

**The Stevens Seated  
Figure Bowl, then  
Fulford Harbour Bowl,  
Now the  
Semiahmoo Bowl**

**Don Welsh**



The bowl illustrated here, formerly referred to as the Fulford Harbour bowl and the Stevens Seated Figure Bowl but now named the Semiahmoo Bowl, has been fairly well documented over the past forty-five or so years even though it had been in a private collection since being unearthed.

Ken Stevens was the backhoe operator working for the Ministry of Highways in a gravel pit in Fulford Harbour, Salt Spring Island in the late 1960's. As the story goes,

Figure 1. The Semiahmoo Bowl showing front, back, right side and top views. Drawings by author.

eyes with the sculpture in the backhoe bucket and retrieved it. The exact date of the discovery has slipped from his mind but it was probably 1968 or 1969. In 1971, Beth Hill recorded the site, which was designated DeRu 44 and in 1979 Hilary Stewart published a brief description with two views of the bowl in *The Midden* (9[4]: 15; see portion in sidebar, page 14). Nancy Condrashoff, working for the Royal British Columbia Provincial Museum, described the artifact in 1988, in RBCPM report No. 870 and included five photographs that she took. In 2005, the bowl was sold at auction by West Coast Estates for the collector, Ken Stevens, to the Semiahmoo First Nation. The selling price was \$10,000.

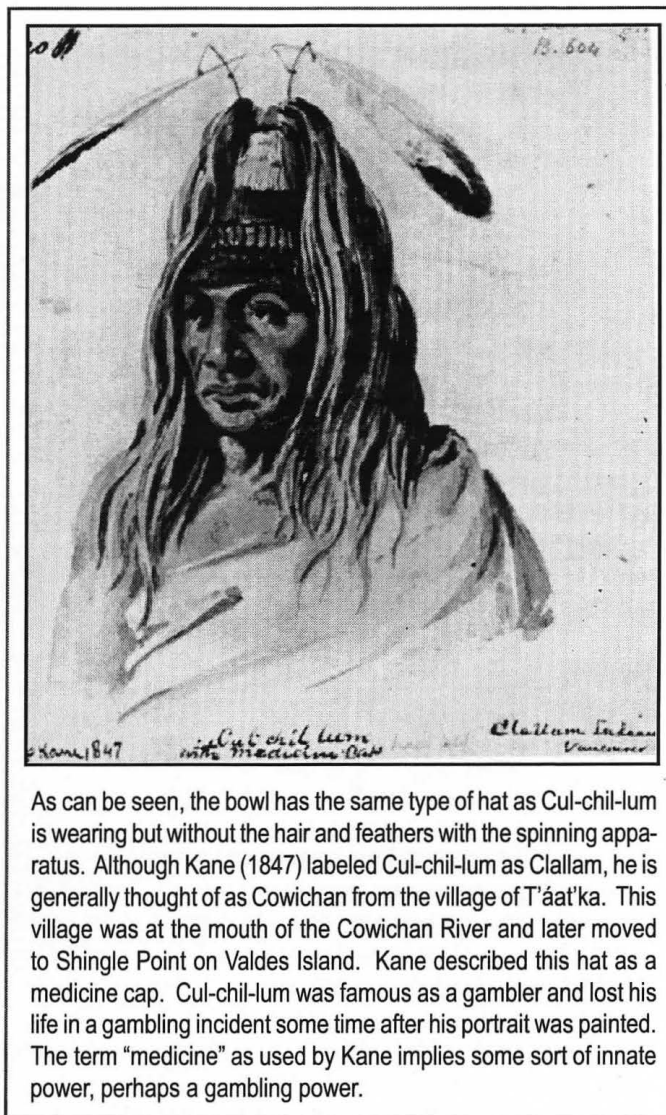
The site from which the bowl came is in Fulford Harbour, the site of the Saanich village *xʷəne'n'əč* (Montler 1991:86, # 1822; Poth 1983:31). Wayne Suttles recorded the name as *xʷne'en'ič* and placed it on the south shore of Fulford Harbour (Suttles 1951:26). He also reported that, "The main village [of Tsawout] was established under the leadership of a man named *ləče. m*, who was half Active Pass and half Semiahmoo. This man gathered the people from Fulford Harbour, Ganges Harbour, Active Pass, Pender Island and Stuart Island to settle here. People of this village went to Stuart Island, Pender Island, and Point Roberts in the summer for reef netting (Suttles 1951: 24, 25).

Currently, the Semiahmoo First Nation, Tsawout First Nation, Tsartlip First Nation, and Pauquachin First Nation form the Sencot'en Alliance which has claims to the area. This site also within the shared territory of the Hul'qumi'num Treaty Group as well as the Tsawwassen First Nation.

I first became aware of the impending sale of this artifact from a Semiahmoo carver, Leonard Wells, who found a picture of this bowl in the local paper being held by Ted Pappas of West Coast Estates as a promotion for an auction to be held in Vancouver. I talked to Ted about it that Monday. Ted had advised Ken Stevens to donate it to the appropriate First Nation, but Ken insisted he wanted to sell it. Ted, therefore, started to promote the sale. He contacted representatives of various museums, who showed little interest in purchasing artifacts. The Semiahmoo First Nation was the first native group to show interest and involved the Saanich Native Heritage Society, within the Sencot'en Alliance, in attempting a purchase. Semiahmoo also asked for financial assistance from a number of sources.

The auction was held on April 30, 2005. Although no funds were forthcoming except for two offers of \$100.00, in the end Semiahmoo bought the bowl for \$10,000. This price was the result of competitive bidding. Eric McLay, the Hul'qumi'num Treaty Group's representative, opposed the auction. He brought the municipal Vancouver Police to the auction to determine if the sale was illegal. In the end, the police declared the sale was legal and the auction proceeded. An American bidder by telephone, believed to be associated with the Smithsonian Institution, brought the price up to its final amount.

This artifact sale falls between the cracks of provincial heritage legislation. This bowl was found fifteen years prior to the Heritage Conservation Act of 1979. All artifacts found in archaeology sites in British Columbia after that date are protected and ownership reverts to the province. All artifacts found before 1979 are legally the property of the finder and therefore can be sold in B.C. Such artifacts cannot leave the province or the country without export permits. I have heard that legislation



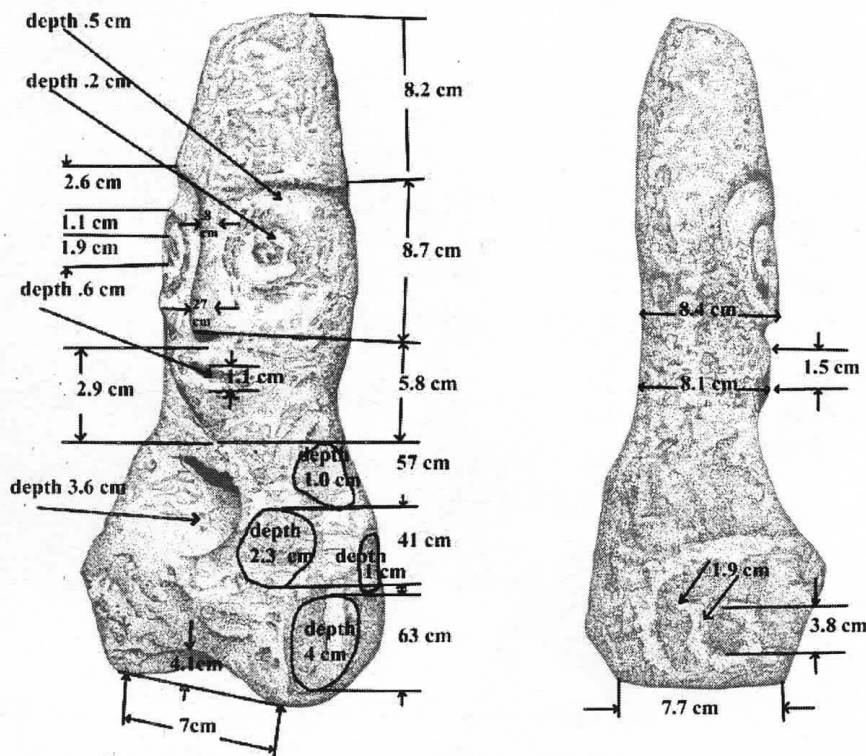
As can be seen, the bowl has the same type of hat as Cul-chil-lum is wearing but without the hair and feathers with the spinning apparatus. Although Kane (1847) labeled Cul-chil-lum as Clallam, he is generally thought of as Cowichan from the village of T'áat'ka. This village was at the mouth of the Cowichan River and later moved to Shingle Point on Valdes Island. Kane described this hat as a medicine cap. Cul-chil-lum was famous as a gambler and lost his life in a gambling incident some time after his portrait was painted. The term "medicine" as used by Kane implies some sort of innate power, perhaps a gambling power.

Figure 3. Paul Kane's (1847) portrait of Cul-chil-lum, with comparisons made to Don Welsh's drawing of the Semiahmoo Bowl in Figure 1, opposite.

had been proposed to cover this time period but was opposed by the consulted First Nations regarding the issue of ownership reverting to the Crown. The viewpoint of many First Nations is that they already own these artifacts and that this should be defined by treaty and in legislation.

This bowl is very powerful. It had the ability to take over and organize my time for two weeks leading up to the auction and for a considerable time after the fact. I have a stack of e-mails and photocopies a centimeter thick. The news of the sale got as far as the cultural properties representatives of the federal government. All they could offer was a tax break on the sale if it was placed in a recognized repository. Any number of individuals, groups and organizations opposed the sale. And then, there is the American bidder who ran the selling price up to its final amount and, reportedly, was prepared to go further.

There are a number of moral and philosophical dilemmas involved in this sale. Should native groups have to buy back their heritage? Should artifacts be allowed to be offered for sale? Is



Material:	Sandstone
Colour:	Grey-tan
Munsell:	2.5Y 6/4
Weight:	10.2 Kg.
Length:	42.2 cm.
Max. width:	14.2 cm.
Max. thickness:	14.6 cm.
Method of Mfg:	Pecked, abraded

The Fulford Harbour Bowl is asymmetric. The right side has a design, which appears to be an eye in the style with a line through it. This differs from the main body eyes, which are concentric circles. On the right side of the body at about the height of the front eye is another eye on the back. It is also concentric circles. This eye is easy to overlook. Perhaps it is an ear.

The left side of the body has four rounded depressions. This may be the original surface of the rock. Many examples of sandstone can be found with groups of depressions on the surface, especially in the Gulf Islands.

The back of the bowl has several planes that appear to result from systematic rubbing with a hard object. They appear similar

to abrasive stones of sandstone that have presumably been used for sharpening adze blades.

The bottom of the sculpture has another bowl pecked into it. The front of this bowl has been broken in the past. This break does not appear fresh, so the conclusion can be drawn that the bowl was used for a period of time after the break. On the left hand side is a fresh scar that is lighter than the rest of the artifact. This is an example of backhoe trauma. If the break had resulted from the backhoe, then it would also a lighter colour as well as having sharp edges.

As is usual, based on its form, this sculpture is assigned to the Marpole Culture.

the fact that legislation only covers the time after 1979 moral, even if it is legal? Should private individuals be able to buy artifacts valued by native groups just because they can afford them?

In writing this, I had been asked to comment on why I thought it was important to buy this artifact. The short answer is it was for sale. Other people put their attention into trying to stop the sale. They were unsuccessful for the same reasons that previous attempts to stop these sorts of sales were unsuccessful — the sale is legal within Canadian and British Columbian law. I didn't buy it. The Semiahmoo First Nation first asked for assistance in buying this artifact. No one offered the requested assistance, hardly anyone even offered moral support. Since no one else appeared interested, the Semiahmoo bought the bowl with their own money. It would have cost less if the guy associated with the Smithsonian Institution had not been bidding against Semiahmoo. Why did he think it was important?

Figure 2. Drawings of the Fulford Harbour Bowl by author, with dimensions.

The question has come up: should native groups have to buy back their heritage? I think not, but until legislation is passed preventing such sales then they are the only show in town. Most of the seated figure bowls are in museum collections already. One can also question equally why museums get to control native heritage. There are other artifacts out there that are still in private hands. I know where at least one more such bowl from the local area exists, and is allegedly for sale. If these bowls are important artifacts and they are to be sold, and they aren't protected by legislation, why should native groups not buy them?

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**Don Welsh is the Heritage Conservation Manager for the Semiahmoo First Nation.**

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*References continued on Page 18.*

# AUCTION SALE OF ANCIENT ARTIFACT ALARMS FIRST NATIONS

Sean McIntyre  
*Gulf Islands Driftwood*  
April 27, 2005

Plans to auction an ancient artifact found decades ago at a midden site near Fulford Harbour have raised concerns about the increasing privatization and commercial sale of First Nations heritage.

"This is a difficult situation," said Robert Morales of the Hul'qumi'num Treaty Group. "It shows the continuing conflict between the two cultures that carries on far beyond archeology." In a letter to the Minister of Sustainable Resource Management, George Abbott, Morales asked that authorities take the matter seriously and treat it as an offence committed under contemporary law. "We argue that the minister has the legislative authority to seize the artifact from West Coast Estates Ltd., prevent its commercial sale by public auction, and deposit the artifact in the Royal B.C. Museum in Victoria."

The "seated human figure bowl" is a 50-centimetre-high sandstone figure estimated to be over 2,000 years old. It will be auctioned on April 30 in Vancouver. Valued at between \$18,000 and \$25,000, the object was discovered in a gravel pit by a Salt Spring resident more than 40 years ago. Legislation created in the 1960s prevented the removal of such artifacts and ordered the Crown to seize all items collected without a permit. In 1971, the Crown-owned property was declared an official archeological site and labelled DeRu-044.

Morales admitted the issue is complicated by the amount of time that has passed since the item's discovery, but said the decision may prove significant considering the number of artifacts thought held by private collectors in the province and throughout the world. "West Coast Estates Ltd. cannot claim

the sale of the archeological heritage object is the innocent product of 'ancient losses' as advanced," he wrote. "It is the commercial sale of an illegally collected artifact removed from a provincially protected site under contemporary law."

Morales expressed concern artifacts held in private collections limited First Nations' access to the items and made it difficult for them to assert control over objects that belonged to their

## *Finding the bowl, was comparable to winning the lottery.*

ancestors. He said stricter legislation regarding the sale of the artifacts was an important step towards keeping a large part of First Nations' heritage and culture intact. "Through the work we are doing, we hope we can repatriate the items back," he said. "We are now working at trying to put together a feasibility study for a museum where these items can come back and go into a controlled environment."

Ted Pappas, an auctioneer from West Coast Estates, realized determining the rightful owners of the bowl was a "tricky situation" and claimed the auction was the best way of finding a new home for the bowl. "Knowing who to give it to is a murky area because we don't know who the rightful owner is," he said. "I suggest anyone interested in acquiring the bowl step up and let it be known."

Pappas said members of the Semiahmoo First Nation in White Rock have expressed an interest and are prepared to make a bid.

Pappas discovered the bowl when its owner, Ken Stevens, brought it to an antiques road show in Chemainus. He said the owner deserved some credit for being in the right place at the right time. Finding the bowl, he said, was comparable to winning the lottery.

*Reprinted with Permission*

## ARCHAEOLOGICAL CONTEXT

Fulford Harbour Inland Midden  
DeRu-044

The Fulford Harbour Bowl is one of few seated human figure bowls known to derive from a dated archaeological context. Inland shell midden site, DeRu-044, is located on a terrace a half a kilometre inland from the coast on the slopes of Mount Tuam on Salt Spring Island and was initially recorded by local resident Beth Hill in 1971. The Department of Highways had operated a gravel mine on this parcel of Crown Land since the 1960s, which led to the bowl's discovery.

In 1988, British Columbia conducted salvage operations at DeRu-044 prior to a proposed subdivision of the Crown land (I.R. Wilson 1988). Stratified archaeological deposits demonstrated a substantive depth of settlement activity to 0.80m below surface. Two marine shells submitted for carbon-14 analysis from the upper and lower deposits place DeRu-044 within the mid to late Marpole Phase (dates noted below).

Inland shell middens have been discovered in the Gulf of Georgia from Sooke to Sechart, most notably False Narrows Bluff on Gabriola Island, Channel Ridge on Salt Spring Island and Skirt Mountain near Victoria. These rare, poorly understood inland sites are increasingly threatened by upland developments. Today, DeRu-044 at Fulford Harbour is an abandoned, empty gravel pit.

**NOTE:** Uncorrected marine shell samples of 1930 ± 90 B.P. and 2120 ± 100 B.P.

### Reference

I. R. Wilson Consultants  
1988 Archaeological Test Excavations at DeRu-044, Fulford Harbour, Salt Spring Island. Permit 1988-61. Report on file at the Archaeology Branch, Victoria.

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# A Clarification of the Heritage Conservation Act regarding the Selling of BC Artifacts

Ray Kenny and Jim Spafford

Archaeological resources consist of the physical remains of past human activity. The scientific study of these remains, through the methods and techniques employed in the discipline of archaeology, is essential to the understanding and appreciation of pre-contact and post-contact cultural development in British Columbia. These resources are often very susceptible to disturbance and are non-renewable and finite in number.

The *Heritage Conservation Act* (RSBC 1996 Chap 187; *HCA*) provides for the protection of British Columbia's archaeological resources. This legislation applies in part to archaeological sites pre-dating 1846 whether these are located on public or private land. Archaeological sites may not be destroyed, excavated or altered without a permit issued pursuant to section 12 or 14 of the *HCA*.

The Archaeology Branch administers the provisions of the *HCA* relating to the provincial archaeological site inventory and the archaeological permitting process. The *HCA* does not, however, contain enforcement provisions. In the absence of such provisions, enforcement of the *HCA* rests with municipal police or the RCMP. However, the branch takes alleged contraventions of the *HCA*, including the sale or attempted sale of artifacts, very seriously, and provides information and expert advice to facilitate police investigations and the preparation of reports to Crown Counsel recommending whether or not charges should be laid.

The *HCA* defines heritage objects (artifacts) as personal property that has heritage value to British Columbia, a community or an aboriginal people.

Except as authorized by an *HCA* permit, it is illegal to remove a heritage object from a site that is protected under the *HCA*, or to remove, or attempt to remove, from BC, a heritage object that has been removed from a protected site.

The *HCA* is silent on the ownership of heritage objects, and does not prohibit their subsequent possession or sale.

If a site was not protected at the time an object was removed, there is no offence under the legislation. Consequently, the Archaeology Branch can only request police action on a complaint that heritage objects are being offered for sale if evidence is presented that the object was removed from a protected site (e.g., a heritage object bearing an accession number associated with a recorded protected site and an applicable collection date, a witness' statement that the object was present in a protected site while it was protected, a witness' statement that the vendor had been observed excavating in or removing heritage objects from a protected site while it was protected, a confession, etc.).

If a contravention of the *HCA* is alleged, as outlined in

the preceding paragraph, the Branch will contact municipal police or the RCMP and request initiation of an investigation and preparation of a report to Crown Counsel. If heritage objects are being offered for sale, in connection with an alleged contravention, we will also contact the vendors and their agents or intermediaries (e.g., auctioneers, online auction sites, publishers of advertisements, etc.), inform them of the requested investigation and the provisions of the *HCA*, and advise them to desist from offering to sell those objects.

Otherwise, if the Branch receives complaints that heritage objects are being offered for sale, and those complaints are not allegations of contraventions of the *HCA*, we will:

- contact the vendors and their agents or intermediaries and advise them of the prohibitions of the *HCA*
- express our concern that by offering heritage objects for sale they are promoting contraventions of the *HCA* and destruction of irreplaceable heritage resources, as well as creating or encouraging the development of a market for these objects
- request that they desist from offering those objects for sale.

Archaeological site DeRu-044 was not protected by legislation at the time the Fulford Harbour seated human figure bowl was collected because the site was not designated as an archaeological site as required under the former Archaeological and Historic Sites Protection Act. Possession or sale of that object, or its removal or attempted removal from BC is, therefore, not prohibited. Accordingly, when the Branch received a complaint that West Coast Auctions Ltd. was offering the bowl at auction, we contacted them to explain our concern and to ask that they remove it from offer, but could not request initiation of an investigation and preparation of a report to Crown Counsel.

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**Ray Kenny is the manager of the Permitting and Assessment section of the Archaeology Branch.**

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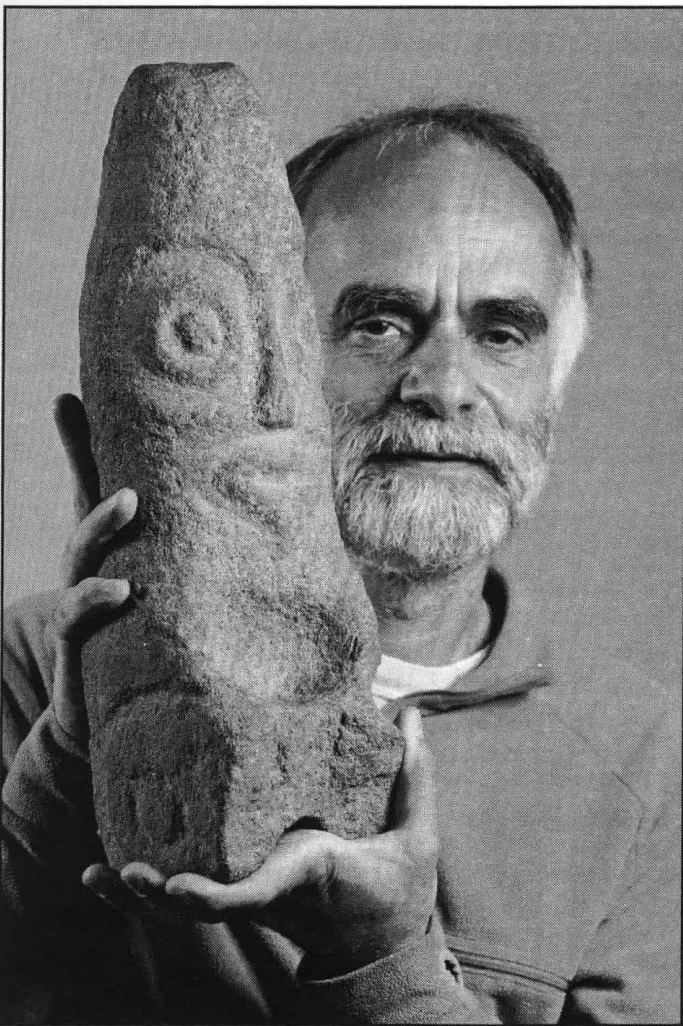
**Jim Spafford is a heritage resource specialist at the Archaeology Branch.**

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# The Bowl that Makes You Sing

## A Conversation with Auctioneer Ted Pappas

Susan Rowley



Ted Pappas holds the Fulford Harbour Bowl which weighs 10.2 kilograms and is the largest of 12 stone bowls found in the Gulf Islands. • Photo by Bruce Stotesbury, Reprinted with permission from the *Times - Colonist*. Photograph and caption originally accompanied Dickson's article, "Bowl-ing for Dollars" (see page 7).

### Auction Day, May 2005

The sale of archaeological artifacts is a highly charged issue. Statements about the sale of artifacts are usually phrased as simple absolutes, thus curtailing meaningful discussions. Given current legislation at the provincial, national and international levels permitting the sale of archaeological materials, examining the perspectives of the different players is necessary to advance our understanding of this complex legal, moral and ethical issue. In this article, the auction of the Fulford Harbour bowl is described, and the rationale behind the sale is interpreted from the point of view of the auctioneer, Ted Pappas of West Coast Estates in Vancouver.

My involvement with the bowl began in April of 2005 with an email asking how the auction of a stone bowl by West Coast Estates could be halted. Over the next few weeks, in common with the other authors in this volume, the bowl played a major role in my life. Emails and phone calls about the bowl began crossing my desk daily. A reporter from the *Times-Colonist* called and asked for comments. From an object I knew nothing about the day before, the Fulford Harbour bowl, vaulted overnight to a forceful entity. As a result, on a May morning I found myself heading downtown to West Coast Estates for their "Native Art and Antiques" auction. Arriving in time for the preview, I hoped finally to catch a glimpse of the bowl. However, only a photograph was on view, labeled Lot #870. Mystery surrounded the bowl's exact location; we were simply told it was in a 'safe' place.

Sitting next to members of the Semiahmoo Indian Band and Don Welsh, the archaeologist working with the band, I settled into the rhythm of the day, awaiting the turn of Lot #870. Before the lot was announced, Eric McLay, an archaeologist with the Hul'qumi'num Treaty Group, arrived and requested that the Vancouver Police stop the sale. At this point, Ted Pappas, the auctioneer, called for a break, invited the RCMP to his office and sent those gathered for the auction out for coffee and muffins "on the auction house". The media was conspicuously absent. After almost an hour of discussion the RCMP left, satis-

fied that the sale was legal under BC law.

The bidding began fiercely when Lot #870 was finally called, with many individuals raising their hands. Very quickly it became clear there were only three serious bidders. Almost immediately thereafter, Pappas realized two of the bidders were in fact representing the same interest (one on the floor and one on the phone). He brought this to our attention, thus stopping them from bidding against each other. Only two remained – a phone bidder and Joanne Charles of Semiahmoo on the floor. The price continued to climb as neither party was willing to stop. It was clear to everyone in the room that Joanne Charles would continue to bid. By the time the bidding reached \$10,000 the tension was palpable.

Then, to the shock of all, Ted Pappas declared a break. Auctioneers, he informed us, are not required to sell to the highest bidder but can determine where the best interests lay. He introduced a small group of people sitting in the audience (Derek Wilson, Barry Wilson and Verne Bolton, all members of the Haisla Nation) as his advisors on matters of spiritual import. They had, he said, a long history of helping him to determine the right and just disposition of objects including an earlier bowl. Pappas then asked Joanne Charles her intentions. She replied that the bowl would be returned to the Semiahmoo and the Sencoten Treaty Alliance. Pappas then asked the same question of the phone bidder. This individual, an American with a seasonal home in British Columbia, replied that he would eventually donate the bowl to the citizens of Canada; however, he would want to decide where it went. Based on this information, Pappas conferred with his Haisla advisors while we waited. He also made a side trip to the phone desk. Unbeknownst to us, the seller was on another phone line and one of the auction staff was keeping him informed as events unfolded. Pappas consulted with the seller who agreed the bid of \$10,000 was acceptable, although his original estimated price was \$18,500 to \$25,000.

Pappas returned to the front of the house and declared the auction for Lot #870 closed, stating the bowl would be returning home to the Semiahmoo. A collective sigh of relief was heard throughout the room. Pappas was clearly pleased and spoke of the power of the bowl and the importance of its return. He also let it be known that he would waive his fee (auction houses add a buyers' premium, in this case 10%, to the price as their commission) and provide Semiahmoo with the time needed to meet the price.

Later that same day, another unusual transaction caught my attention. Lot #1012 was a Squamish shaman's stick. Before bidding commenced Pappas let the audience know the son of the carver was in the audience and that he fully intended to buy back his father's carving. Estimated at \$187, the stick sold for \$110. No one wanted to bid and prevent the son from regaining a part of his family heritage.

## Auctioneer, Ted Pappas' Role in the Sale of Bowls

An auctioneer has no need to inform who is bidding or why. Pappas, in my opinion, did provide this information for both Lot #870 and Lot #1012 in order to manipulate the bidding. It's an effective strategy in a situation where everyone wants to do the right thing but was not effective in the case of the bowl where one individual clearly had no interest in seeing the Semiahmoo and their Saanich relatives reclaim it. These transactions raised many questions. What are the duties and obligations of an auctioneer – the ethics that guide the profession? How did the auctioneer view the sale and his role in it? Why had he so clearly manipulated the sale of the Fulford Harbour bowl? How much of the auction had been predetermined? To the observers certainly, some of it felt like a set piece.

*These transactions raised many questions. What are the duties and obligations of an auctioneer — the ethics that guide the profession? How did the auctioneer view the sale and his role in it? Why had he so clearly manipulated the sale of the Fulford Harbour bowl?*

## The Mount Currie Bowl

In late 2005, Derek Wilson suffered a stroke, robbing him of his primary means of making a living as an artist. In 2006, Pappas and Jeff Harris (Seahawk Auctions) organized a benefit auction at the Vancouver Museum to help their friend. In the tradition of auctioneering, Ted told touching and amusing stories about Derek to loosen our purse strings. One of these was about a stone bowl – the Mount Currie owl bowl. This caught my attention and I wondered about the threads connecting the owl bowl to the Fulford Harbour bowl auctioned earlier in the year. I called Pappas and asked if he would be willing to come and talk about the sale of the Fulford Harbour bowl for an article to be printed in *The Midden*.

I met with Ted at the Museum of Anthropology, UBC. He is a man with huge energy and conviction. What follows are Ted's ideas and beliefs surrounding the bird bowls and the seated human figure bowl that have entered his auction house.

Ted first sold one of these bowls in 1986. He was approached to sell a small steatite bowl, in the form of an owl, said to be from the Mt. Currie area. He could feel an energy emanating from the bowl setting it apart from all the other objects that passed through his auction house. Intrigued, he showed it to his longtime friends Derek and Barry Wilson. Unbeknownst to Ted, Derek and Barry had a strong emotional tie to Mt. Currie, having spent part of their youth in the community. They knew the bowl was sacred and determined to find a way to return it home. In this way they could thank the people of the Mt. Currie Band/Lil'wat Nation for their kindness and generosity. Meanwhile, they required Ted to keep the bowl safe and sequestered. They warned him of its power and told him it was not to be handled irresponsibly.

No one was allowed to handle the bowl during this period with one exception. The bowl was garnering press attention and as a result a woman arrived from the U.S. A self-proclaimed psychic, she persuaded Ted to show it to her. Together they visited the bowl

in its secure location, a darkened, locked room. She cradled the owl bowl and lifted it slowly and gently above her head. Suddenly, the room filled with a burst of light and Ted experienced an electric jolt passing through his body. The woman was clearly shaken. As she lifted the bowl she saw it was full of a liquid. This quickly passed to horror as she realized it was human blood and, almost as quickly, to relief that it was menstrual blood. She left transformed by her experience, having experienced the strong female power of the bowl. Ted was also transformed, having experienced something profoundly sacred. Later, Ted was told the bowl was indeed sacred to women and played a role in female puberty rites .

On the day of the auction, the Wilson family arrived to try to secure the bowl. No one had any idea of the value, but the family had managed to collect \$3,000. Unlike the later Fulford Harbour bowl auction, demonstrators outside the auction house demanded the return of the bowl and reporters covered the story. To Ted's surprise, Derek Wilson was conspicuously absent. Bidding for the bowl began quickly and soon the \$3,000 of the family was surpassed. As Ted tells the story, the bidding slowed at about \$6,000. It looked as though the auction was almost done when Derek Wilson burst into the room announcing that he had the money. Ted, somewhat amazed, asked for more information. Derek, who loved horse racing, had been at the Hastings Park track and won \$6,500 on the Trifecta (all three horses in order of finish). The bidding continued – the family bid \$9,500 (all they had) and then an anonymous phone bidder went to \$10000. Faces throughout the auction room fell as the implication

of this bid sank in.

At this point Ted took control. As he explains it, "During the sale, the auctioneer is like a mini-god." In this case, he chose to act on this power. There was no question in his mind that the bowl should, if humanly possible, go to the Wilson family and be returned to Mt. Currie. He halted the auction and started a conversation with the phone bidder. The bidder identified himself to Ted and answered in the affirmative that he was an American citizen. Ted expressed his opinion that it was unlikely the bowl would be granted an export permit from the Cultural Review Board as required by the Canadian Cultural Property Export and Import Act. The bidder replied he would keep the bowl at his summer home in Canada. Ted then explained the Wilson's desire to return it home. He asked the bidder to allow it to go. The man on the phone agreed.

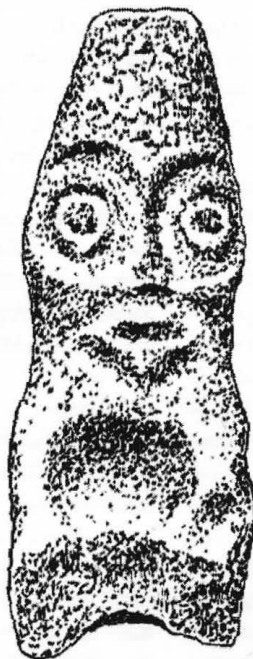
The owl bowl was officially welcomed home with a ceremony on the reserve. Ted and his wife were invited to attend. This event marked another spiritual encounter for Ted, reinforcing the importance of this particular bowl and of the return of sacred items to their home. He was mesmerized by care and reverence demonstrated towards the bowl. At the gathering, he told the community that, when he first saw the bowl, the owl appeared unhappy but now, when he looked at it, the owl appeared content.

The publicity surrounding the Mt. Currie bowl soon brought another owl bowl to Pappas' auction house. The outcome was

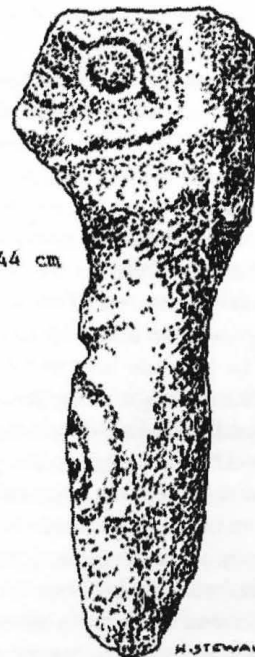
A SEATED HUMAN FIGURE BOWL

By Hilary Stewart

Seated human figure bowl found by Ken Stephens in a gravel pit on Saltspring Island, 15 years ago. The artifact probably fell from the midden deposit just above.



front view



height 44 cm

profile; upside-down

Hilary Stewart's drawing and caption of the Fulford Harbour bowl. Originally in *The Midden* (11[4]: 15) in 1979.



nothing similar to the earlier experience. Ted tried to auction this second bowl three times, each time trying to send it home but never succeeding. He blames all parties for this failure; from aboriginal politicians' unwillingness to compromise over the issue of purchasing the piece, to the landowner's desire for financial gain. The final straw was on the third attempt when the seller refused the sale despite a bid of \$3,800 from a phone bidder who wanted to return it to the First Nations community. The seller wanted more for the bowl and the bidder had no more to give. This bowl remains in private hands.

### The Fulford Harbour Bowl

The Fulford Harbour Bowl came to Ted's attention in 2004 when he visited Fuller Lake on Vancouver Island as part of an 'Antiques Roadshow' offering free appraisals. An elderly gentleman approached and asked Ted to look at a stone bowl in the trunk of the man's car. There, wrapped in a blanket, lay the Fulford Harbour bowl. Ted sensed the bowl's power and offered to auction it. It took about a year for the man to decide to accept the offer and consign the bowl to West Coast Estates.

Ted worked hard to gain attention and press coverage for the bowl but with little success. This surprised me, given the number of emails and letters flying between archaeologists, the Archaeological Society of British Columbia, and politicians. It also surprised him and he suggested that politics and the provincial election might have played a role in this. Only the *Times-Colonist* showed any interest. As a result, Ted agreed, when asked by the paper, to take the bowl for a visit to Victoria so it could be photographed. Thinking about the route he would travel, an idea came to him. He would take the bowl on a circle route through its territory. In the morning he caught the ferry to Salt Spring Island, and drove past DeRu-44 (the archaeological site and gravel quarry) where the bowl had been discovered. They then travelled on to Victoria where the bowl was received with great respect by the *Times-Colonist* staff. Next, they headed north to Nanaimo and completed the circle by ferry, finally arriving back in Vancouver. The day was long and emotional. Ted felt the bowl coming back to life, gathering energy, as it travelled with him. He found himself singing a song taught to him by the bowl. He calls the bowl "the one that makes you sing."

On the day of the sale, Ted was unperturbed by the RCMP visit. He had the paperwork in order, ready to produce. He considered it an unnecessary intrusion. He was more upset by phone calls the seller received and implications that Ted had broken confidentiality by releasing the seller's name. In terms of the orchestration of the actual sale, my conversation with Pappas revealed that it was only partially staged. Ted was aware of the interest on the part of the Semiahmoo. The seller had indicated an acceptable sale price. The bowl had been sequestered because of its power and the possibility some group might arrive and try to seize it. While Ted was prepared to do his best to ensure the

Semiahmoo would be successful, he was also clear that with an auction the outcome is never certain. For him, the best part of the auction was afterwards when the community sent a delegation of women to wrap the bowl and bring it home. He felt his job for the bowl was complete; he had helped it on its way.

### Ted Pappas' Views on the Sale of Bowls

I wanted to know if he sold other items in the same way. He responded that he would potentially treat anything sacred in a special way. However, the Mt. Currie owl bowl and the Fulford Harbour bowl are the only two that he has sold in this manner. He has sacred items from other cultures that have not been cosigned for auction. These he has kept to be sold when the right person arrives.

Ted believes the bowls' surfacing at certain moments is not accidental. He questions, "Who are we to judge the way the bowls have chosen to reveal themselves to us?" These sacred bowls are powerful and have a life of their own. They are imbued with agency, choosing when and by whom they are discovered. In terms of selling the bowls, he believes they have come to him specifically. As for the Fulford Harbour bowl, he explained that one could view the payment from Semiahmoo as a thank-you to the seller for all the years he cared for the bowl.

Pappas feels passionately about these sacred bowls and is concerned that sometimes we miss the boat by not listening to them or their messages. For him, the Fulford Harbour bowl is a representation of the Earth Goddess, bringing us a message that we need to pay attention to the environment before it is too late. Somehow, he feels, in the controversy surrounding the bowl, this message is being lost.

Finally, I asked Ted if another bowl surfaced, would he sell it? His answer was an immediate and unconditional yes. He considers these bowls fundamentally sacred and that the culture revolves around these bowls. They are necessary to the community and they need to go home. As the auctioneer – he is a conduit to help these living entities return to their homes. In the absence of legislation, Pappas views the sale of these bowls as a legitimate means to transfer cultural heritage back to originating communities.

To Pappas there was something special about the Fulford Harbour bowl. The archaeological community felt the same way. This was quite clearly played out in the story of the Fulford Harbour Bowl. At the same auction, several other archaeological pieces were offered for sale. Some of these were from Alaska. Perhaps we, the archaeologists, were silent because, before entering Canada, these had been legally excavated and sold by Alaska natives. However, another item, a carved stone 'canoe smasher' from Haida Gwaii (the Queen Charlotte Islands), caused scarcely a murmur. In fact, I did not know it was in the auction until I arrived at the event. I had received no emails and no phone messages. Was this archaeological piece any less deserving? What was it about the bowl that created such strong feelings in people? Was it simply a matter of geography? This seems a partial answer — the home of

*As for the Fulford Harbour bowl, he explained that one could view the payment from Semiahmoo as a thank-you to the seller for all the years he cared for the bowl.*

the bowl was geographically close, but I think Ted put his finger on it when he referred to the bowl's sacred nature — not just its rarity but its intrinsic and essential value to the descendants of its maker.

### Is the Sale of Bowls Changing Archaeologists' Assumptions?

For North American archaeologists, the sale of the Fulford Harbour bowl crossed moral and ethical boundaries. Archaeologists generally subscribe to the belief that artifacts do not have a monetary value. The Canadian Archaeological Association (CAA) ethical guidelines state: "... the commodification of archaeological sites and artifacts through selling and trading is unethical" (CAA n.d.). Guidelines from the Society for American Archaeology emphasize the active role archaeologists should take to ensure that monetary value is not added to artifacts. "Whenever possible they [archaeologists] should discourage, and should themselves avoid, activities that enhance the commercial value of archaeological objects, especially objects that are not curated in public institutions, or readily available for scientific study, public interpretation, and display" (SAA 1996). These guidelines have been taken up by public institutions in their policy statements.

However, what is considered ethical behaviour changes over time and existing guidelines are constantly challenged. We need to examine how much our current ethics are a product of our desire to control the past and its interpretation. Are archaeologists staking out turf and working to protect it, abjuring the interests and potential rights to others? Postcolonial theory would posit that most North American archaeologists are hoarding a resource that is not theirs to determine and doing so under the guise of the public good. That, in fact, the cultural heritage we are seeking to protect and investigate is not ours and our professed rights are questionable. These are issues that require more thought and discussion as relationships with originating communities are renegotiated and the discipline of archaeology is redefined.

The statements that archaeological artifacts have no monetary value can be interpreted similarly as a product of ivory tower thinking. Working in a museum, I am sometimes called upon to assess the 'fair market value' of an item for insurance purposes when it travels for exhibition purposes or crosses a border. Also, while not purchasing archaeological materials, many museums will provide tax receipts for acquisitions thus enabling the donor to receive a percentage amount as tax relief; the object's monetary value needs to be assessed in order to provide these receipts. Thus, while no cash transaction occurs, a payment in the form of a tax receipt takes place.

There is no question that the sale of the Fulford Harbour bowl was legal. While the laws in BC have changed through time, even today they do not protect cultural heritage artifacts. The British Columbia Heritage Conservation Act makes it illegal to knowingly or unknowingly disturb an archaeological site. It is not illegal however, to be in possession of an archaeological artifact nor is it illegal to sell artifacts that were collected pre-1976 (see for example [www.bcartifacts.com](http://www.bcartifacts.com)).

It is also legal to remove these items from British Columbia

(see BC Heritage Branch comment in this issue). Canada's Cultural Property Export and Import Act (1976) prevents the removal of archaeological heritage from Canada through implementing a requirement for export permits and through providing funds to enable institutions to purchase heritage so it can remain in Canada. As Barb Winter writes, "Ironically, under the Canadian Cultural Property Export and Import Act, objects of cultural significance can be purchased by a Canadian institution to prevent the object's export; evaluation and commodification of the object is inherent in the process of purchase to prevent export" (Winter 1995:34).

In the early 1990s, a Canadian dealer offered another seated human figure bowl, called the Mount Newton Cross Roads Bowl or SDDLNEWHALA, to a collector in Chicago (Henry 1995:9). Under the Canadian Cultural Property Export and Import Act, the dealer's application for an export permit was rejected, bringing into effect a three-month period during which Canadian institutions could act. Earlier, the CAA's ethical stand against the Canadian Cultural Property Export and Import Act had resulted in the export of two seated human figure bowls (Pokotylo and Mason, forthcoming). As a result, the CAA reversed its position (Pokotylo and Mason forthcoming). The Canadian Museum of Civilization was unwilling to purchase the bowl as to do so would violate their collections' policy (Henry 1995:10). Despite the unpalatable nature of the problem, the loss of the Mount Newton Cross Roads bowl was regarded as a worse fate. Finally, an agreement was reached between the Saanich Native History Society and the Simon Fraser University Museum of Archaeology to acquire the bowl. This however, was a difficult decision both for SFU and for the Saanich Native History Society. As part of the process, the Saanich Nation (Tsawout, Tsartlip, Tseycum, and Pauquachin) drafted a declaration in regards to heritage:

As the Saanich Nation we are against having any commercial value on Archaeological findings, artifacts and human remains because it is putting a price on our heritage. We are the owners of our own Heritage and Artifacts and it is something that cannot be bought or sold.

These are artifacts that have been acquired without permission of the original owners. These artifacts should be returned to the rightful owners and should not be sold to any Provincial, Federal or private interests (Walker and Ostrove 1995:15).

In the United States, the Native American Graves Repatriation and Protection Act (1990), NAGPRA, protected the cultural patrimony of federally recognized tribes by amending the U.S. Criminal code so that:

Whoever knowingly sells, purchases, uses for profit, or transports for sale or profit any Native American cultural items obtained in violation of the Native American Graves Protection and Repatriation Act shall be fined in accordance with this title, imprisoned not more than one year, or both, and in the case of a second or subsequent violation, be fined in accordance with this title, imprisoned not more than 5 years, or both (NAGPRA 1990).

Despite many of the well-known problems with NAGPRA,

several successful prosecutions have occurred resulting in fines and jail terms. If we had similar legislation in Canada, the final chapter in the story of the Fulford Harbour bowl might be quite different. Perhaps it is time for Canada to legislate in this area and to recognize the rights of First Peoples to their cultural heritage?

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#### Bibliography

*BC Heritage Conservation Act* (1996). Retrieved from [http://www.qp.gov.bc.ca/statreg/stat/H/96187\\_01.htm](http://www.qp.gov.bc.ca/statreg/stat/H/96187_01.htm) (November 25, 2006).

Canadian Archaeological Association. n.d. "Principles of Ethical conduct." Retrieved from <http://www.canadianarchaeology.com/conduct.lasso> (December 1, 2006).

*Cultural Property Import and Export Act* (1976). Retrieved from <http://www.canadianheritage.gc.ca/pc-ch/mindep/acts/cultur-e.htm> (November 25, 2006).

Duff, Wilson. 1975. *Images Stone B.C: Thirty Centuries of Northwest Coast Indian Sculpture*. Oxford University Press, Toronto.

Henry, Diana. 1995. "Back from the Brink: Canada's First Nations' Right to Preserve Canadian Heritage." *UBC Law Review Special Issue: Material Culture in Flux: Law and Policy of Repatriation of Cultural Property*, pp. 5-12.

Pokotylo, David and Andrew Mason. forthcoming. "Archaeological Heritage Resource Management in Canada." In George Smith and Phyllis Messenger (eds.), *Cultural Heritage Management, Policies, and Issues in Global Perspective*, University of Florida Press.

Society for American Archaeology  
1996. Principles of Archaeological Ethics. Retrieved from <http://www.saa.org/aboutsaa/committees/ethics/principles.html> (December 1, 2006)

Walker, Patrick and Claire Ostrove. 1995. The Aboriginal Rights to Cultural Property. *UBC Law Review Special Issue: Material Culture in Flux: Law and Policy of Repatriation of Cultural Property*, pp.13-28.

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*Continued from pg. 10 (by Don Welsh)*

#### Bibliography

Condrashoff, Nancy  
1988 Seated Figure Bowl: DeRu 18:13. Royal British Columbia Provincial Museum Report # 870.

Hill, Beth  
1971 British Columbia Archaeological Survey Form: DeRu 44. On file in the Archaeology Branch, Victoria, British Columbia.

Kane, Paul  
1847 Chulchillum, a Cowichan, wearing a medicine cap, Fort Victoria. Stark wwc102 H; crIV-570. Stark Foundation, Orange, Texas.

Montler, Timothy  
1991 Saanich, North Straits Salish Classified Word List. Canadian Ethnological Service Paper No. 119, Mercury Series. Canadian Museum of Civilization, Hull, Quebec.

Poth, Janet  
1990 "Saltwater People as told by Dave Elliott Sr." A Resource Book for the Saanich Native Studies Program. Native Education Division, School District 63, Saanich, British Columbia.

Stewart, Hilary  
1979 A Seated Human Figure Bowl. *The Midden* Vol XI (4): 15.

Suttles, Wayne  
1974 *The Economic Life of the Coast Salish of Haro and Rosario Straits*. In *Coast Salish and Western Washington Indians: Vol. 1*. Garland Publishing, NY.