

How One Anthropologist Balances Human Skeletons And Human Rights



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Science

Archaeologist, Writer, Scientist

AN INTERVIEW WITH

Chip Colwell, PhD

Senior Curator of Anthropology, Denver Museum of Nature & Science, and Editor-in-Chief of SAPIENS.org



The history of contact between anthropologists and Native Americans is centuries old, and conflicts have ranged from bitter to deadly. Given that the subject matter of many biological anthropologists is the human skeleton, it is not surprising that ethical concerns have arisen over the years about bioarchaeological research in particular. Images of bioarchaeologists as graverobbers, bent on the desecration of places of eternal rest, are not uncommon, and laws concerning the treatment of human skeletons -- particularly Native skeletons -- have only arisen in the past few decades.

One of these laws is NAGPRA, the Native American Graves Protection and Repatriation Act, which was signed into law in 1990 by George H.W. Bush. NAGPRA awarded to Native Americans equal protection of property rights already extended to other Americans. In essence, the law required consultation with Native American groups about graves on tribal lands; creation of an inventory of Native American human remains and associated grave goods by all museums and universities; allowance that federally recognized Native groups could request the return of these remains; and a mandate for continued

interaction between archaeologists and tribal representatives.

While the need for NAGPRA remains clear, it has not fixed every issue and has in fact raised additional practical and ethical questions. One of the foremost American scholars working on questions of repatriation is Dr. Chip Colwell, Senior Curator of Anthropology at the Denver Museum of Nature & Science, whose most recent book, *Plundered Skulls and Stolen Spirits*, just came out last week. I asked Dr. Colwell a few questions about his work, his take on the recent repatriation of Kennewick Man, and his thoughts on the importance of public outreach in anthropology.



Dr. Chip Colwell at the Denver Museum of Nature & Science CHIP COLWELL/DMNS

Killgrove: Tell me about your job at the Denver Museum of Nature & Science -- is this the sort of position you always envisioned yourself in?

Colwell: In 2007, I became the DMNS's curator of anthropology. In this role, I also helped lead the museum's repatriation program. I never really imagined myself as a curator! But I've found it deeply rewarding, as I get to help be a steward of an amazing collection and work towards connecting that collection with a broad range of communities.

Killgrove: A lot of your professional work rests within the topic of repatriation. Could you explain what this means in the sense of museum studies, and why repatriation work interests you personally?

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Colwell: The modern repatriation movement has transformed the museum world. Before the 1990s, few museums collaborated directly with Native peoples. Then, because of the demands for the return of ancestral human remains and funerary and sacred objects, museum administrators began to meet and interact with Native Americans. Although some of these conversations were difficult, many of them led to the discovery of common interests. And so ironically, this very divisive issue has brought two groups closer together than ever before. For me personally, repatriation work is meaningful.

Ethically, the work is grounded in questions of justice and human rights. Providing Native religious leaders the sacred objects they need for ceremonies helps ensure a tribe's cultural survival, and allowing them to care for their ancestors is a kind of human right. Intellectually, I find the repatriation debate so fascinating because it lies at the intersection of history and politics, law and morality, science and spirituality. There are compelling arguments on both sides, so the answers are often not black-and-white, but perfectly gray.



Activists participate in a protest against the Dakota Access Pipeline March 10, 2017 in Washington, DC. (Photo by Alex Wong/Getty Images)

Killgrove: One of the major tensions that runs through American politics regards the legal rights of Native Americans, as we've seen recently with the Dakota Access Pipeline. How does this tension play out in archaeology and museum studies in the US today and in the past?

Colwell: The treatment of Native Americans by the United States legal system is a tortured, tangled history. Repatriation arose largely because Native Americans were not given the same legal rights as other groups in the US. Here's one infamous example: in 1971, a new highway was being built near Glenwood, Iowa, when construction workers ran into an historic cemetery. Archaeologists were called in. Twenty-six of the graves were deemed to hold Anglo settlers; their remains were placed in new caskets and taken to the local Glenwood Cemetery for reburial without study. But archaeologists also found the remains of a woman and her child, which they believed were Native American based on funerary items. They were boxed up and taken to the Office of the State Archaeologist in Iowa City.

Killgrove: Have things changed since the 1970s? For example, have you had to negotiate your role as a museum curator and your advocacy for human rights in the 21st century?

Colwell: On just my third day at DMNS, in July 2007, the collections manager told me about a "really messy" conflict with the Miccosukee regarding a claim for Calusa human remains. The Calusa were an ethnic group that lived in southern Florida when Europeans first arrived. Most archaeologists and scholars feel the Calusa went "extinct" in the wake of the colonial encounter. But the Miccosukee, a federally-recognized tribe in Florida today, claim the Calusa remains as ancestral.

On the one hand, I felt the evidence suggested that the Miccosukee were not culturally affiliated with the Calusa per the provisions of NAGPRA. On the other hand, I didn't feel it was right for the museum to hold these remains -- among several reasons, in 1743, the Spanish documented the great fear and reverence the Calusa held for their dead ancestors, and how the Calusa ensured ancestral remains were not disturbed.

Killgrove: So what did you do?

Colwell: I decided that the law and evidence compelled me to reject the Miccosukee's claim of cultural affiliation. However, there is a provision in federal repatriation law that allows museums to rebury Native remains, even if they're culturally unidentifiable. We pursued this option with the Miccosukee as a partner. And a decade after the Miccosukee's first claim in 2001, we sent the remains home to Florida.

Killgrove: Stories like this are peppered throughout your new book, *Plundered Skulls and Stolen Spirits*. But I want to ask you about the chapter called "Timeless Limbo" that you devoted to Kennewick Man or the Ancient One. Since the book's publication, this famous skeleton has been repatriated. What has been the reaction to this news?

Colwell: Yes! The Kennewick Man saga ended just as my book was shipping out. The 9,000-year-old remains, found along the bank of the Columbia River near Kennewick, Washington in 1996, were deemed not to be "Native American" under the law, and so not subject to repatriation. In 2014, a 680-page book was published that celebrated the scientific work on the skeleton. But then the next year, a DNA study was published that demonstrated that Kennewick Man was genetically Native American and that a related group, the Colville who were also a claimant tribe in the repatriation case, was located just 200 miles from the grave. Not wanting to take any chances with federal repatriation law, the five claimant tribes worked with the Washington congressional delegation to give Kennewick Man his own law. In December 2016, President Obama signed a law that required the transfer of the remains for reburial.

While I think reburial was an appropriate end -- an end that was a long time in coming -- how it happened was unfortunate in several ways. First, it shows the failure of federal repatriation law when a new law has to be created to take care of just one set of remains. Second, federal repatriation law guides us to determine "cultural affiliation" through 10 lines of evidence. While genetic evidence is one important line of evidence, it's not the only one -- and the clarity of the genetic findings of Kennewick Man might lead some to give undue weight to DNA studies. After all, one's genetic identity is only part of one's social identity -- consider, for example, a Korean orphan who grows up in the U.S. Third, I'm worried that the Kennewick Man case has become our frame for thinking about ancient skeletons -- that is, the idea that Native American and scientific interests are opposed. In fact, there's often more we can learn by working together. Repatriation should be guided by collaboration, not conflict.



Bank of the Columbia River in Kennewick, Washington, where the remains of Kennewick Man were found. MATT MCGEE/FLICKR/CC BY-ND 2.0

Killgrove: Around the time that Kennewick Man was repatriated, the website Bone Clones, which sells replicas of fossil and modern human skulls, began selling a replica of Kennewick Man's skull. Given your background in repatriation and museum studies, what do you think of this?

Colwell: It's fascinating -- and disturbing. Almost all museums I'm aware of are very careful to consult with tribes about making any casts of human remains or objects that are repatriated. While many tribes do not prefer copies to be made, there are some exceptions. My colleague [Gwyneira Isaac](#) has written about some especially interesting examples of these collaborations. One legal concern is that in this case, there's no evidence I can see for consultation. One scientific concern is the website provides misinformation suggesting Kennewick Man was Polynesian or Ainu, which was the hypothesis prior to the 2015 DNA discoveries, rather than affirming his Native American genetic ancestry. Yet another concern

is ethical. The website states that "The Bone Clones® cast is a reconstruction by Dr. James Chatters and Bone Clones, Inc., who jointly own the copyright to the product." But is it appropriate for a company and a scientist to hold an exclusive copyright to a product, which is based on a set of human remains that neither the company nor the scientist should have had exclusive access to? Who owns the intellectual property of an ancient skeleton? Who, in the end, owns the past?

Killgrove: Indeed. Your response speaks to the tension between reality and replicas, and between traditional approaches to anthropology and 21st century technologies like 3D scanning and social media. So finally, what are the opportunities in this rapidly changing landscape?

Colwell: I think the positive twist on this question is that 21st century technologies are offering us amazingly powerful tools to better understand the past -- and each other. Many new archaeological technologies, such as ground penetrating radar, can tell us what's beneath our feet without moving a grain of dirt. New museum technologies, such as X-ray fluorescence, can tell us about the elemental composition of an object without harming the object itself. Similarly, the ubiquity of social media and smart phones allows us to connect in entirely new ways. I've recently helped create a new online magazine, [SAPIENS](#), which shares stories of anthropology's latest discoveries, research, and ideas. Both protecting the past and the building a future together are dependent on dialogue, to establish mutual understanding and respect.



Dr. Colwell is the editor-in-chief of SAPIENS, an online anthropology magazine. CHIP COLWELL/SAPIENS

Kristina Killgrove is a [bioarchaeologist](#) and science communicator. For more

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As a bioarchaeologist, I routinely pore over the skeletons of ancient populations so that I can learn about their health, diet, and lifestyles.
