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## **OPINION**

# **RETURN NATIVE AMERICAN OBJECTS TO THEIR RIGHTFUL HOME**

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**RUSSELL THORNTON**

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An act mandates the repatriation of Native American human remains and sacred objects  
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## OPINION

**H**ow ironic that a Massachusetts theological school has not returned a sacred fishhook to the Tlingit Indians of Southeast Alaska! Christian missionaries took the object from the Tlingit in the 19th century. The halibut fishhook, carved with the form of a wolf, is one of 158 Native American objects in the possession of the Andover Newton Theological School in Newton, Massachusetts, but stored in the Peabody Essex Museum in Salem.

The school, struggling with financial difficulties, wanted to sell some objects two years ago, but were restricted under the federal Native American Graves Protection and Repatriation

Act (NAGPRA) of 1990. The act mandates the repatriation of Native American human remains, funerary objects, objects of cultural patrimony, and sacred objects from museums and other institutions to affiliated tribes. The Department of Interior administers NAGPRA, and warned the school against the sell. Now, there are plans for Andover Newton to join the Yale Divinity School.

In 2014, Yale University had its own problems over the repatriation of a one bear and one bird Tlingit carvings held at its Peabody Museum. The Salem and Yale museums were both founded by the philanthropist George Peabody. They were likely to have been stolen, but haven't yet been returned.

Adding to Yale's woes are rumors regarding the Skull and Bones secret society that is headquartered there. The well known society may have remains and possessions of the famous Apache Geronimo in its Skull and Bones Hall, also known as "The Tomb". The story suggests they were taken from Fort Sill, Oklahoma, where Geronimo died, and was buried as a US prisoner in 1909 by Yale students stationed at the Fort in 1918. Prescott Bush, father and grandfather of two American presidents, was there at the time. He is said to be included among the 'Yalie' grave robbers. The full or partial remains of Geronimo in the grave at Fort Still are themselves involved in another repatriation controversy: some Apache want them reinterred in his native New Mexico.

NAGPRA requires a cultural affiliation, defined as shared group identity, between any human remains or objects and an extant, recognized Native American entity. Affiliation may be established by a preponderance of acceptable evidence, including oral traditions and expert opinion. Reported reasons against repatriating the fishhook, and perhaps a related Tlingit shaman's doll, are that establishing affiliation can be difficult and the people who legitimately represents a tribal entity can be controversial. I do not know of difficulty surrounding the affiliation of the fishhook, or controversy as to whom represents the Tlingit.

As chair of the Native American Repatriation Review Committee overseeing repatriation at the Smithsonian Institution, I was involved in several Tlingit repatriation cases. In one, I attended a conference with Tlingit elders and other tribal representations, including closely-related Haida, at the University of Alaska Southeast in Juneau, Alaska. It was convened to establish the affiliation of several Native masks at the Smithsonian. Everyone insisted on an accurate determination, and the elders openly discussed whether the masks were Tlingit. Even chisel marks on wood were examined minutely to ascertain if they had been made using Tlingit tools. It was concluded that some masks were Tlingit, but some were not. The

Tlingit only want their fishhooks returned.

A similar issue arose when the Smithsonian returned Ghost Dance shirts and other items, including a child's doll and a cradle cap, stolen from the Sioux massacred in 1890 at Wounded Knee Creek on the Pine Ridge Reservation. The reservation associated with the majority of those massacred, as represented by the Cheyenne River Sioux Tribe, was uninterested in anything not from Wounded Knee, fake or otherwise. Sioux spiritual leaders could tell the difference, they said. Tribes, not museums or other institutions, are the Native American religious experts.

Native American religions, like other religions, are powerful forces. Repatriation can be a religious obligation, whether or not sacred objects are involved. Walter Echo-Hawk, a hero of the 1980's repatriation movement leading to the passage NAGPRA, tells me his Pawnee Indian Tribe fuses religion with shared identity, resulting in a strong "religious aspect... to protect the spiritual well-being" of ancestral remains through repatriation.

Groups experience trauma as do individuals. Ed Duran, an Apache and Pueblo Indian and a pioneer scholar of historical trauma, argues the last several hundred year collective experience of Native Americans caused a wound that passes from generation to generation. Controversial as to how it occurs, the expanding field of epigenetics increasingly understands that group trauma affects DNA and transfers genetically to younger generations.

The American Indian Religious Freedom Act (AIRFA) of 1978 establishes that Native Americans may freely practice their religions. That Native Americans may now also restore religions through repatriations is a step toward healing the wounds inflicted on Native Americans. It may be hard for Westerners to understand, but the sacred object is the religion, and the religion is the sacred object.

Fundamental to colonial domination of the New World were 15th-century Papal Bulls, for example, Bull Romanus of 1454 and Inter Caetera of 1493, and treaties, like the Treaty of Tordesillas of 1494, that effectively established a Doctrine of Discovery. Under it, non-Christian lands and those who inhabited them belonged to Christian Nations. Most governments allowed colonizers to do as they pleased with Native inhabitants and they did, often cruelly. The 1512 Laws of Burgos, Spain, codified a set of rights for Natives of the Caribbean as an attempt to assure they were treated humanely. While the Laws reaffirmed Christian control, and required Natives to "properly" learn the Christian religion and be

baptized, they also guaranteed Native rights “to perform their sacred dances”.

Repatriations to restore the linkage should occur expeditiously. Rights of Native American tribes to their religions and sacred objects may or may not be inherent, but they are granted by the US Government through AIRFA and NAGPRA.

- *Russell Thornton is a Cherokee-American anthropologist at UCLA*

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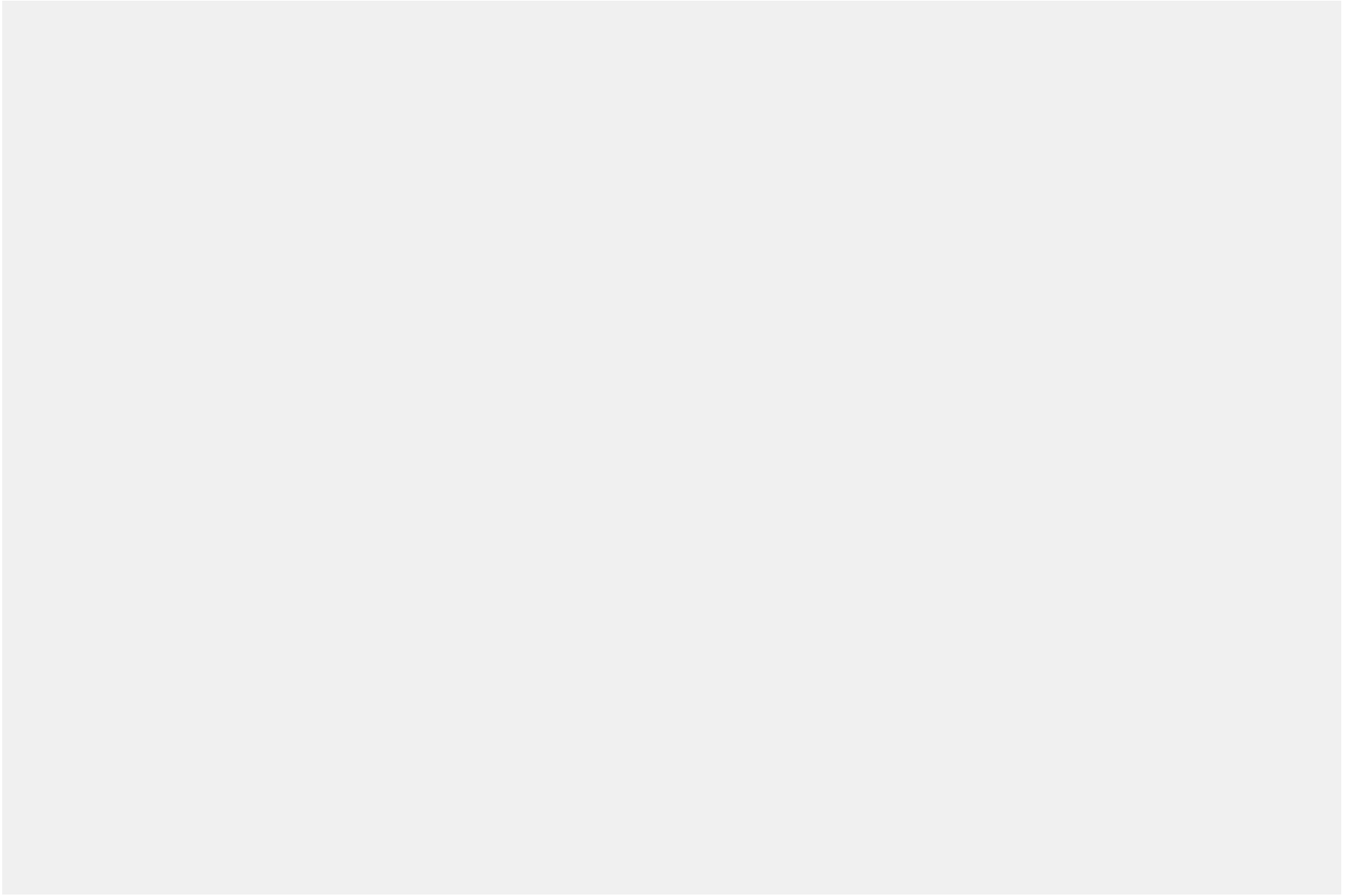
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