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APRIL 7, 2009

University of California Withdraws Request to Return Ancient Remains to Local Tribe



After weeks of protest from anthropologists, University of California, San Diego (UCSD), officials have withdrawn their request to the federal government to rebury the skeletal remains (left) of Paleoindians unearthed near the chancellor's home in La Jolla. The rare, 10,000-year-old bones were found in 1976. Anthropologists and the university's own scientific working group wanted to keep the remains for further scientific study, but a local American Indian group wanted them reburied. The withdrawal comes not necessarily because of the researchers' protests but mainly because Kumeyaay nation leaders object to the wording of the UCSD request to the federal Native

American Graves Protection and Repatriation Act (NAGPRA).

In an official statement, university officials said that they withdrew the request late last week "upon learning that the [Kumeyaay Cultural Repatriation Committee](#) (KCRC) does not support the university's request submitted to the Review Committee" of NAGPRA, according to Jeff Gattas, senior director of university communications and public affairs.

In a statement issued Monday, the Kumeyaay committee members wrote that they opposed the UCSD request because UCSD Vice Chancellor for Resource Management and Planning Gary Matthews filed a request with NAGPRA to repatriate the remains as "culturally unidentifiable." Even though the Kumeyaay leaders want the remains—and filed a request for them in 2006—they firmly believe that the remains are indeed culturally affiliated with the Kumeyaay and Dugueno people and that the wording of the request should reflect that. The Kumeyaay committee wrote that they have provided "a mountain of evidence from linguistic, anthropological, archaeological and historical scholars to support their claim that these individuals were indeed culturally affiliated with today's Kumeyaay/Dugueno people," according to the statement. "This process sets a dangerous precedent for future

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claims, both from KCRC and other tribes whose ancestors may be in the possession of the UC.”

But the UCSD scientific advisory group that reviewed the claims (and a separate systemwide UC research committee) drew a different conclusion. It found that the remains of the three individuals have no cultural or biological affinity with the Kumeyaay or any living Americans Indians, according to UCSD anthropologist [Margaret Schoeninger](#), who is co-director of the UCSD working group that reviewed the request. It also found that the Kumeyaay language moved into the region 2000 years ago and that they traditionally cremated their dead rather than burying them. Moreover, preliminary DNA evidence shows no connection between Kumeyaay and known older American Indian groups. Indeed, in a talk Saturday at the annual meeting of the American Association of Physical Anthropologists in Chicago, Schoeninger reported that her lab’s analysis of stable isotopes from samples of the skeletons indicated that they ate a diet of marine mammals and offshore fish—a coastal adaptation that contrasts with the desert origins of the Kumeyaay (see Origins, [3 April](#)). Anthropologists who study the bones and DNA of Paleoindians also agree that the remains are probably too old to have any affiliation, cultural or otherwise, with tribes living in southern California today. And, at such an early age, they are important for scientific analysis, particularly because new methods are being developed to extract and study ancient DNA, and to analyze the diet and lifestyles of ancient people.

To acknowledge that the remains are too ancient to be affiliated with living people, however, might weaken the Kumeyaay’s strongest argument to claim ancient remains in this and other cases before the NAGPRA review committee, which meets next in May in Seattle, Oregon. Kumeyaay spokesperson Steve Banegas says, “We cannot rest until the remains of our ancestors are cared for properly and interred as they should be.” But by quibbling over the wording of UCSD’s request, the Kumeyaay put UC officials in a no-win situation where they were opposed by anthropologists, on the one hand, and the Kumeyaay, on the other hand. The Kumeyaay committee members may have just lost their best ally in their process to get these bones for reburial.

—Ann Gibbons

Photo credit: Jan Austin, Santa Monica Community College

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