

FORUM: ARCHAEOLOGY IN THE MEDIA

“Cautionary Tale” and “Game Changer”—Media Response to Marpole Midden Decision

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We have expressed our determination to see the site preserved and we will continue that effort with all that it takes to succeed. [The Musqueam Village site] is one of the last and certainly the most significant Musqueam site[s] that connects to our past and to our identity: an identity that was almost destroyed by the Indian Act, residential schools, and other colonial indignities. It is surrounded by a sea of pavement and development that has obliterated almost all of the traces of our past life on our territory.

Chief Ernest Campbell and Musqueam Indian Band, 2012

The close of summer saw “resolution”¹ of the high-profile, year-long “Marpole Midden” imbroglio, a finale that did not go unnoticed by the media. Indeed, coverage by the *Vancouver Sun* provides us with a unique opportunity to explore up close the very heart of our contemporary heritage crisis. Here, I focus on two important elements: the first is media hegemony, where media is manipulated to reinforce dominant views, and the second is the ideology of economic “development,” where private property is paramount. These dimensions are important because they highlight the economic basis and seeming intractability of the crisis. In the end, and among many other things, Marpole became a case study in the production of public opinion.

As described in late September by *Vancouver Sun* reporter Christopher Reynolds, the province had decided to permanently halt development of a “hotly contested” property in Vancouver’s Marpole area—this after “months of negotiations between an urban aboriginal band and a developer failed to produce a compromise.” The title of Reynolds’ piece, “Ancient Musqueam burial ground in Marpole to remain free of development,” appears to reflect his effort to emphasize the positive feelings expressed by the “success[ful]” Musqueam Band while deemphasizing the “disappointed” development investors. As Musqueam spokeswoman and member Cecilia Point stated therein, “It’s a huge success [...] To

me this is precedent-setting in giving First Nations equal respect with non-natives.”

Reynolds summarized the government decision as follows: “The Ministry of Forests, Lands and Natural Resource Operations allowed a permit for alteration of the midden site to expire Sunday, saying the discovery of burial grounds on the property changed its heritage value and rendered large-scale construction inappropriate without Musqueam consent.” Reynolds also noted the “precedent setting” aspect of the decision, but in relation to the potential financial losses.

“The land is worth much less since the province revoked the site alteration permit—effectively rendering it untouchable,” [investor spokesman] Ransford said. Century Group had pre-sold more than 70 condo units and will now have to compensate buyers, he added. In total, Century Group—in a joint venture with LandPro, owned by the Hackett family who purchased the property more than 50 years ago—stand to lose millions of dollars, Ransford said.

The next day, Reynolds reformulated the Marpole story, and the title was changed to reflect what would become the central focus of the discussion—its “precedent setting” impact on developers. The new title was a combination of new and old: “Protection of Marpole Midden celebrated by Musqueam—‘Precedent-setting’

provincial decision to stop all work leaves developer looking for compensation.” Rather than focusing on Musqueam’s success, the narrative was seemingly being transformed into one about economics and private property:

“Century Group’s pretty disappointed the government made the decision they did, because in effect they’ve taken away all of the rights to do anything with the land. And they have done that without making any commitment to compensate,” said [...] Ransford on Sunday. “I think it’s a threat to private property in all British Columbia, quite frankly.”

The following week, two articles appeared in the *Vancouver Sun* to fan the flames. Musqueam “success” over an ancient burial site, it turned out, was to be short-lived; they (and other First Nation communities) were now to be seen as a visible threat.

On October 8, *Vancouver Sun* editorialist Craig McInnes had this to say about the situation:

It hasn’t been that long since finding an arrowhead in your backyard would have been pretty exciting. Now it’s just plain bad luck, especially if you uncover it while digging a foundation for a new garage or any significant redevelopment. An arrowhead or other pre-colonial artifact might be an indication that

your property has valuable archeological significance.

The value, however, isn't coming your way. What you will get, if you do the right thing and report the find, is additional costs. You may not even have to find anything to win the archeological sweepstakes. You might go for a building permit and discover that you are sitting on one of the 35,000 sites registered by the province as being potentially significant.

McInnes' main point is succinctly stated in his subtitle: "Private owners expected to pay for public heritage values—it may not be fair but it is provincial policy."

For McInnes, the Marpole case is one where "preserving our heritage"—a process that creates a public benefit—fails "by dumping the cost on individuals. Even if a homeowner, business owner or developer decides not to proceed with whatever work they had planned, the discovery can reduce the resale value of their property. [...] By stopping work, the province has effectively reduced the value of the land." In this sense, the Marpole story has become for him a "cautionary tale." Perhaps tellingly, McInnes does not call for government funding/assistance for such 'threatened' heritage sites; he only warns buyers to be careful with their property investments.

Two days later, on October 11, the *Vancouver Sun* published a guest editorial penned by Fraser Institute senior fellow Mike Milke, who also happens to have authored the book *Stealth Confiscation: How Governments Regulate, Freeze and Devalue Private Property—Without Compensation* (2012). In his provocatively titled *Sun* piece—"Open season on private property?"—Milke describes the Marpole decision as a "game changer."

But first, a bit of context to understand which "game" Milke thinks we are all playing. To begin with, he refers to "the discovery of *assumed* aboriginal bones" (emphasis added), a point that has, as far as I am aware, never been in contention. Moreover, Milke snidely observes,

It is understandable that some feel every bit of ground is sacred. But that over-romanticizes matters. This is not a recent graveyard with headstones identifying one's near relatives. Every human community in history is eventually built over

past inhabitants. Paris is built over crypts that contain six million skeletons. Most were reinterred from above-ground graveyards in the late 18th century for health reasons and to make way for a growing city.

The intact [Marpole] burial area is in a two-metre by two-metre wide plot that sinks just five-eighths of a metre. (Fragment remains were also found in a relatively small, already-disturbed area). That represents 0.113 per cent of the surface area. The city has refused to issue a building permit based on "the public interest"; similarly, the province denied the extension of its own earlier permits after the Musqueam protests.

Milke concludes that the Marpole remains should have been "removed respectfully and reburied as has already happened elsewhere in British Columbia; the protests should end; the development should proceed."

The most broad sweeping of Milke's contentions about Marpole, one which he opens his entire piece with, is his assertion that "[t]he federal and British Columbia governments have always claimed that native land claims would never affect private property, that First Nations governments would never have veto power over private land." His suggestion is clear: the Marpole decision mistakenly sets cultural heritage above private property rights, thus it impinges on the ability of the city, province and nation to "develop"—economically speaking, of course.

This chronological reading of the four *Vancouver Sun* articles suggests a concerted media effort to commodify Indigenous heritage and manipulate public perception. Increasingly, the Marpole story has pitted profit and private property rights against the value of cultural heritage and community history. In the end, a victory celebration for those who protected an ancient village and cemetery was reduced to nothing more than the relocation of a small assemblage of bones and archaeological "fragments." Ultimately, *Vancouver Sun* readers were led to believe that the Marpole decision heralded an "open season on private property," and that First Nations' history is to be feared.

For me, the Marpole situation illustrates the economic basis for our contem-

porary, global heritage crisis. It also highlights the role of the media when it comes to the construction of public opinion. Here, 'ideology' (ideas manipulated by power) and 'development' (notably economic development) coalesce into what should be the focal point of conversation—that is, *the Western ideology of growth, development and progress*.

I am left thinking, like Angèle Smith (2008:18; see also Mapes 2009), about the "clearance and removal" of people—physically and mentally—from their homes and lands to make way for "progress." As Smith asks,

If the meaning of landscapes in terms of a sense of place and identity is so great, then what must be the terrible impact on people who have had to leave, for whatever reason? Archaeologists can turn to the research conducted on placelessness, homelessness, and diaspora to better understand the personal and collective sense of grief, defeat, outrage, and resistance that often follows on clearing people from their landscape.

Asking that question and pursuing that research has led me to conclude, contrary to popular belief, that *manifest destiny* is alive and well in the 21st century. Indeed, I see manifest destiny as the highly volatile fuel that powers the great engine that is growth, development and progress. In the context of our modern-day consumer culture, manifest destiny refers to the "moral and economic rationale" that links human health and wellbeing to the commercial "exploitation and development" of heritage, both natural and cultural (Harper and Fletcher 2011:356). It turns out that in the "game" of manifest destiny, the rules clearly state that *heritage has no intrinsic value*, only "market" value. Sound familiar?

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Note

1. In hindsight, it remains unclear what exactly has been resolved. It may well turn out that this is more a case of "passing the buck" or "kicking the can" than meaningful change in policy.

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Province Disappoints, First Nations Disengage: No Section 4 Agreement in Sight...

In 2011, *The Midden* (43.3) featured an article on the Joint Working Group on First Nations Heritage Conservation, comprised of members of the First Nations Leadership Council and the Province of British Columbia. Their mandate, described therein (Sayers et al. 2011:11), is

to explore options and provide recommendations for consideration by B.C. First Nations for improvements in policy and legislation that will adequately address First Nation interests with respect to the protection and conservation of our heritage sites, sacred sites and archaeological heritage objects.

A central issue for the Joint Working Group has been implementing section 4 of the *Heritage Conservation Act*, which provides the option for formal agreements between the provincial government and First Nations “with respect to the conservation and protection of heritage sites and heritage objects that represent the cultural heritage of the aboriginal people who are represented by that first nation” (*HCA* section 4[1]). A section 4 agreement would ensure more direct control by First Nations over the management of their heritage

sites.

Such agreements are in line with the *United Nations Declaration on the Rights of Indigenous Peoples*, which Canada finally ratified in November 2011. Article 11 of the Declaration specifically recognizes that

Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

On November 1, 2012, the Union of B.C. Indian Chiefs (UBCIC) announced that the First Nations Leadership Council and the First Nations representatives who are part of the Joint Working Group would be disengaging from the process of working with the provincial government towards a section 4 agreement (UBCIC 2012). They state that the Province “has been unwilling to place priority status on the advancement of the section 4 pilot project” and, despite recommendations

from various bodies involved, would not be proceeding with a section 4 agreement:

With this decision, the Province is now allowing for the continued desecration of First Nations heritage sites. The Province has been very clear that it has no plan or solutions to deal with issues arising out of the HCA or protecting First Nations sacred/cultural sites.

As Sayers et al. (2011:14) note, this project was “a significant test of the commitments made by the provincial government to recognize Aboriginal Title and Rights and honour both the *New Relationship* and the *United Nations Declaration on the Rights of Indigenous Peoples*. As is the case with many things time will tell...”

A short year and a half later, time has told: the province failed, and First Nations are once again on their own...

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