CHAPTER 3

Researching Religious Communities in the Twenty-first Century: The Phenomenology of Religion, Local Agency and the Joint Ownership of Knowledge

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Abstract

The phenomenology of religion increasingly is being criticized as outdated. This chapter argues that phenomenology retains relevance to contemporary research methods, as illustrated by two differing projects in Australia on the repatriation of Indigenous knowledge. After presenting these cases, they are analyzed in light of the contrasting arguments of the phenomenologist Wilfred Cantwell Smith and the philosopher Wayne Proudfoot about the influence of believers on research findings. The chapter concludes that the phenomenological method, when re-configured in terms of relationality, local agency and the joint ownership of knowledge, can play a decisive role in determining future directions in religious studies.

Keywords


1 Introduction

Research on religious communities using contemporary scientific methods originated in the late nineteenth and early twentieth centuries from disciplines as diverse as linguistic and textual studies, anthropology, sociology, archaeology, economics and political studies. The phenomenology of religion, as a specific branch of the science of religion, was influenced from two main sources: the philosophical phenomenology of Edmund Husserl and liberal Christian theology as it developed at the end of the nineteenth century. Ultimately,
phenomenologists of religion distinguished their approach from methods employed by theologians, philosophers and social scientists by arguing that religions must be interpreted according to a unique methodology. Although the social sciences were regarded as integral to contributing to an understanding of religion, scholars in the phenomenological tradition insisted that a method needed to be developed that would identify and interpret distinctively religious elements that were interwoven into historical and social contexts. Philosophy was employed inconsistently by phenomenologists of religion with most scholars selecting basic concepts derived from philosophical phenomenology, such as Husserl’s use of the *epoché*, without attempting to apply its methods in depth. Theology, since it originated from within specific traditions, was regarded as forming part of the phenomena of religion, which alongside other typological classifications, such as myths, rituals and sacred practitioners, comprised part of the data for the study of religion itself.\(^1\)

From the 1930s until the 1970s, phenomenologists of religion played pivotal roles in departments for the study of the history of religion and thus helped shape the direction taken by the academic study of religion through a large part of the twentieth century. Key thinkers in the phenomenology of religion became household names among students of religion: W. Brede Kristensen, Gerardus van der Leeuw, C.J. Bleeker, Raffaele Pettazzoni, Mircea Eliade, Ugo Bianchi, Ninian Smart, Geo Widengren, to name just a few. In the sociology of religion, phenomenological principles were made prominent in the writings of Joachim Wach and Alfred Schutz, and in theology by Rudolf Otto, Karl Heim, Wilfred Cantwell Smith and John Hick. The list, of course, is far wider than those I have named, but they serve to demonstrate how influential the phenomenology of religion was through most of the twentieth century.

During the last twenty years of the twentieth century and throughout the twenty-first century, the dominance of phenomenological methods in the study of religion has waned, until it is now generally dismissed as an approach that tended to essentialize religion through grand interpretations, such as Eliade’s idea of “the sacred,”\(^2\) van der Leeuw’s reduction of religion to

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“power” or Wilfred Cantwell Smith’s essence of religion as the relationship of personal faith within cumulative traditions to an overarching idea he called “trancendence.” Critics, such as Robert Segal and Paul-François Tremlett, have argued that the phenomenological eidos, or essence of religion, disguises theological motives that are entirely non-empirical and hence non-scientific. The insistence that scholarly interpretations of religious communities must reflect the perspectives of adherents further confirmed for its detractors that critical reflection on religion was suppressed by the phenomenological method, as voiced in W. Brede Kristensen’s famous dictum: “the believers were completely right.” The widespread academic censure of the phenomenology of religion was articulated succinctly by Timothy Fitzgerald in his ground-breaking volume published in 2000, *The Ideology of Religious Studies*: “Little of critical value has come from religious studies qua religious studies, that is, insofar as the field has been dominated by phenomenology of religion and, beyond that, liberal ecumenical theology.”

In this chapter, which looks towards new directions in the academic study of religion, I argue that the almost total rejection of phenomenology as a viable method in the academic and scientific study of religion has resulted from a failure to recognize that many of its elements remain highly relevant for researchers today and that under new interpretations the phenomenology of religion may even define the cutting edge in forming innovative methodologies for future scholarly projects. I fully admit that phenomenologists, like van der Leeuw, Eliade and W.C. Smith, conflated theological concepts with seeing into the essence of religion, but their emphases on employing the *epoché* as a technique promoting self-awareness or reflexivity and their attempt to apply the procedure I have called empathetic interpolation to see as a believer sees resonate with the attempts of many contemporary scholars to situate themselves within research contexts, to challenge their assumed right to extract knowledge from religious communities and to engage in dialogue with those who form the ‘objects’ of academic research. Many of the key ideas first

developed by phenomenologists of religion are now being adopted by scholars in other fields of expertise. Nowhere can this be seen better than in the study of Indigenous communities and the religious practices they maintain within a complex inter-related set of social and cultural influences.

For example, the anthropologist Marcia Langton of Melbourne University claims that Indigenous societies traditionally have been reified, or turned into objects, by academic researchers. Langton, herself an Indigenous Australian, argues that the most important innovation introduced by current approaches in Indigenous Studies is “its restitution of the agency of Indigenous people” through which the scholar brings “the voice of the Indigenous protagonists into their own history” and explains “events by reference to the perspectives and theories that they themselves exerted on their affairs.”

Langton suggests that the important book by Stuart Kirsch, entitled Reverse Anthropology, which deals with issues of environment and society from the perspective of the Indigenous peoples of New Guinea, “admitted and explained the agency of people who had largely been regarded as mere subjects trapped in a world not of their own making.” This leads to Langton’s conclusion that the “greatest contribution of Indigenous studies as a field of scholarly endeavour has been to reinstate those people who were once simple subjects as people with agency.”

A similar conclusion has been made by a group of researchers that participated in a study funded by the Social Science Medicine Africa Network (Soma-net) in Kenya between 2003 and 2006. The aim of the project was to provide education on the prevention of AIDS among school pupils in a region south of Nairobi. After its conclusion in 2006, the researchers built on the Soma-net project by using what they call “participatory and dialogic approaches” to help members of the local community reach consensus on practical issues that confront them, the most recent of which has been a tree-planting exercise aimed at restoring ecologically damaged land. After encountering numerous problems caused by a multifaceted set of cultural and gender issues in the initial research project, factors not immediately apparent

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to outside donors, the researchers adopted a method called “communicative action,” an approach, they explain, that “allows participants to consciously and deliberately reach intersubjective agreement as the basis for mutual understanding about what to do in their particular practical situation.”

Langton’s emphasis on ‘agency’ and the Soma-net research team’s method they labelled ‘communicative action’ resonate closely with widely shared and long-held assumptions maintained by phenomenologists of religion. From its inception in the early twentieth century, the phenomenology of religion had three fundamental aims: 1) to enable researchers to gain understanding of the religions they were studying by overcoming the subject-object dichotomy, sometimes called the ‘insider-outsider predicament’; 2) to provide interpretations of religions that can be affirmed by the practitioners of the religions being researched; 3) to make the scholarly study of religious communities a joint effort or partnership between the academics who are conducting the research and adherents within the religion under study. It will be clear that these aims are consistent with Langton’s call to acknowledge that the adherents themselves, who form the subject matter of religious studies, possess ‘agency’ and with the Soma-net team’s advocacy for a programme of collaborative action between researchers and those they are researching. In both cases, local communities are depicted as active participants in research projects rather than passive ‘objects’ that can be studied as if they are impersonal non-organic ‘things’.

2 J.A. Barnes and Types of Knowledge

Relevant to this discussion is the analysis of types of knowledge developed by the social anthropologist J.A. Barnes. Barnes divided knowledge into three types with differing purposes: 1) Knowledge as enlightenment; 2) Knowledge as power; 3) Knowledge as property. In his book entitled Who Should Know What?, he argued that the twentieth century witnessed a shift away from how knowledge had been understood previously as a source of enlightenment to knowledge perceived as power. He explains that, under the new circumstances, knowledge is “seen as a source of power to be used by those who

15 James L. Cox, Restoring the Chain of Memory. T.G.H. Strehlow and the Repatriation of Australian Indigenous Knowledge (Sheffield: Equinox, 2018), 130.
control it for their own advantage rather than for the enlightenment and benefit of mankind." 17 He then suggests that more recently, particularly among communities in the Third World and minority groups, knowledge has been conceived as property in which it is “regarded as ... an asset possessed by an individual or a group which may be treasured but is not intended for use and which is available for sale or gift only under restrictive conditions, if at all." 18

In a later book, Barnes argued that social sciences developed in the late eighteenth century when “ethnographic information was perceived by those who first started to collect it as a source of enlightenment.” 19 In the nineteenth century, knowledge, particularly of the “lower classes and dependent peoples,” was sought because the ruling elite believed the lower classes could not articulate their needs for themselves. 20 This led during the early part of the twentieth century towards a use of knowledge as beneficent power whereby “the knowledge gained by empirical inquiry was seen as a means for discovering how to change people’s lives,” usually for the better, for example, by teaching them how to build latrines, avoid alcohol or to “stop beating their wives.” 21 Barnes then suggests that after 1945 more and more people who had been the subject of ethnographic research simply refused to cooperate by withholding the information sought by outside researchers. This indicates a change in which the subjects of research began to treat knowledge of their own societies as their own private property.

Barnes’s analysis of the three types of knowledge is particularly relevant for current applications of the phenomenology of religion to programmes in Indigenous Studies. Barnes refers to holdings in museums of objects that once belonged to Indigenous peoples as “cultural trophies,” the acquisition of which was justified “by reference to the universal values of science.” 22 He explains: “The argument is, or was, that we are not impoverishing the Lapps or the Bushmen by displaying their artefacts in our museums, but “we are doing all mankind a service by rescuing them from destruction.” 23 The justification for removing artefacts from their original owners and placing them in museums is based on the concept of knowledge as enlightenment, in which “works of art and representative material objects, like knowledge itself, are sources of

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17 Barnes, Who Should Know What?, 64.
18 Barnes, Who Should Know What?, 64.
20 Barnes, Models and Interpretations, 210.
21 Barnes, Models and Interpretations, 210.
22 Barnes, Who Should Know What?, 65.
enlightenment.”

The same objects represent knowledge as power and ownership, both for Indigenous peoples and for those who removed them from their traditional owners. The power to interpret the artefacts, control their use and convey their meanings to future generations traditionally resided with Indigenous communities. Removing these objects from Indigenous groups and displaying them in museums and exhibitions required an audacious exercise of power, usurped their original intentions and made them subject to outside interpretations, but what is even more significant, it violated the legitimate right to ownership of the objects by Indigenous peoples themselves.

Many of the artefacts to which Barnes refers are now being returned or repatriated to Indigenous communities around the world. An excellent example of this is found in the Australian Government’s Policy on Indigenous Repatriation, which aims at returning all Indigenous ancestral remains and secret-sacred objects to their Traditional Owners, whom the Australian Government calls “the rightful custodians of their ancestral remains.”

The policy document prescribes that when museums in Australia are requested by Traditional Owners to repatriate their ancestral remains and secret-sacred objects, “these are to be returned to the community unconditionally.”

Under its current Indigenous Repatriation project, the Australian Government has expanded its efforts to return cultural property beyond that retained in Australian museums to include international holdings. Its policy document indicates that the Government will act on behalf of local communities by seeking “the voluntary and unconditional return of ancestral remains and associated notes and data,” many of which are housed in museums in the United Kingdom, Germany, France and the United States.

It is important to note that the return of sacred objects does not imply that knowledge of their original meanings and uses is understood in contemporary circumstances by Indigenous communities. Originally, ancient artefacts conveyed to Indigenous people knowledge of their traditions and time-honoured patterns of life and, frequently, played a critical function in ritual re-enactments of sacred stories and foundational myths. Knowledge, in this customary context, belonged to or was the communal property of its original owners. That it was extracted from them for purposes of enlightening the

world or for purposes of scientific research does not obviate the fact that it was taken from Indigenous communities, often without their consent, and appropriated by means of superior power by those who had no legitimate claim to it.

We can conclude, therefore, that repatriation has more to do with a broad interpretation of cultural heritage than is implied strictly by reference to material objects. Repatriation includes the meaning of the ancestral remains and the secret-sacred objects associated with them, much of which was retained in the memory of communities through oral traditions, songs and ritual performances. In many cases around the world, the memory on which the meaning of repatriated objects depends has been lost or seriously disrupted by forces of modernity, including colonial oppression, missionary activities, Western education, global economic structures, rapidly advancing communication systems and urbanization.

I turn now to consider two specific contemporary cases where the problem of the repatriation of knowledge is being addressed by Indigenous populations. The first focuses on the repatriation of knowledge project in Central Australia at the Strehlow Research Centre, located in Alice Springs in the Northern Territory, about which I have written in my book *Restoring the Chain of Memory: T.G.H. Strehlow and the Repatriation of Australian Indigenous Knowledge.* The second, as recounted by Claire Smith, Vincent Copley Sr, and Gary Jackson, describes a specific restriction imposed by an academic researcher that thwarted the efforts of the Ngadjuri people of South Australia to recover cultural knowledge that was lost to them during the early colonial period, beginning in the mid-nineteenth century, when the Ngadjuri were moved off their native homelands to make room for British settlers.

3 The Repatriation of Knowledge Project in Central Australia

The Strehlow Research Centre houses the vast collection of research material obtained by the linguist and ethnographer T.G.H. Strehlow (1908–1978), whose work, primarily among the Arrernte speaking groups of Central Australia, stretched from 1932 to 1972. Strehlow, the son of the missionary linguist Carl Strehlow, was born on the Hermannsburg Lutheran Mission located around

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28 Cox, *Restoring Chain of Memory.*

130 kilometres west of Alice Springs. He was the only white child on the mission, learned the Arrernte language from an early age and was trusted by his Indigenous peers with traditional knowledge, particularly about initiation rituals. At the age of fourteen, when his father died, he travelled with his mother to Adelaide, where he completed his education. In 1932, he returned to Central Australia to work on an Arrernte grammar, but soon realized that language and culture were intricately connected. What began as a limited linguistic exercise turned into Strehlow’s life-long project in which he collected and recorded an enormous amount of data on traditional Arrernte culture.

The concerted effort to replace Indigenous culture with the values and practices of the colonizing culture, promoted by cooperation between government and missionary agencies from the late nineteenth century and well into the twentieth century, provided one of Strehlow’s chief motivations to preserve records of the rituals, ceremonies, stories, social obligations and genealogies as he found them when he began conducting research among the Arrernte in the early 1930s. He used a variety of tools to document his findings, including making detailed notes in his own personal diaries that contained interviews with Elders explaining ancestral stories, meanings associated with secret-sacred objects (jurungga), and also in which he recorded detailed descriptions of rituals and ceremonies that he had observed. He took great care to produce sound recordings of interviews and ceremonial functions, including the songs that were sung during the ceremonies. Later, because he had earned the trust of local Elders, he was given permission to film some of the most important rituals relating to particular totems that were conducted at sacred ceremonial sites. His notes and publications also contained maps on which he drew boundaries based on genealogical evidence and on which he traced the mythical wanderings of the primordial ancestors. He used his extensive knowledge of Indigenous languages to translate stories and songs into English.

Throughout the forty years that T.G.H. Strehlow actively conducted research in Central Australia, he was able to document the extensive changes that had resulted from the intervention of outside forces. He concluded that the traditions he first encountered as a child and began recording as a young man had been so extensively disrupted that, apart from the detailed data he had produced, virtually all knowledge of the ancient traditions had been lost. The current repatriation of knowledge project emanating from the Strehlow Research Centre in Alice Springs has organized Strehlow’s massive collection of documented material in precisely the manner he intended, as a means for restoring among members of the present generation links to age-old, traditional ways of

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Cox, Restoring Chain of Memory, 1–5.
life. According to the Australian anthropologist John Morton, Strehlow’s collection, now housed in Alice Springs, includes “700 objects (largely secret-sacred), 15 kilometres of movie film, 7,000 slides, thousands of pages of genealogical records, myths, sound recordings, 42 of Strehlow’s diaries outlining his ethnographic work, as well as paintings, letters, maps and a 1000 volume library.”

Strehlow’s far-reaching collection currently is being consulted increasingly by Indigenous leaders in Central Australia, not primarily in an effort to return secret-sacred objects to their legitimate owners in accordance with recognized genealogical data collected by Strehlow, but as a source for restoring knowledge of Indigenous cultural traditions, ceremonies, stories and social customs that have been lost or forgotten by members of the contemporary generation. In an interview conducted in 2010 by the Australian researcher Penelope Bergen, Michael Cawthorn, the former Deputy Director of the Strehlow Research Centre, explained that “the bulk of the audio and film recordings are ceremonial acts,” most of which “aren’t performed anymore and we try to be very active in digitally repatriating that material where we can.”

Cawthorn referred to the connection between the Strehlow Collection and the Return of Indigenous Cultural Property programme of the Australian Government. He noted that the RICP programme “provides us with the opportunity to be proactive in terms of actually contacting people and making them aware that they have material housed in the centre.”

In 2009, Adam Macfie was appointed Repatriation Anthropologist in charge of managing the Indigenous Repatriation Program for the Museum and Art Gallery of the Northern Territory (MAGNT). Based at the Strehlow Research Centre, Macfie consulted extensively with local Arrernte communities in researching the sacred objects and genealogical records held in the Strehlow Collection. In 2013, MAGNT employed two Arrernte researchers, Mark Inkamala and Shaun Angeles, to assist in the development of the Repatriation Project at the Strehlow Research Centre. The purpose of the Indigenous Repatriation Programme in Macfie’s words “is to reconnect Indigenous communities of the Northern Territory with their ancestral remains and their secret sacred objects held in the collections under the care of MAGNT.”

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33 Bergen, “Repatriation of Sacred Items,” in Cox, Restoring Chain of Memory, 152.
In 2014, Macfie, Inkamala and Angeles presented a paper at a conference held in Alice Springs, organized by John Strehlow, the son of T.G.H. Strehlow, in which they outlined the current work of the Repatriation Project. They explained how central T.G.H. Strehlow’s research diaries had become in the efforts to repatriate knowledge among the Arrernte peoples:

Over the past few years our attention has been drawn more and more to the maps found in the archive which Strehlow ... annotated on published government survey map sheets for the region. ... The origin of all of these maps can be found in his forty or so handwritten field diaries produced between 1935 and 1971. ... Our cultural mapping project is based on archival research and participatory engagement with the traditional owners and has become an invaluable practice for the Strehlow Research Centre and its repatriation programme.35

On 28 September 2016, an event was held at the Strehlow Research Centre to commemorate the twenty-fifth anniversary of the opening of the Centre in 1991. The ceremony honouring this important anniversary contained a welcome speech by the Chairman of the Board, Ken Lechleitner, and an address by Shaun Angeles. In his opening remarks, Lechleitner highlighted an important concept that has often been overlooked in repatriation discussions, that of Indigenous agency, which in the case of the Strehlow material, acknowledges that T.G.H. Strehlow was not in total control of his own data collection. Rather, Indigenous Elders decided what to share with him, which secret-sacred objects to entrust to him and which ceremonies he was allowed to film and record. Lechleitner suggested that the Strehlow Collection was formed in a partnership between “the real visionaries in this story – the elders who entrusted Theodore [TGH] Strehlow with their cultural knowledge and Theodore himself who dedicated his life to collecting and preserving this knowledge.”36

In his address to the assembly, Shaun Angeles pursued the theme of Indigenous agency. He explained first that he is “a Penangke man from Ayampe country” (around 70 kilometres northeast of Alice Springs), who began working at the Strehlow Research Centre in September 2013 as an “Indigenous Repatriation Researcher.”37 He added that he had “worked intimately with the collection for three years – analysing field diaries, editing the ceremonial film footage, working with individuals and families with the genealogies, digitising

36 Kieran Finnan, “‘This Beautiful Body of Knowledge’ at the Strehlow Centre,” Alice Springs News 23, no. 8 (September 30, 2016).
37 Finnan, “Beautiful Body of Knowledge.”
the ceremonial song catalogue and travelling to museums within Australia searching for artefacts that left this landscape in some instances over a hundred years ago."

Throughout this process, Angeles observed, he had begun to feel as if he knew “these old men, in sometimes tracking their lives through four decades of work with TGH.” After paying respect to Strehlow and the work he completed during his life, Angeles then made a telling remark: “I want to... elevate the story of the Aknegerrapte (senior cultural leaders) who... possessed the greatest agency in this story.” By agency, he explained, he was referring to the fact that “they chose what to show Strehlow.” Certainly, Strehlow had gained their trust, but the Elders freely chose to share their secret knowledge with him; they also selected which information to withhold from him. Angeles argued that it was just this choice which has preserved “the deepest aspects of Aboriginal men’s culture in Central Australia for the benefit of their future generations.”

4 Perspectives from within Heritage Studies and Archaeology: The Case of the Ngadjuri of South Australia

Issues arising from the repatriation of knowledge have been addressed recently from the perspectives of Archaeology and Heritage Studies. An important book, edited by V. Apaydin of the Institute of Archaeology at University College London, entitled Shared Knowledge, Shared Power, explores new theories and methods in the study of human communities based on revised understandings of intellectual property rights. Chapter Two, written by Claire Smith, an archaeological anthropologist at Flinders University, in Adelaide, Australia, her colleague at Flinders, Gary Jackson, and Vincent Copley Sr, Chair of the Ngadjuri Elders Heritage and Landcare Council, suggests a method for reformulating approaches to Indigenous Knowledge under the intriguing title, “Intellectual Soup.”

Smith, Copley and Jackson introduce their chapter by referring to the relationship of Copley’s grandfather, the Ngadjuri Elder Barney Warria, with the

38 Finnane, “Beautiful Body of Knowledge.”
39 Finnane, “Beautiful Body of Knowledge.”
40 Finnane, “Beautiful Body of Knowledge.”
41 Finnane, “Beautiful Body of Knowledge.”
42 Finnane, “Beautiful Body of Knowledge.”
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well-known Australian anthropologist Ronald Berndt, who died in 1990. When he was a young researcher, between 1939 and 1944, Berndt worked closely with Warria compiling detailed field notes describing Ngadjuri culture, traditions, genealogies and ceremonies. The Ngadjuri lands, which are located in the mid-north region of South Australia, were among the earliest Indigenous populations in Australia to be colonized due to the arable land they inhabited. After Berndt’s death, a thirty-year embargo was placed on access to Berndt’s field notes by his widow and co-researcher, Catherine Berndt, who died four years after her husband. Vincent Copley contends that much of the cultural knowledge that was contained in Ronald Berndt’s field notes had been lost to or forgotten by the present generation. The data compiled by Berndt was needed in the early 1990s, not only to support cultural renewal projects, but to supply information based on genealogical charts relevant to land claims that were being adjudicated with the Australian government.  

Smith, Copley and Jackson argue that Catherine Berndt imposed the embargo on her husband’s early field notes because “she felt that the material might be used by government agencies to damage Aboriginal causes.” They suggest that her fears may have been justified because the Mabo decision overturning the legal doctrine that Australian land belonged to no one prior to British colonization (terra nullius) was not imposed by the Australian courts until 1992. A further reason confirming Catherine Berndt’s distrust of how her husband’s field notes would be used, according to Smith, Copley and Jackson, was based on the commonly maintained Western understanding that intellectual property rights belong to individuals and primarily reflect commercial interests. Little attention would have been given to the rights of communities with respect to knowledge that they possessed and which they

48 “The lands of this continent were not terra nullius or ‘practically unoccupied’ in 1788. So spoke the High Court of Australia in the case of Eddie Mabo and others v The State of Queensland on 3 June 1992. … The fiction of terra nullius allowed the European community of nations to expand their colonial horizons with minimal concern for Indigenous peoples. In the eighteenth century the common law took its lead from international law. In Mabo, three judges, acknowledging their law-making role said, ‘It is imperative in today’s world that the common law should neither be nor be seen to be frozen in an age of racial discrimination.” Frank Brennan, Land Rights: The Religious Factor (Adelaide: Charles Strong Memorial Trust, 1993), 22–23.
had shared with academic researchers.\textsuperscript{49} Finally, the Berndts knew that it was widely held by academics and government representatives that the Ngadjuri people had disappeared from their original homelands by the early twentieth century and had been absorbed into the urban population of Adelaide, thereby excusing any interested parties from entering into negotiations with their descendants on the use of Ngadjuri land and the appropriation of Indigenous cultural knowledge.\textsuperscript{50}

George Nicholas and Claire Smith explain that the embargo on Berndt’s field notes, which was included as a clause in Catherine Berndt’s will, is currently being enforced by the University of Western Australia, which houses the notes in the University’s Berndt Museum. Nicholas and Smith call maintaining the embargo by a major Australian academic institution a denigration of “the rights of Indigenous people.”\textsuperscript{51} Ngadjuri Elders have attempted to gain access to the field notes for nearly thirty years arguing that, in the words of Nicholas and Smith, “there is no legal basis for the current embargo” as the field notes were rightfully the shared intellectual property of Ronald Berndt and Barney Warria.\textsuperscript{52} Vincent Copley has made the case that the knowledge Warria conveyed to Berndt was recorded “verbatim” by Berndt.\textsuperscript{53} He argues that this confirms his contention that the field notes were shared property, Warria providing the details of Ngadjuri culture while Berndt recorded the knowledge that Warria conveyed to him. According to Nicholas and Smith, Western Australia University has consistently rejected Ngadjuri Elders’ requests to consult Berndt’s material and will continue do so until 2024, according to Catherine Berndt’s stated wishes.\textsuperscript{54}

As an Ngadjuri activist and Elder, for nearly thirty years Vincent Copley has campaigned for Ngadjuri rights of recognition, land claims and cultural identity. He credits his commitment to this cause to a surprising encounter with Ronald Berndt, who later in life, after he had become a distinguished academic at Western Australia University, learned that Copley was the grandson of Barney Warria. Copley, who at the time worked for the Department for Aboriginal Affairs, received a telephone call from Berndt telling him that he had discovered a photo of his grandfather among his notes. Berndt delivered the photo to Copley at his office without entering into a conversation with him, an act that prompted Copley to begin looking into his own cultural background.

\begin{thebibliography}{99}
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\bibitem{Smith2011} Smith, Copley Sr, and Jackson, “Intellectual Soup,” 11.
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\bibitem{Nicholas2014} Nicholas and Smith, “Denigration and Destruction,” 149.
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on his father’s side. His mother was from the Narangga people on the Yorke Peninsula located around 110 kilometres west of Adelaide in South Australia. Copley’s father died when he was just two years old meaning that what he knew about Aboriginal traditions came largely from his Narangga mother. The brief meeting he had with Ronald Berndt prompted Copley to embark on a project of wide-ranging research exploring Indigenous traditions on his father’s line. Because of the extensive dislocation of his father’s people from their lands at the end of the nineteenth century, genealogical information possessed by Berndt was critical for reconstructing Ngadjuri ancestry and consequently for confirming land rights.55 The thirty-year ban on Berndt’s notes imposed by his wife for interests aimed at protecting Aboriginal rights and traditional knowledge, as Nicholas and Smith confirm, in effect obstructed efforts by Ngadjuri Elders to regain knowledge of their ancient cultural traditions and inhibited them from making a case for the return of their original homelands.56

Smith, Copley and Jackson use the case of the embargo on Berndt’s interviews with Copley’s grandfather to pose fundamental questions related to communal intellectual property and its relation to academic research. They ask:

How could such an unfair situation arise? Are other Indigenous people … affected by similar restrictions on accessing knowledge that has been given to researchers by their forebears? What about non-Indigenous people? Does this affect them as well? Is there anything that can be done to remedy this situation, not only for Ngadjuri people, but for others in similar situations?57

The issue identified by Smith, Copley and Jackson clearly is not restricted to the prohibition of access placed on her husband’s early research among the Ngadjuri people by Catherine Berndt, but more broadly relates to intellectual property rights asking who actually owned the knowledge that Berndt obtained in the 1930s from Barney Warri. Catherine Berndt, despite her altruistic motives, interpreted her husband’s research notes as his (and her) private property, something that Vincent Copley slowly challenged as he and his fellow Ngadjuri Elders began the arduous task of reconstructing and repatriating the knowledge that originally belonged to their forebears. For Claire Smith and Gary Jackson, as staff members of a major Australian university, the problem encountered by the Ngadjuri Elders brought to the surface critical issues

55 Smith, Copley Sr., and Jackson, “Intellectual Soup,” 11.
56 Nicholas and Smith, “Denigration and Destruction,” 149–50.
surrounding the relationship between the aims of academic research and the interests of the communities that constitute the subjects of the research, particularly around questions of communal ownership of knowledge. Smith, Copley and Jackson explain:

Controversies over cultural and intellectual property have emerged in the form of questions over ownership or access to the results of research and the many claims that descendant communities (including Indigenous peoples) and others make on cultural knowledge and information. ... Concerns about claims to the ownership and use of cultural and intellectual property rights are rapidly emerging in all research disciplines and in many policy contexts, as the economic, scientific and cultural uses and values of traditional and Indigenous knowledge demand mounting attention.  

5 Repatriation, Ownership and Dissemination of Knowledge: The Analogy of “Intellectual Soup”

As I noted above, repatriation frequently has been associated with the return of material objects often held in museums in Europe or the United States, but Smith, Copley and Jackson, writing from the perspectives of archaeology, heritage studies and Indigenous activism, confirm my contention that repatriation refers equally, or even more importantly, to returning knowledge of religious/cultural traditions that were taken or stolen from Indigenous groups. They write: “Markedly less attention has been given to the intangible intellectual aspects of archaeological research or cultural knowledge, although this promises to have as great, or greater, an influence on research and policy in the coming decades.”

Using the analogy of preparing soup, Smith, Copley and Jackson outline the various ingredients and stages when an “intellectual soup” is concocted by a group of interested cooks. In the case of research into local communities, as demonstrated in the example of Berndt and Warria, at least two cooks are required: “one to provide the essential ingredients of Aboriginal knowledge (Barney Warria) and the other (Ronald Berndt) to provide essential ingredients relating to the method of production and the tastes of intended consumers.”

60 Smith, Copley Sr, and Jackson, “Intellectual Soup,” 15.
The ingredients used in making the intellectual soup also suggest two essential elements: Indigenous knowledge and theoretical frameworks. The recipe that is followed is largely developed by academics, but Indigenous people can use their own knowledge to alter the recipe. The kitchen and the cooking implements reflect practical instruments: the research environment, including the context in which the research is envisaged (usually universities) and the local environment where the data is collected and recorded, which is determined by the community being studied. The consumers of the soup, those interested in and affected by the results of the research, include the scholarly community, the general public, and sometimes governmental policy makers and commercial agents. Primarily, however, Smith, Copley and Jackson argue, “Aboriginal people ... now expect knowledge to be returned to their communities and to participate in the dissemination of the knowledge.”61 Once the intellectual soup is completed and ready to be consumed, the final and most important question is asked: “Who owns the soup?”62

Smith, Copley and Jackson observe that the analogy of an intellectual soup implies that the product of the collaborative effort between the researcher and the community being researched leads to the conclusion that both can claim equal rights of ownership in every aspect of its preparation and serving. This means that the knowledge acquired from research, including the analysis and dissemination of findings that researchers often guard as comprising their academic freedom, must be repatriated to the community that supplied the information in the first place. This is because knowledge that was obtained from past generations can play important roles in contemporary local projects that empower communities to restore cultural pride, solidify their identities and enable them to negotiate with policy makers over issues related to life in the modern world, including business interests, dialogue on religious beliefs and ritual performances, tourism, land claims and re-interpretations of historical records.

6 Phenomenological Principles Applied to the Repatriation of Knowledge in Central Australia and South Australia

How do the cases of the repatriation of knowledge project at the Strehlow Research Centre in Central Australia and the analogy of intellectual soup based on the efforts of the Ngadjuri Elders of mid-north South Australia to

61 Smith, Copley Sr, and Jackson, “Intellectual Soup,” 17.
obtain field notes of Ronald Berndt held by the University of Western Australia converge with phenomenological principles in the study of religion? To answer this, I return to the work of Wilfred Cantwell Smith, who argued forcefully for a method that includes the perspectives of believers in any academic descriptions and interpretations of religious communities. Writing in 1959, Smith maintained that the study of religion was undergoing a fundamental transformation from one that regards religion objectively as an “it” to a more personal understanding of the inner faith of believers.\(^{63}\) Smith explained that the first stage in personalising the study of religion had already occurred, since scholars had begun describing personal faith in terms of what people, referred to as “they,” say, do or believe. This even now is advancing to a deeper level whereby scholars are becoming aware of their own involvement with those they are studying, so that “we” are now talking about what “they” say, do or believe. Smith then urged scholars to advance to the next phase in the personalization process by adopting a dialogical approach so that the “they” is changed to a “you” and the study becomes one of “we” talking to “you.” If this is accomplished, a scholar will finally understand that the study of human faith requires breaking down the old subject-object dichotomy so that the one doing the studying and the one being studied merge into a common enterprise consisting of “we all” ... talking with each other about ‘us.’\(^{64}\) The culmination of the dialogical approach, Smith concluded, results in the recognition that “in comparative religion man is studying himself.”\(^{65}\)

In a book entitled *Towards a World Theology*, published twenty-two years after he wrote these words, Smith renamed and revised the dialogical method, calling it “corporate critical self-consciousness.”\(^{66}\) By this he was referring to a form of reflexivity whereby the scholar adopts a “critical, rational and inductive” self-conscious approach to the study of a community of persons, a community that is comprised of at least two people, the one doing the studying and the one being studied.\(^{67}\) The community, what Smith called earlier the “we” talking to “us,” becomes aware of “any given particular human condition, or action as a condition or action of itself as a community.”\(^{68}\) In other words,

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\(^{64}\) Smith, “Comparative Religion,” 34.

\(^{65}\) Smith, “Comparative Religion,” 55.


\(^{67}\) Smith, *World Theology*, 60.

\(^{68}\) Smith, *World Theology*, 60.
when scholars engage in a study of religion, they include themselves as humans in their investigations as well as the participants in the communities they are studying. This implies that the scholar experiences and understands the conditions or actions he or she is studying simultaneously, both subjectively as participant and objectively as observer. In this way, the subjective experience of the scholar, comprising a personal and existential involvement much like faith, is united with objective knowledge, which adopts an external, critical, analytical and scientific perspective.

The results of scholarship are verified using this method both subjectively and objectively, experientially and empirically. Smith called this “the verificationist principle” of “humane knowledge.” The principle is applied in three stages. The first requires that an outside observer’s statement be acceptable to the faith of the community being studied. He writes:

No statement about Islamic faith is true that Muslims cannot accept. No personalist statement about Hindu religious life is legitimate in which Hindus cannot recognize themselves. No interpretation of Buddhist doctrine is valid unless Buddhists can respond, “Yes! That is what we hold.”

The second part of the principle applies to the outside observer, so that what is said about faith communities “must satisfy the non-participant, and satisfy all the most exacting requirements of rational inquiry and academic rigour.” Finally, the third aspect applies to people of other faiths, so that no statement about Muslims, for example, can be regarded as true that non-Muslims cannot accept. No account of Hinduism can be legitimate if the Hindu’s neighbours cannot recognize the Hindu in the accounts. “No statement about Buddhist doctrine is valid unless non-Buddhists can respond, ‘Yes – now we understand what those Buddhists hold.’”

We can see the verificationist principle in action if we apply it to the current repatriation of knowledge project at the Strehlow Research Centre in Alice Springs. As outsiders, if we are to appreciate the knowledge enshrined in Strehlow’s notes, films, recording, genealogies, maps and in his collection of secret-sacred objects, in Smith’s words, we must “get inside the consciousness” of those for whom the collection is sacred and experience “how it feels and

69 Smith, World Theology, 97.
70 Smith, World Theology, 97.
71 Smith, World Theology, 97.
72 Smith, World Theology, 97.
what it means”73 to those who are recovering the knowledge contained within it. At the same time, as scholars, we must investigate the process of repatriation objectively. Admittedly, we do not have access as outsiders to the actual material itself, since, according to tradition, this knowledge is guarded fiercely as private and secret. Nonetheless, scholars can learn the facts surrounding the collection, which help promote understanding about the history of the communities who have access to the material, and thereby comprehend the significance of the collection and its history in the context of current relationships between Indigenous and non-Indigenous communities in Central Australia and more widely in Australia itself. Part of this process includes understanding how various players in the repatriation project operate, including officials in the Museum and Art Gallery of the Northern Territory, land claims activists and legal experts, social workers, church groups and other outside parties interested in the affairs of Indigenous communities of Central Australia.

We can also apply Smith’s verificationist principle to the thirty-year struggle of Ngadjuri Elders to claim their right of ownership over notes, which contain crucial information about their own cultural traditions and genealogical records that were compiled seventy years ago by the academic researcher, Ronald Berndt. Smith’s insights are particularly relevant to building a case in support of joint ownership of research projects by those doing the studying and those being studied. The collaboration begins at the inception of the research design and is carried forward through conducting the research to the interpretation and dissemination of the findings. The gradual recognition among academics following Smith’s outline results in the admission that the researcher and the researched form part of a community: “we” talking about “us.” This is precisely what the researchers, Claire Smith, Gary Jackson, and the Ngadjuri Elder Vincent Copley Sr, intended when they likened a research project to cooking an ‘intellectual soup’. From determining the participants in the research (the cooks) through devising the recipe to consuming the final product, the entire project is collectively owned. Humane knowledge, when understood as corporate, is verified by the insiders (those being studied), the outsiders (those who do the studying) and interested parties (those who share common interests in the results of the research). This means that no one participant has the power to impose an interpretation on the findings because the project is collectively owned.

If we apply the phenomenological concept W.C. Smith called “corporate critical self-consciousness” faithfully and rigorously to the case of the repatriation of knowledge project in Central Australia and to the persistent efforts of

73 Smith, World Theology, 66.
Ngadjuri Elders to gain access to notes about their own traditions, as scholars, we will confirm that true and verifiable knowledge of these specific Indigenous communities can be attained only by fully participating with them in developing research goals and carrying them to completion. Smith would call this an example of achieving “humane knowledge,” the aim of which is not pure objectivity, but “disciplined corporate self-consciousness, critical, comprehensive, global,” a form of knowing that collapses once and for all the subject-object dichotomy that for so long has dominated Western approaches to the study of fellow human beings.

7 Implications for the Future of Religious Studies

By referring to an argument developed in the last century by Wilfred Cantwell Smith, a phenomenologist and liberal theologian, I could be accused of hanging on to and perpetuating outdated and increasingly discredited epistemological theories that commit the error of confusing insider or confessional perspectives with outsider or scientific analyses. I would argue, on the contrary, that Smith’s method was ahead of its time and is now being applied in different ways among scholars from diverse disciplines, particularly around issues related to intellectual property rights. As Claire Smith, Copley and Jackson demonstrated through their analogy of ‘intellectual soup’, determining who owns knowledge equates to identifying who has the right to exercise power over the interpretations and explanations of the knowledge obtained. They attempt to resolve conflicting claims to legitimate ownership of knowledge by asserting that if “intellectual property is jointly owned, it follows that it should be subject to joint control.” They admit that in the discipline of archaeology (and arguably in religious studies), this concession is highly controversial because it raises “the spectre of potential censorship” over what an academic can or cannot say about the contents of the research conducted. The prospect that members of a community being researched have a right to veto what is being said about them offends many academics who would contend that this restricts the researcher from employing critical analysis of the data obtained. With respect to religious communities, this would mean that anything that offends the belief system of the community, even if true, would appear to be ruled out. Surely, this would limit academic freedom and critical analysis.

74 Smith, *World Theology*, 78–79.
75 Smith, Copley Sr, and Jackson, “Intellectual Soup,” 18.
76 Smith, Copley Sr, and Jackson, “Intellectual Soup,” 18.
In a book published in 1985, dealing primarily with religious experience, the philosopher of religion, Wayne Proudfoot, proposed a solution to this problem by distinguishing between descriptive and explanatory forms of reduction. Proudfoot defined reductionism as explaining religion in non-religious categories, frequently “in historical, psychological, or sociological terms.” He argued that phenomenologists were correct when they rejected descriptive reduction, an error that occurs when a scholar fails to “identify an emotion, practice or experience under the description by which the subject identifies it.” For example, if a person walking in the woods relates having an experience of fear due to seeing a bear, for an outsider to describe the experience as resulting from the subject’s mistaking a log for a bear would illustrate what is meant by a descriptive reduction. Proudfoot contends that the person “may mistakenly perceive a fallen tree trunk for a bear, but his fear is properly described as fear of a bear.” By contrast, explanatory reduction “consists in offering an explanation of an experience in terms that are not those of the subject” and indeed might not meet with the subject’s approval. In the case of the person who experienced fear at seeing a bear, an explanation of this experience might be that the individual actually mistook a log for a bear and became afraid as a result. The explanation may or may not be acceptable to the one who experienced the fear, but Proudfoot maintains, this is “perfectly justifiable” because “the terms of explanation need not be familiar or acceptable to the subject.”

Proudfoot developed this analysis, in part, in response to Wilfred Cantwell Smith, whom Proudfoot cites as a prime example of a scholar who mistakenly conflated descriptive with explanatory reduction. Proudfoot (correctly, as we have seen) identifies Smith’s main argument as positing that “a necessary requirement of the validity of any statement about a religion is that it be acknowledged and accepted by adherents of that religious tradition.” This is appropriate, according to Proudfoot, “if it is addressed to the problem of providing identifying descriptions of experiences in different traditions, but it is inappropriate if extended to include all statements about religion.” For Proudfoot, explanations of religious behaviours that are formulated according to academic theories and tested by empirical investigation operate at a

78 Proudfoot, Religious Experience, 196.
79 Proudfoot, Religious Experience, 193.
80 Proudfoot, Religious Experience, 197.
81 Proudfoot, Religious Experience, 197.
82 Proudfoot, Religious Experience, 198.
83 Proudfoot, Religious Experience, 198.
different level from descriptions of the same behaviours, in which, indeed, believers must be able to recognize what is being said about themselves.

Although Proudfoot’s analysis is helpful, he fails to distinguish between explanations of religious behaviour that are offensive to believing communities and ones that use academic concepts unfamiliar to adherents, but, which, if understood, would not be rejected by them. For example, the historian and phenomenologist of religion, Mircea Eliade, developed theories about religious communities in which he emphasized the importance of orientation in space and time as a key interpretative tool leading to understanding the community’s religious world view. Eliade highlighted the significance for religious traditions of beliefs in sacred intrusions or appearances, which he called “hierophanies.”

He maintained that for religious people the terror of undifferentiated space and time creates a sense of disorientation, which is resolved through what they perceive as the manifestation of the sacred in mundane or worldly forms, often told in myths and re-enacted in rituals. He observed that religious communities frequently identify hierophanies in objects that reach to the sky, such as mountains, birds, sun and moon, or rain that falls from the sky. He cited numerous instances of how religions organize their ceremonial life around an axis linking the upper world to this world, and connecting both to the underworld. Examples are found in the central focus for Islamic believers who pray always in the direction of Mecca, or by the symbol of the cosmic tree, as recorded among the Altaic communities of inner Asia. In this context, I am not assessing the usefulness nor the accuracy of Eliade’s interpretation of religion, but asserting that believing communities would not be offended by his explanations of the meaning of their religious life. They would not use the language of hierophanies nor refer to the terror of the homogeneity of space and time, but if they understood how Eliade was using these concepts, they would not object to his interpretation in a way that they would if their religion were being explained, to take two obvious examples, as an infantile neurosis (Freud) or as the opium of the people (Marx). The case of Eliade demonstrates that the results of collaborative research need not affirm

84 Eliade, Sacred and Profane, 8–10.
85 Eliade, Sacred and Profane, 20–22.
confessionally the beliefs of religious communities, but it illustrates how the aims and conclusions reached can be agreed by all interested parties.

A scholarly commitment to respecting the intellectual property of communities being investigated suggests that Proudfoot’s distinction between descriptive and explanatory reduction only works if the accepted aim of research is seen exclusively as promoting enlightenment. The situation looks far different when researchers accept that the acquisition of knowledge immediately raises issues of power and ownership. If academics are to look at themselves critically, they must at the very least consider the objection that by excluding believers from active participation in what is said about them, both in descriptions and explanations of their beliefs, practices and experiences, power is being exercised unfairly and knowledge that belongs to the communities is being exploited for the scholar’s own ends, or at least for purposes unrelated to the interests of the community being described and explained. If they accept this premise, academics will voluntarily impose a limitation on their research design by involving the subjects of research not only in the descriptions of their religious practices, but also in the content and scope of the interpretations and explanations achieved. Although this approach clearly restricts the traditional aims of academic research, it represents just one necessary limitation among a number of other conditions that constrain all research projects.

8 Concluding Remarks

I have argued throughout this chapter that the first step in the reformulation of the study of religions is to acknowledge that, in the first instance, the communities being researched own the knowledge that is being investigated; it is their communal intellectual property. Beginning at that point, it becomes clear that religious adherents must be involved throughout the development and implementation of a research project in full recognition that they are in control of what they choose to reveal to outside researchers. Academics are enabled to conduct research only by invitation, as Graham Harvey has suggested, as “guests” of the communities to which they are invited. Once invited, researchers are confronted with increasingly complicated issues resulting from questions about what they do with the knowledge acquired according to academic principles, while still respecting the property of those being investigated.

To resolve the dilemma created by the potential conflict between academic and community interests in research projects, in this chapter, I have highlighted insights articulated by phenomenologists of religion, who maintained that scholarly interpretations that offend the religious communities being studied are illegitimate because they distort the data on which the interpretations are based. I continue to support this conclusion, despite Wayne Proudfoot's attempt to remove the problem by introducing a linguistic and conceptual distinction around the term ‘reductionism’. In my view, phenomenologists of religion correctly asserted that religious adherents, who cannot recognize themselves in the scholarly explanations offered, are not being described or interpreted accurately nor are scientific principles being observed. This is because phenomenologists have insisted universally that the validity of explanations must be judged on criteria that include believing communities themselves, without which there would be no data on which to build academic theories and without which genuine understanding (Verstehen) cannot be achieved.

Finally, we have seen in this chapter, by examining the cases of the repatriation of knowledge project in Central Australia and the efforts by the Ngadjuri Elders to recover forgotten memories from the embargoed notes of the anthropologist Ronald Berndt, how Indigenous societies, which traditionally guarded their knowledge as secret, were subjected to the power exercised by outside forces, including academics, colonial administrators and missionary agents. The changes occurring currently in Australia bear witness to the increasing impact on public perceptions of Indigenous groups, like the Arrernte of Central Australia and the Ngadjuri of South Australia, who are reclaiming the knowledge that was originally theirs, re-interpreting that knowledge for contemporary times and re-empowering local communities as they restore the memory of past traditions. These important developments among Australian Indigenous peoples demonstrate that, when re-configured in terms of local agency and humane knowledge, principles rooted in the phenomenology of religion promise to play a pivotal and, one might even say revolutionary, role in how future research projects among contemporary religious groups globally are constructed, employed, applied and disseminated.

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