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Kumeyaay Ancestral Remains Held by UCSD



By Steven Newcomb

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The Kumeyaay have no ceremony for reburying the dead. The remains of a Kumeyaay ancestor unearthed by the dominating society are to be given the same ceremony as a loved one who has recently passed on. Steven Banegas, a Kumeyaay from Barona and spokesman for the Kumeyaay Cultural Repatriation Committee (KCRC), made this point to Indian Country Today Media Network as he contemplated recent developments with regard to Kumeyaay ancestral remains (labeled “CA-SDI-4669”) that are claimed by the University of California at San Diego (UCSD).

In 1976, funerary objects and nearly 10,000-year-old human remains were unearthed during renovation work at the UCSD chancellor’s house in La Jolla, California. For years, the KCRC has been trying to have those ancestral remains repatriated in accordance with the 1990 Native American Graves Protection and Repatriation Act. A UCSD review committee has tended to focus on the physical characteristics of the bones. In 2009, the committee finished a “Notice of Inventory Completion,” and “Evidence for Cultural Determination: CA-SDI-4669.” It decided that the human remains were “[culturally] unaffiliated at this time.” The committee also acknowledged, however, that it could not definitively say that the ancestral remains were not culturally affiliated with the Kumeyaay.


One would think that culture ought to play a substantive role in any deliberation about the “cultural affiliation” of ancestral remains, but the discussion tends to get weighted in the direction of physical evidence by analyzing bones rather than in the direction of cultural evidence. In *The Interpretations of Culture*, eminent anthropologist Clifford Geertz notes that “anthropological writings are themselves interpretations, and second- and third-order ones to boot. (By definition, only a ‘Native’ makes first-order ones: It’s his culture).”

The UCSD review committee’s interpretations of Kumeyaay culture are not the same as those first-order interpretations that the Kumeyaay themselves would be able to provide. But rather than interview the KCRC as part of its review process, the committee relied instead upon its interpretation of information found on websites. (It is axiomatic that the UCSD committee’s viewing of Kumeyaay websites does not constitute an interpersonal “consultation” with the Kumeyaay people).

A close reading of “Evidence for Cultural Determination” calls the committee’s work into question. In the section subtitled “Oral Tradition,” the committee stated: “According to their websites, they [the Kumeyaay] do not accept the premise that

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Yuman-speaking migrations into the area invalidate their claim to cultural continuity with people who were in the area when they [the Kumeyaay] arrived.” Now, read that sentence again.

What is the committee claiming? (1) The Kumeyaay are of the opinion there was another people already in the area “when they [the Kumeyaay] arrived.” (2) The Kumeyaay claim “cultural continuity” with some other people who were already living in the area when the Kumeyaay first arrived.

According to Banegas, these claims by UCSD are false. The Kumeyaay do not accept the view that they arrived to a territory where some other people were already living. When asked about this section of the review committee’s report, Banegas said, “Is that considered actual research, viewing websites?”

Additionally, the UCSD committee’s own report contradicts the above two points. In the section subtitled “Folklore,” the committee report says: “The Kumeyaay firmly believe that their people have lived in the region since the ‘beginning.’” The report says that “several websites, endorsed by the various Kumeyaay bands provide web articles that outline their traditional beliefs.” In this section, the committee cited two Kumeyaay websites for support.

However, the “Oral Tradition” section of the report does not directly quote any Kumeyaay person who has said that the Kumeyaay concur with the view that they ‘migrated’ to the area (the Kumeyaay territory) where another people were already living. Banegas says that the Kumeyaay do not subscribe to such a view. Thus, it was partly on the basis of a non-Kumeyaay interpretation that fundamentally contradicts the Kumeyaay’s view of themselves, their origins, and their cultural history that the review committee decided that the ancestral remains are “culturally unaffiliated” with the Kumeyaay.

Banegas says that KCRC has experienced many years of frustration at UCSD’s handling of the issue of the ancestral remains. Now they will just wait and see if UCSD Chancellor Marye Anne Fox and UCSD Vice Chancellor Gary Matthews keep their word and turn the ancestral remains over to the Kumeyaay as they recently pledged to do.

Steven Newcomb, Shawnee/Lenape, is co-founder and co-director of the Indigenous Law Institute, author of Pagans in the Promised Land: Decoding the Doctrine of Christian Discovery (Fulcrum, 2008).

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