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University of Michigan prepares to return remains

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WASHINGTON – A new rule involving the [Native American Graves Protection and Repatriation Act](#) has one of the nation's largest research institutions preparing to return a collection of more than 1,300 Native American human remains.

The [University of Michigan](#) in Ann Arbor announced March 26 that officials there have begun outlining a process for the transfer of Native American human remains to tribes.

The activity comes as a result of the U.S. Department of the Interior's March 15 publication of a final rule clarifying how museums and institutions should handle Native American human remains that are under their control, but for which no culturally affiliated Indian tribe has been identified.

The rule says that after appropriate tribal consultation, transfer of culturally unidentifiable remains is to be made to a tribe from whose tribal or aboriginal lands the remains were excavated or removed. Civil penalties are proposed for museums that do not follow the law.

Until the rule was published, some university officials felt the 1990 law did not clearly lay out rules for the disposition of culturally unidentifiable human remains.

"It's going to be a big job," said Stephen Forrest, vice president for research at the institution, who is overseeing the process.

Top among his concerns is reaching out to tribes in the region, then the process of getting remains to their appropriate tribal caretakers can begin. Along the way, he plans to hire at least two individuals to work directly with tribes on the matter.

Forrest noted that the university's holding of the remains has been unresolved

for decades, and has dramatically harmed relations with tribes in the region.

“Our relationship with the Native American community has not always been as good as it could be, and I certainly hope this process will start us down a strong path.”

Native American faculty members and students were generally positive about the change in the university’s behavior.

“As one of the Ojibwe language instructors, it is a wonderful development to know the institution will be willing to talk to leaders in the communities where we are teaching,” said Margaret Noori, director of the university’s Comprehensive Studies Program.

“I look forward to the time when each of the individuals now held by the museum is properly returned to the Earth and allowed to complete their journey. We know that U of M supports our language through support of www.ojibwe.net. It’s good to also know the administration has growing respect for all aspects of our culture.”

Veronica Pasfield, a Bay Mills tribal citizen and graduate student leader, said the Native community on campus feels “very positive” about the dramatic shift in university policy.

“We have been advocating for this for years. For this to finally have happened is a big step forward.”

Alys Alley, co-chair of the Native American Student Association, said the situation has long caused “a lot of pain for the Native American community.

“As a Native American student, it has been hard and painful to walk campus knowing that my ancestors are being kept in the U of M Museum of Anthropology.

“I hope to see all of the 1,390 remains returned to their homes so that we can finally begin the healing process.”

For years, Native Americans have battled with some faculty members over the contentious issue. Even now, there are some professors at the institution who believe it is important to keep the remains for continued study.

Forrest addressed the issue, saying that scientific concerns are always taken into account, but, he added, “First and foremost we follow the law. ... everybody has to follow the law.”

The conflict at Michigan has been complicated by the fact that some institutions housing Native Americans long ago gave back culturally unidentifiable remains, or at least began substantial tribal consultation processes – without ever needing the rule clarification.

Plus, some institutions, like Harvard, have been more proactive than Michigan in applying for NAGPRA grants meant to aid in tribal consultation.

Forrest noted that the university’s new path will not be easy, especially given the historical conflict between tribes and some faculty members.

“If we don’t do this right, it could set us back as well, so we are really going to try to do this right.”

One area that many Native Americans plan to watch to help measure progress is whether the university will return many of the sacred Native funerary objects it still holds.

The new rule does not clarify how to repatriate culturally unidentified funerary objects, yet some institutions have chosen to return these items in addition to human remains, given their sacred significance.

D. Bambi Kraus, director of the [National Association of Tribal Historic Preservation Officers](#), said the funerary objects issue is a “weakness in the new rule,” and one that many Native advocates would like to see addressed in the future.