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News

No burial for 10,000-year-old bones

University of California denies request for repatriation of remains.

[Rex Dalton \(/news/author/Rex+Dalton/index.html\)](/news/author/Rex+Dalton/index.html)

San Diego

In the latest twist in the tug-of-war between Native Americans and anthropologists, officials at the University of California have decided not to repatriate a pair of well-preserved skeletons that are nearly 10,000 years old.

Archaeology students unearthed the bones in 1976 near the cliff-top home of the chancellor of the University of California, San Diego (UCSD). It may be possible to extract some of the oldest human DNA in North America from the exquisitely preserved remains, say researchers. But in the past two years the bones have become a political football over US\$7-million plans to demolish and rebuild the house.

A group of 13 local bands, known as the Kumeyaay tribes, argued that the site was a sacred burial site, and that the bones found there should be repatriated to them. In March this year, UCSD dropped plans to knock down the house, opting instead for a renovation. But last week, University of California officials notified federal authorities that the bones could not be proved to be culturally affiliated with the Kumeyaay and thus would not be returned.

Steve Banegas, a tribal spokesman for the Kumeyaay, says they hadn't been notified of the decision. "They are our relatives," he says. "We want them reburied. They should stop playing politics with the remains."

The dispute reflects the increasingly acrimonious debate over decisions involving ancient skeletons. In 2004, a federal court ruled that the roughly 9,300-year-old Kennewick Man skeleton, found in a riverbank in Washington state, should not be returned to local tribes that could not prove cultural affiliation. In other cases, usually involving younger bones, museums have returned specimens when they were shown to be culturally affiliated to local tribes.

In San Diego, tribes newly enriched by casino earnings have enlisted powerful state legislators to their cause. Facing such pressure, University of California officials are reviewing the 10-campus university's policy on how cultural affiliation is determined.

Currently, decisions about cultural affiliation are made by a panel of scientists — typically including a Native American — at each campus. Campus actions are then reviewed by a nine-person University of California panel, which includes two Native Americans, before a final decision is reached. But in September, the office of Mark Yudof, the president of the University of California, initiated discussions about possibly eliminating the system-wide committee.

Four prominent University of California anthropologists wrote a letter to Yudof on 30 September, strenuously objecting to the proposed change. They include Phillip Walker and Michael Glassow of the University of California, Santa Barbara; Robert Bettinger of the University of California, Davis; and Philip Wilke of the University of California, Riverside. "It is counterproductive to devolve final decision-making authority to the often inexperienced and legally ill-informed level of the local campus," says the letter.



California's Kumeyaay tribes are fighting to reclaim the skeletons.

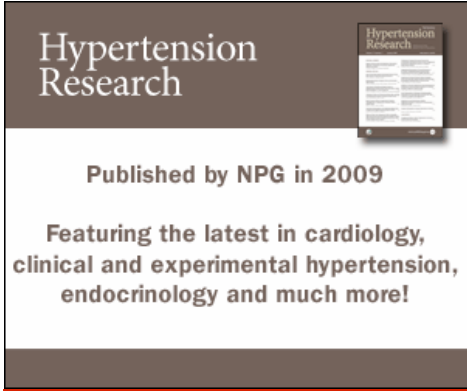
“There are many points of view on the cultural affiliation of the remains.”

In an interview, Bettinger said that the system-wide panel serves as a vital form of peer review. "If the analysis is not rigorous, something is missed or a campus drops the ball, the University of California system-wide panel can correct that," he says. "This has happened a bunch of times." For instance, in 2001 the system-wide committee overruled a decision by the University of California, Los Angeles, in which skeletons and funerary objects were recommended for repatriation to the Kumeyaay.

Bettinger says the review ensures that science, not politics, is paramount. "The way to avoid the inevitable local politics," he says, "is to kick it to a higher level for independent review."

The turbulent history of the bones reflects this. The skeletons — of a man and a woman buried in alignment, along with the less-well-preserved remains of a third individual — were stored at the independent San Diego Museum of Man. They were also examined at the Smithsonian Institution in Washington DC. Most recently they have been at San Diego State University, where Native American scientists have been conducting morphometric analyses.

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Isotopic analysis of the bones suggests that the people ate mainly seafood; anthropologists say this indicates they were seafarers, not inland dwellers like the Kumeyaay. Still, in May, the office of UCSD chancellor Marye Anne Fox wrote to Yudof's office outside the normal channels, saying that UCSD executives wanted his office to facilitate returning the skeletons to the tribes to avoid any "cultural insensitivity".

"There are many points of view on the cultural affiliation of the remains," says Art Ellis, the vice-chancellor for research at UCSD. "We wanted to make sure the office of the University of California president took into consideration all points of view when making the final decision."

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