

SEARCH

Facebook Connect

Twitter Connect

Sign In/Register

ancestry.com
who will you discover?

Start Now ▶

SUBSCRIBE TO
This Week From
Indian Country Today
MAGAZINE!

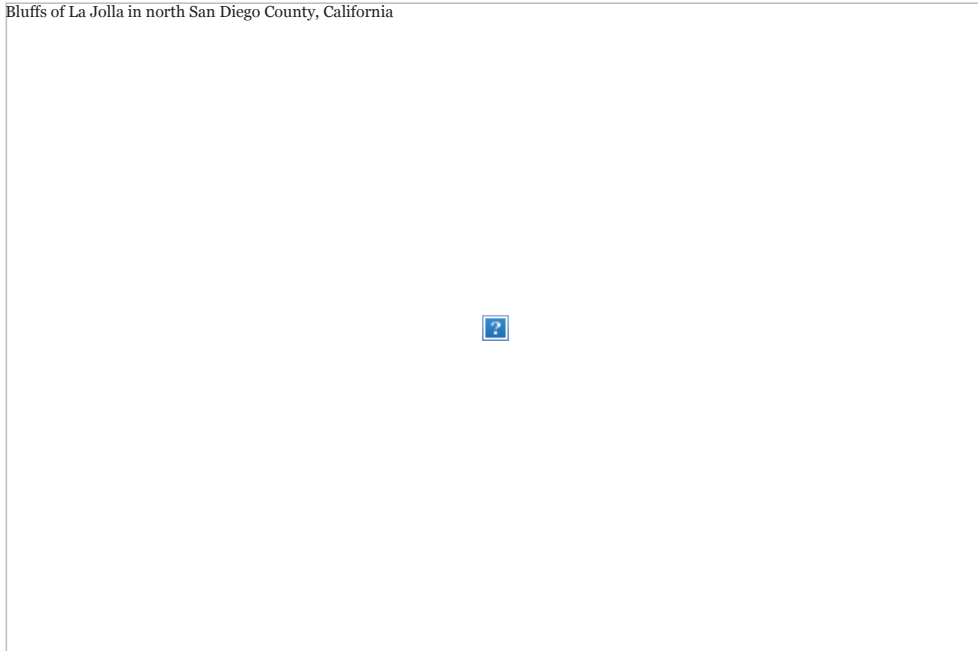
CLICK HERE

A New Attack on Repatriation

By [Duane Champagne](#) April 9, 2012

RSS

Bluffs of La Jolla in north San Diego County, California



Daniel Soderberg

Bluffs of La Jolla in north San Diego County, California

Read More: [Burial site](#) | [Kumeyaay](#) | [NAGPRA](#) | [Native American Graves Protection and Repatriation Act](#) | [University of California](#)

SHARE THIS STORY

Like

Be the first of your friends to like this.

0

Email

Get News Alerts

Submit this story

Who owns the past? That's the headline of an editorial in the April copy of *Scientific American*. The question is occasioned by regulations that the U.S. Department of the Interior added to the Native American Graves Protection and Repatriation Act (NAGPRA) in May 2010. As the magazine puts it, these rules "allow tribes to claim even those remains whose affiliation cannot be established scientifically, as long as they were found on or near the tribes' aboriginal lands."

Scientific American argues that the addenda to NAGPRA are too favorable to **American Indian** communities and that archaeologists should be

having a greater say in these matters. "In our view," the editorial board says, "the new regulations should be repealed or, at least, revised." Perhaps not surprisingly, the argument against the new regulations is coached in Western theological terms: "In effect, they [the Indians] privilege faith over fact."

GROW YOUR FAMILY TREE

FREE ACCESS

SEARCH MORE THAN 1 BILLION
40s-ERA RECORDS FREE

Through April 10th

Search now

ancestry.com

DISCOVER YOUR ANCESTRY

ancestry.com
who will you discover?

Start Now ▶

SEARCH YOUR ANCESTRY

UNITED STATES
INDIAN CENSUS
1885 - 1940

SEARCH NOW

ancestry.com

LEARN ABOUT GENEALOGY

Such a statement shows little understanding of the forms and strength of indigenous relations to ancestors and to the requirements of maintaining the spiritual stewardship of the land. From all appearances, *Scientific American* isn't making much effort to understand indigenous cultures' interpretations of reality, meaning, and life. Instead, the publication gives credence to scientific, professional, and nonspiritual understandings of the value and meaning of human ancestors and sacred **funerary objects**. As far as the editors are concerned, American Indian perspectives are irrelevant. They're even irresponsible because they don't protect human history and knowledge.

To understand this more fully, read the piece, which uses as its springboard a set of bones nearly 10,000 years old, found in 1976 on a **bluff in La Jolla, California**. The bones may soon be returned to the Kumeyaay Nation of the Southwest, who claim residence in their homeland for more than 12,000 years and who are eager to recover remains and other artifacts.

Scientific American prefers to side with archeologists who argue that there is no Kumeyaay link here because "the Kumeyaay claim is based on folklore. The physical evidence indicates that the La Jolla bones are not affiliated with any modern tribe, including the Kumeyaay, who moved into the area only within the past few thousand years."

In other words, the archaeologists don't consider that over 12,000 years, the Kumeyaay may have changed their culture. They therefore conclude that different tribal people, not the Kumeyaay, migrated and lived in the area. By this logic, the Kumeyaay haven't lived in southern California for the 12,000 years that is needed to definitively prove their provenance.

However you phrase it, this self-serving migration theory is designed to avoid returning the ancestors to the Kumeyaay. The archeologists don't have the scientific ability to prove their argument; instead, they insist on an argument that best fits their limited facts.

The new rules of repatriation, *Scientific American* states, have "upset the balance that NAGPRA had achieved and foster antagonism." What kind of "balance" are we talking about? Presumably, the kind that allowed most archaeologists to avoid negotiations with tribal communities.

Here's another example. On March 14, the Wiyot tribal community recieved the jaw bone of a young woman who may have been one of many victims in a massacre perpetrated at Gunther Island in 1860. When the Fowler Museum at UCLA, which had the bone, proposed repatriation in 2002, a **University of California**-wide committee composed mainly of archaeologists refused to allow it, despite extensive and significant supporting evidence. Only now, with the new NAGPRA regulations, has the jawbone been repatriated. "You see me standing up here, but I want you to know it's pretty crowded," said Cheryl Seidner, past Wiyot chairwoman, who received the bone. "I bring my ancestors with me wherever I go."

The time has come for more multicultural, government-to-government negotiations about repatriation that aim to address both scientific and indigenous values. Much greater benefit may be possible if researchers collaborate with indigenous communities in respectful ways. But enough talk about the old "balance" of interests developed through NAGPRA, please. Balance is not made possible with NAGPRA regulations that would again exclude indigenous voices and interests. That's something *Scientific American* might want to consider.

[Print](#)

Share this story

Email

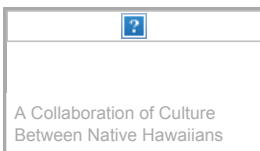
Like

Be the first of your friends to like this.

Monday, April 9, 2012

You must be [logged in](#) to post a comment.

MORE FEATURED CONTENT



Eighth Annual Genealogy Fair

The National Archives Eighth Annual Genealogy Fair will be held April 18 and 19 at the National Archives Building, 700 Pennsylvania Avenue, NW, in Washington, D.C. This year's event will focus on Branching Out: Exploring Your Family Tree. The free...

National Archives at Boston Offers Free Workshops

The National Archives at Boston offers free genealogy workshops and history lectures. The next lecture will focus on the 1940 Census and will be held April 2 at 9 a.m. at the National Archives, 380 Trapelo Road in Waltham, Massachusetts...

Free Genealogy Workshops in Fort Worth

The National Archives at Fort Worth is hosting free genealogy workshops the first Friday of the month through November 2 from noon to 1 p.m. The classes will be held at the Montgomery Plaza at 2600 West 7th Street, Suite...

Anza Valley Woman Holds Genealogy Classes

Donna Bradley, known in the Anza Valley as the "Jam Lady," will host a series of genealogy classes beginning March 28 at 6:30 p.m. at the Little Red School House on Highway 371 in Anza, California, reported the Anza Valley...

Genealogy Workshops in Kansas City

The National Archives in Kansas City will offer three genealogy workshops in March. Introduction to the 1940 Census will be held March 7 from 1 to 2:30 p.m. and March 31 from 10 to 11:30 a.m. Introduction to Genealogy: Finding...

Beginning Genealogy Classes

The Wabash Valley Genealogy Society will present a series of six Beginning Genealogy Classes at the Vigo County Public Library on March 28, April 4, 11, 18 and 25, and May 2. The classes will be held in the library's...

Genealogy Day at Fountaindale

Fountaindale Public Library will celebrate Genealogy Day April 21 at 9:30 a.m. The event will include speakers, handouts, research tips and prize drawings. Registration is required; call 630-685-4176 or register online. The library is located at 300 W Briarcliff Road...

INDEX TO THE DAWES ROLLS

 [Index to the Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory \(Dawes\)](#)

[See More](#)

MORE GENEALOGY ARTICLES



April 8, 2012

The Gods of Prophetstown: Review and Interview

By Melvin Jordan

Chronicle of a Takeover Foretold: Book Review What began as Adam Jortner's doctoral dissertation became instead an in-depth look a... [Read More](#)

Comments (0)



April 7, 2012

Raising Dam Would Drown Sacred Site

By Marc Dadigan

For thousands of years, Winnemem Wintu once lived at their village of Kaibai along the flats of the then powerful McCloud River ou... [Read More](#)

Comments (1)



April 5, 2012

Trees Bent By American Indians Being Identified and Preserved

By ICTMN Staff

"If they could talk, the stories they could tell," Steve Houser, an arborist and founding member of the Dallas Histori... [Read More](#)

Comments (0)



April 4, 2012

An Evening of Hula at Carleton College

By ICTMN Staff

The Carleton College Weitz Center for Creativity Auditorium will be filled with the sights and sounds of traditional Hula April 7... [Read More](#)

Comments (0)

April 1, 2012

Ho-Chunk Nation: Portrait of a People

By ICTMN Staff

The people of the Ho-Chunk Nation, like those of Indian nations all over today's United States, surmounted considerable hardships in the 19th century to emerge damaged but still viable in th... [Read More](#)

March 31, 2012

This Eagle Has Something to Say

By ICTMN Staff

The origins of this graphic are unknown, but this eagle asks an important question. Should we trust the government? This eagle thinks not. [Read More](#)

March 28, 2012

Tribal Gaming Pioneer Josephine Jackson Walks On

By ICTMN Staff

Josephine Jackson, who held a number of positions with the Saginaw Chippewa Indian Tribe, walked on at the age of 76 on Monday, March 19. She was partially responsible for improving economic... [Read More](#)

March 28, 2012

Calvin Lay, Former Seneca President, Walks On

By ICTMN Staff

Calvin E. Lay of the Cattaraugus Indian Reservation, World War II veteran and long-time member of Seneca Nation Politics died February 19, 2012 in the Gowanda Nursing Home, Gowanda, New York... [Read More](#)

March 28, 2012

Amnesty International Report Cites Human Rights Violations Along US-Mexico Border

By ICTMN Staff

Amnesty International recently released a report titled, "In Hostile Terrain: Human Rights Violations in Immigration Enforcement in the U.S. Southwest," stating that Latinos, imm... [Read More](#)

[See All](#)

[Home](#)

[Business](#)

[Education](#)

[Health/Wellness](#)

[Environment](#)

[Terms and Conditions](#)

[FAQ](#)

[Politics](#)

[Arts/Entertainment](#)

[Scholarships](#)

[Native American Studies](#)

[Travel](#)

[About Us](#)

[Site Map](#)

[Pow Wows](#)

[Internships](#)

[Tribal Colleges](#)

[Canada](#)

[Video](#)

[Contact Us](#)

[Advertise](#)