (Shropshire 2001), using Kidd's published report and original field notes, along with today's better understanding of French building methods of the period, the advancement in the interpretation of features and the wealth of information from other sites of that time period that were not available to Kidd.

In his report (Kidd 1949: 59-61), Kidd devotes less than two pages to what he identifies as the mission's ‘work shop’. In it he gives a brief description of what is identified as the flue of the forge and some of the major artifacts that were recovered. This paper will try to expand on his findings and give a clear look at the exterior and interior layout of the shop by re-examining the field notes and other material that seems to not have been used in the final report, and the role of the mission's one and only blacksmith, Brother Louis Gaubert. The field notes include: a) the artifact catalogues that record every artifact recovered by square and level; b) twelve maps, representing the southern compound, each in a grid showing five-foot (1.52 metre) squares at three-inch (7.62 centimetres) levels. They record each metal artifact recovered in that unit, although on a small and not too accurate scale; and, c) the floor plans for the shop area indicating the level and showing features such as staining, post moulds and charred timbers, (also comments and observations). Also included in the study are John D. Light's criteria for identifying different features within a blacksmith shop (Light and Unglik 1986), and Father Martin's 1855 sketch of ‘bastion D’.

Interior Features of the Shop

According to Light, “any blacksmith shop large or small should have at least three clearly recognizable functional areas within it, although some may overlap and they will vary in their size, complexity and spatial relationships. The most important area is what may be called the working area of the forge, which will include the bellows, the anvil and the work bench and vice.” (Light 1986: 11-12).

The Forge

Kidd uncovered a masonry foundation and designated it as the forge's flue. This is how he described this feature: “the flue foundation consisted of a rectangular base, open on the north side. Carefully cut limestone slabs were laid in mortar with large slabs forming a rough footing on two courses. The upper structure had three courses intact measuring from 1 to 1 1/2 feet in thickness and about the same in height. The length of the east, south and west segments were respectively 6 1/2 and 3 1/2 feet.'' (Kidd 1948: 63).

After describing a number of artifacts found around the flue he then describes the forge: “the forge if the concentration of charcoal is sufficient evidence, may have

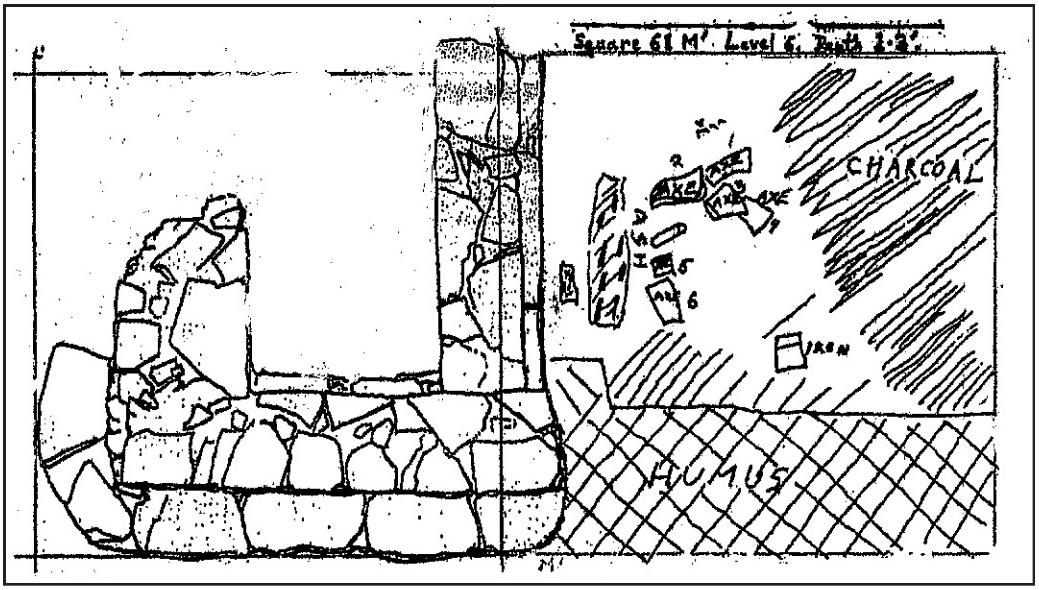

Figure 1. Square 61M in relation to the forge, modified after Kidd (Box 10)

occupied square 61 M and the flue which it necessitated was doubtless carried on the masonry foundation still extant in 61 L". (Kidd 1948: 61). However, this would have made the forge a massive structure measuring 6 by 10 feet (1.83 by 3.05 metres), larger than any known forges of the period in North America. A review of his floor plans for square 61 M shows no evidence of a stone foundation for the forge, as there should have been, considering what remained of the flue. Instead there was an undisturbed layer of ash, charcoal, charred boards and axe heads, therefore one comes to the conclusion that the flue was actually the forge (Figure 1).

There are other explanations for the bed of charcoal. It could have been the remains of part of the building's superstructure that had collapsed in this area or alternatively, the charcoal could have been the remains of the forge's fuel pile. Light states that that it was common practice to store the forge's fuel outside of the shop area to prevent spontaneous combustion or accidental fires. However, the Colony of Avalon's blacksmith stored his fuel close to the forge (Carter: 84) illustrating that individual blacksmiths had different preferences in the layout of their shops.

As mentioned earlier, Kidd found that the north side of the forge was missing. There is an explanation for this, and

Figure 2. Excavations made at Bastion I. Sketch by Father Felix Martin, 1855. From *Old Huronia* by A. P. Jones, S. J.

it is all there in Father Martin's sketch of the so-called Bastion D (Figure 2). From the various early maps of Sainte-Marie and the archaeological evidence, all indications are that the Jesuits in the last days of the mission attempted to seal off the eastern part of the compound, by turning the uncompleted south wall, which was under construction at the time, north to meet the south end of the residence, and in so doing, it just skirted the south and west side of the shop. Although never finished, it gave the early visitors (in its over-grown and unfinished state) the impression that it was a corner bastion. The sketch was drawn from a point slightly northwest, showing the unfinished west wall, and the only other known masonry structure in that area is the forge. The illustration shows a self-portrait of Martin supervising his work crew who are hacking away with the archaeological tools of the time (the pick axe and spade), and what they are working on can only be the north end of the forge. This could explain the lack of artifacts and floor plans for squares 62 L, 62 M and 63 J. Although there is no explanation for these missing squares in Kidd's field notes, it could be that when Father Martin was looking for the west curtain wall in this area he left it so disturbed that Kidd found that there were no recognizable features to record.

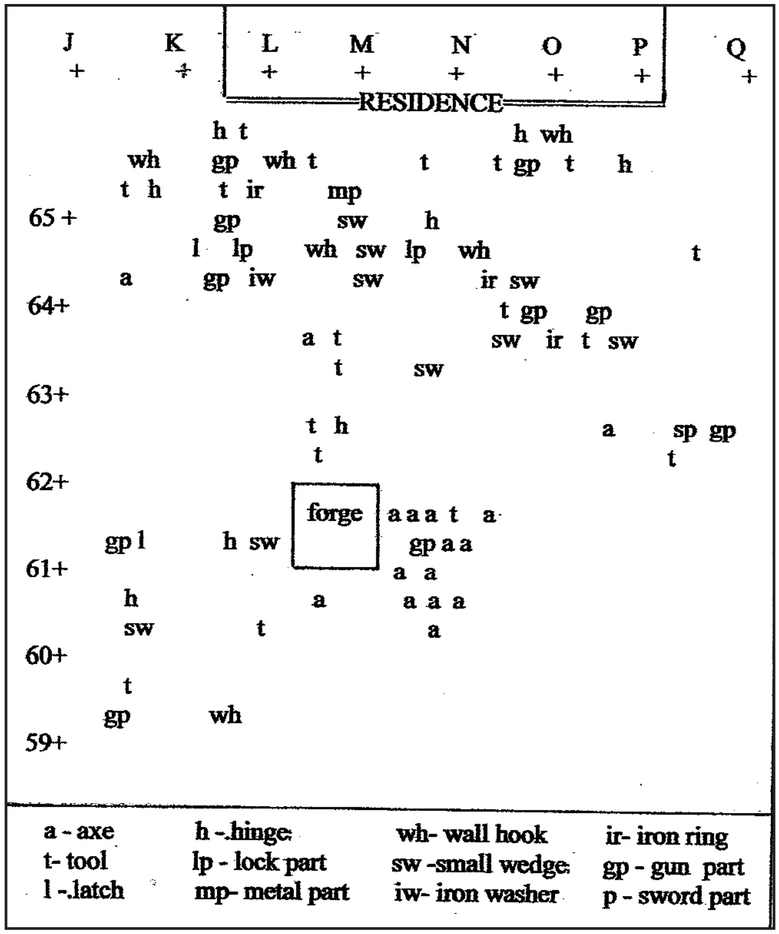

Figure 3. Distribution of metal artifacts

The Sainte-Marie forge matches quite closely in building materials and size to other contemporary forges of the period, for example, the Colony of Avalon (a 1621 colony in Newfoundland) and Fort Pentagoet (a 1635 French trading post in present-day Maine).

The Bellows

According to Light, for the bellows to function, they have to be hung from the ceiling or supported by posts. Where they are supported by posts, they should be found by archaeology (Light 1984: 40). At Sainte-Marie I there is evidence for a support structure on the south side of the forge consisting of the imprints of two sections of logs 2 1/2 feet (0.79 metres) apart, a beam and two post moulds. This would have been an ideal place for the bellows to be out of the way but convenient for the smithy to work. No tuyere pipe was found, indicating that it might have been removed with the bellows when the shop was stripped of useful equipment for the move to Christian Island.

The Anvil and Work Area

A post mould just northeast of the forge is the most likely candidate for the anvil stump as it is in comfortable reach of the forge. Figures 3 and 4 show the distribution of the metal artifacts and debris, and leave no doubt that the main work was carried out in the north half of the shop.

Light, in his excavations of the Fort St. Joseph blacksmith shop, used a hand magnet to determine the iron content of the soil within the shop area, on the theory that when work is being done on a blacksmith's vice small bits of iron and metal scale would accumulate around the bench area. Therefore, when high concentrations of metal in the soil is detected, then there is the possibility that the bench and its vice was situated in that area (Light; 1984: 40-41). As it is now impossible at this late date to carry out such a test, one could expand on this theory, that is, the metal debris and cast-offs from projects done on the bench would accumulate on the floor around the bench not under it, especially on an earthen floor where the debris would be pressed into the soil. Therefore the area covered by the bench or benches would have a lower count than the surrounding area. One of the lower counts was found in the northeast corner of the shop, an area where there would have been light to work by, and thus could have been the possible workbench area (Figure 5).

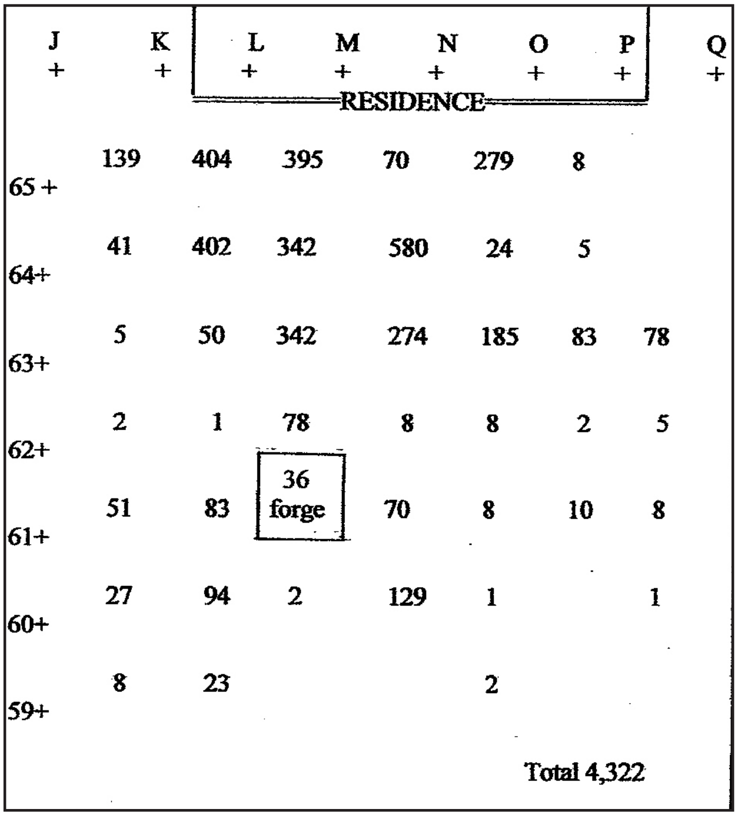

Figure 4, Distribution of metal debris.

Other Features within the Shop

Besides a few post moulds, charred boards and a series of stains, there was an absence of the heavily charred wall sills and boards that defined the two buildings immediately north of the shop (Figure 6). In his report (Kidd 1949: 54, map 10; 87), Kidd discusses a series of stains and speculated that they represented builders' trenches. But in the collection there are four maps of the shop area representing levels from four to eight. Each level shows the staining or features for that level. The map for level four is identical to the map in Kidd's published report but it is labeled a composite of levels four to eight. A closer look at these floor plans reveals that most of the staining is shallow and patchy which indicates either the original shop floor or the effects of the fire, and the possible imprint of part of the shop's superstructure. This linear feature consisted of a mixture of carbonized wood, charcoal and humus (that could be decayed wood). Other smaller features could be imprints of either structural boards or beams that had collapsed and settled at different levels.

The Building

There is another and more likely explanation for the lack of wall sills. That is, the shop was an open-air shop covered by a roof. These shops were not uncommon in North America. "This arrangement – a workspace open to the air except for a small shed roof over the forge itself – has been suggested as the norm for 17th-century armories in the New World" (Faulkner and Faulkner 1987: 135-136).

However, at Sainte-Marie there is another explanation. When Brother Gaubert, the blacksmith, arrived at Sainte-Marie in 1642, the same year that the original residence was being replaced by a more European one (Shropshire 2001: 17), his services were needed immediately. This is demonstrated by the west sill of the residence; when it was laid in two sections, it needed six angle irons to hold the two sections together. Due to the immediate needs when he arrived, two basic structures needed by a blacksmith were built for him: the forge, and a roof of some sort to protect the forge and the tools from the weather and to give shade for the smithy so he could "read the metal." That is to say, determine when metal was ready to be worked – when metal is heated it turns different colors: yellow-orange being the preferred color for forging.

Brother Gaubert: Repairer, Innovator and Armoire

It is not the author's intention to give a detailed analysis of the artifacts from the shop, but the following are a few observations made during the

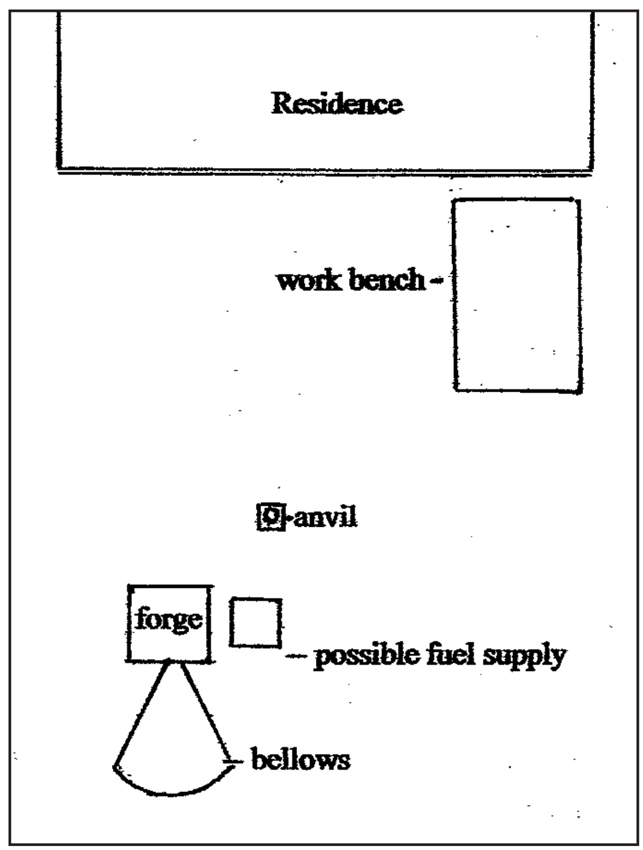

Figure 5. Possible lay-out of shop.

research process. The waste from the shop floor shows that Gaubert's inventory consisted of bar stock, both flat and round. This was used to make nails, hinges, staples, door latches and pulls, masonry anchors, very small wedges possibly used to hold the head on axe handles, and other sundry items. Approximately 1,498 copper and brass cutouts of various sizes were recovered from the shop floor. Judging from the very tight curling of the snipped fragments, there is the possibility that the material arrived in rolls or sheets, while other pieces were cut from kettles. Whatever finished objects were manufactured from the numerous brass and copper cut-outs, it is certainly in numbers not represented in the collection. Perhaps blanks or other small trinkets were made to be included in 'field kits' (Thwaites 1899: JR, Vol. XV11: 18) that accompanied the missionaries on their tours of the villages. One item that demonstrates the craftsmanship of Gaubert and the on-the-spot needs facing him is a candleholder made from sheet brass (Figure 7). It would seem that the basin was cut from a circular blank and judging from the basin's interior stress fractures was formed by mounting the blank over a pre-form of some type, possibly made of wood, and then gently hammered out, creating a shallow basin. The handle was made of a single strip bent over and riveted to the body. In all, it is an impressive piece of work. Other items recovered from the shop floor, such as knives, padlocks and scissors, suggest attempts at repairs, or they were kept for recycling.

The presence of a musket barrel along with triggers, hammers and springs shows that firearms were part of the mission's arsenal and Gaubert was repairing these items.

Damaged Sainte-Marie axes show flattening and fracturing of the pole-end giving the impression that some were used as hammers; one head is quite deformed as

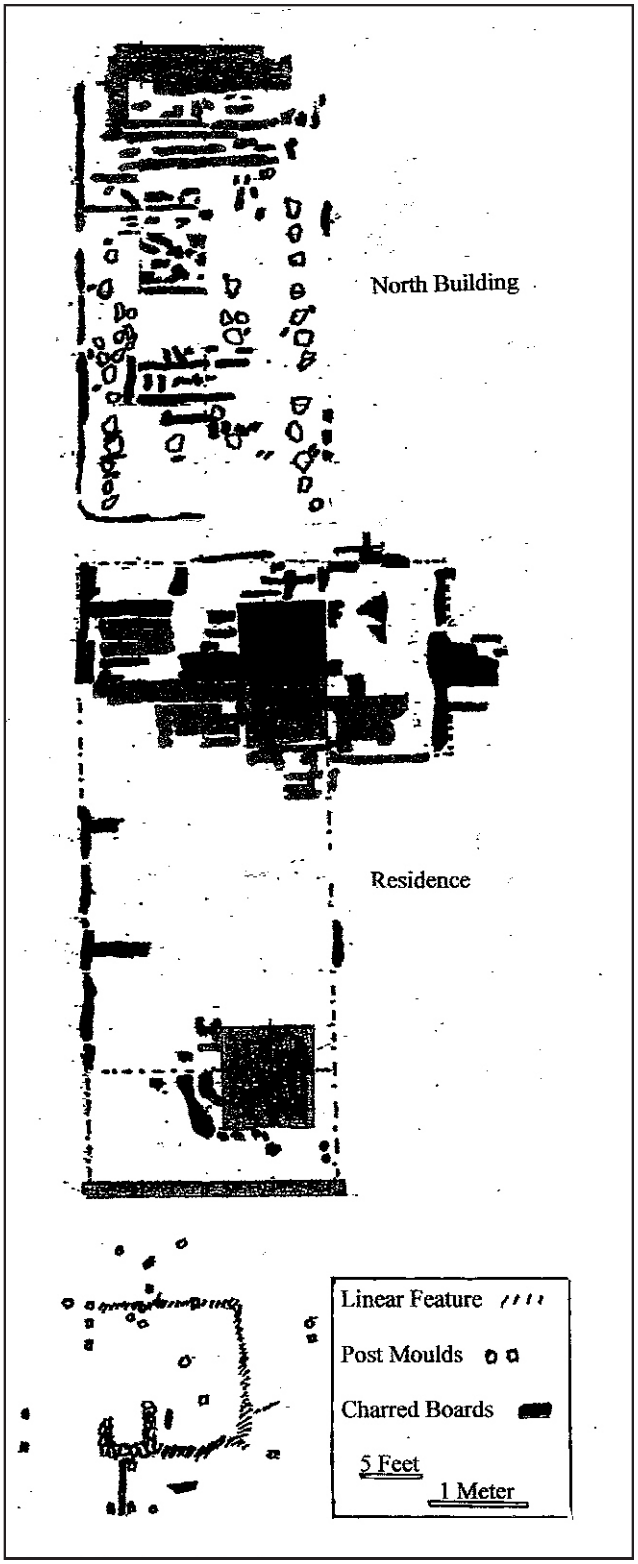

Figure 6. Blacksmith Shop in relation to the Residence and North Building, modified after Kidd.

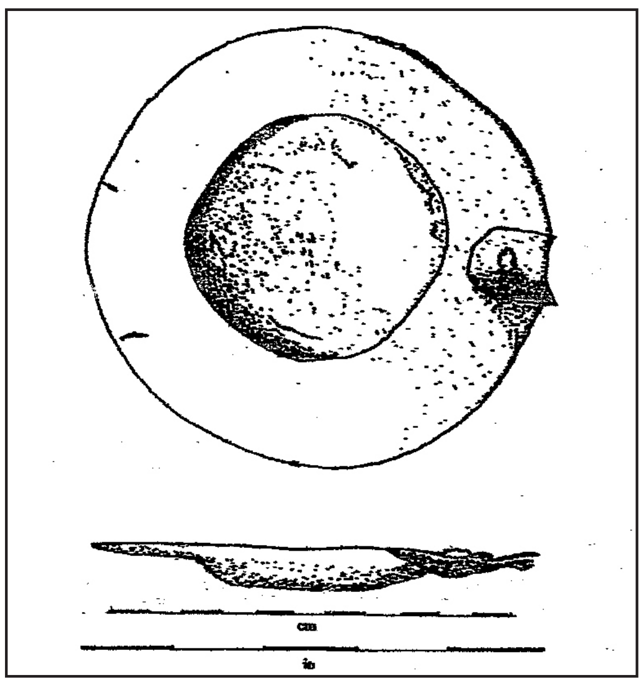

Figure7. Candle Holder

though the blade was used as a pry bar. When damaged, the majority of axe heads were then recycled into wood splitting wedges. One axe head showed the same repair technique that was employed by the smithy at Fort Pentagoet. Some time in its life, before it was recycled into a wedge, it was damaged at its bit; the old bit was removed and a new bit was lap-welded to the blade side instead of being inserted between the leaves of the blade.

Conclusion

The re-examination of Kidd's field notes sheds new light on the true structure of the mission's blacksmith shop. It was a simple affair, much like others on the frontier. Considering the small size of the community, and the primary activities of its population, one can speculate that the busiest time for the smithy would be during the fair weather season, that is, spring to fall, when there would be a demand for the manufacture of building hardware (as needed for building projects), sharpening or repairs to agricultural and carpentry tools. Thus a roofed-only structure would have been sufficient for the smithy's needs. It seems that the forging and repair techniques used by Brother Gaubert would have been no different than those of his contemporaries at Fort Pentagoet or Ferryland. A simple structure, but important, in that it gave the environment for the skills blacksmith to enhance the daily life and the accomplishments of the community at Sainte-Marie I.

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