Permission Granted:

Returning Agency to Colonized Communities through Repatriation

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Often the way in which artifacts were recovered in the past was morally and ethically wrong. Repatriation is, in a sense, a way to right these past wrongs. "In many instances anthropologists simply took items, believing they were rescuing them from mistreatment or destruction by the primitive and uneducated peoples who had made them."[1] These problematic acts from the past cannot be changed or erased, but it is possible to ease their negative effects on the modern day. Repatriation can fight the idea that certain cultures are barbaric or incapable, ideas that still linger in one form or another from imperialism and colonization. *Repatriation is a way to right past wrongs and place agency back into the hands of communities whose rights and power have historically been stripped from them, foster positive relationships between museums and their communities, and promote the open sharing of knowledge and intercultural appreciation, a key purpose of museums.*

In the case of Native Americans, repatriation can create a sense of agency which helps to soothe transgenerational trauma. The arrival of Europeans in the Americas set in motion disastrous consequences for Native Americans that have continued to this day.[2] According to the Substance Abuse and Mental Health Services Administration Center for Behavioral Health and Justice, the Native American population "has been exposed to generations of violent colonization, assimilation policies, and general loss."[3] The theory of historical trauma posits that the lasting behavioral and cultural effects of these events have been passed down from generation to generation, thus modern Native Americans often suffer "historical loss symptoms

[1] Marjorie Schwarzer, *Riches, Rivals, & Radicals: A History of Museums in the United States.* (Lanham: Rowan & Littlefield, 2020), 113.
[2] "Tips for Disaster Responders: Understanding Historical Trauma When Responding to an Event in Indian Country." Substance Abuse and Mental Health Services Administration. https://store.samhsa.gov/sites/default/files/d7/priv/sma14-4866.pdf.
[3] Ibid.

(e.g., depression, substance dependence, diabetes, dysfunctional parenting, unemployment)."[4] Coupled with the difficulties of reservation life, these symptoms become aggravated.[5]

Besides having a right to distrust the government, Native Americans also have a right to distrust American museums. The 1897 capturing and "collecting" of living human Native Americans who were thereafter kept in the basement of the American Natural History Museum is just one example of the mistreatment of Native Americans at the hands of United States museums.[6] Four of the captured people died of Tuberculosis, and at least one of their corpses was placed on display in the museum after being skinned and processed[7] (fig. 1). According to the University of Washington professor James Nason, "Native American remains were no longer their own. The bodies of the dead became property like baskets or bowls in a collection."[8] The 1906 federal Antiquities Act legalized unearthing sacred graves and gathering bones and funerary objects, an effect that was not reversed until the 1990 Native American Graves Protection and Repatriation Act was passed.[9]

Even today, Native Americans are often not included in the decision-making processes of museums when it comes to displaying Native American artifacts and artworks. The Walker Art Center's decision to erect the 2012 artwork *Scaffold* by artist Sam Durant in the same area as the hanging of the Dakota 38 without the consultation of any Native American community members is an example of this[10] (fig. 2). In the essay, "Community Choices, Museum Concerns," by

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[4] Kathleen Brown-Rice, "Examining the Theory of Historical Trauma Among Native Americans: Historical Losses," The Professional Counselor, July 10, 2020. https://tpcjournal.nbcc.org/examining-the-theory-of-historical-trauma-among-native-americans/#:~:text=This%20theory%20purports%20that%20some,%2C%20land%2C%20and%20culture.
[5] Ibid.
[6] Schwarzer, 113.
[7] Ibid.
[8] Idem.
[9] Idem.
[10] Mary Papenfuss, "Minnesota Museum To Remove Gallows Exhibit After Native American Protest," HuffPost, May 29, 2017. https://www.huffpost.com/entry/walker-gallows-exhibit-dismantling_n_592b7914e4b0df57cbfc7432.

Robert R. Archibald, the author advocates for meaningful contributions and direct involvement from their communities when establishing museum agendas.[11] Without this, museums cannot be credible as institutions.[12] He explains that museums preserve communities' history and identity.[13] In this way, museums like the Walker Art Center are not upholding their commitment to preserving their communities' history. According to Janet Marstine, "Museums impose evolutionary hierarchies of race, ethnicity, and gender, they encode an agenda that effectively unifies white (male) citizens of imperial powers (the self) against conquered people (the other)"[14] For example, the exhibition *Races of Mankind* compared the races by lining up bronze sculptures of people and ordering them from "Neanderthal to Nordic," presumably showing evidence that Nordic characteristics are the most evolved form of humanity[15] (fig. 3). It is impossible to remove the colonial ancestry of museum collections, thus repatriation can hand some of the power taken from the artifacts' original owners back to their modern-day ancestors.[16]

In 1940, archeologists Sydney and George Wheeler were surveying archaeological sites on the foothills of Stillwater Mountains in Fallon, Nevada, when they discovered what would come to be known as the Spirit Cave Mummy[17] (fig. 4). The duo recovered sixty-seven artifacts, including the earliest documented use of diamond-plaited weaving, and the remains of two people wrapped in reed matting.[18] The remains were found lying on fur blankets and dressed in a leather robe and leather moccasins.[19] One of the corpses was found to be partially mummified,

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[11] Hugh H. Genoways, *Museum Philosophy for the Twenty-first Century.* (Lanham: AltaMira Press, 2006), 269.
[12] Ibid.
[13] Idem.
[14] Janet Marstine, *New Museum Theory and Practice: An Introduction.* (Hoboken: Blackwell Publishing, 2006), 14.
[15] Schwarzer, 173.
[16] Tiffany Jenkins, *Keeping Their Marbles.* (Oxford: Oxford University Press, 2016), 173.
[17] Lara J. Asher, "Oldest North American Mummy." Archeology Magazine 49, no. 5 (1996): https://archive.archaeology.org/9609/newsbriefs/nevada.html.

[18] Ibid.
[19] Idem.

with skin on his back and shoulders and a small amount of black hair.[20] When first examined the artifacts were found to be between 1,500 and 2,000 years old. When re-dated with radiocarbon techniques in the 1990s, the Spirit Cave Mummy was found to be around 10,600 years old, making it the oldest natural mummy ever found.[21]

In 1997, the Paiute-Shoshone Tribe made a Native American Grave Protection and Repatriation Act claim on the Spirit Cave Mummy.[22] "This law requires federal agencies, museums, and universities, to conduct an inventory and identify the geographical or cultural affiliation of remains in their collections with present-day tribes. The institution has to provide opportunities for federally recognized tribes to receive culturally affiliated Native American human remains and artefacts. It is a proactive programme, for which institutions receive substantial funding. That is, museums and other institutions are obligated to research their collections and contact potentially related tribes about repatriation."[23] Of course, the sheer age of the mummy, along with its intact burial artifacts made it of extreme interest to the scientific and anthropological communities.[24] Scientists claimed that the remains were more closely related to Paleoamericans than the modern Paiute-Shoshone people.[25] Further study in 2000 seemed to support this claim.[26] One difficult aspect of repatriation is determining "who owns culture," as Jenkins puts it.[27] Under NAGPRA, human remains and other culturally significant items are returned to the culturally and geographically affiliated Native American tribe who claims them.[28]

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[20] Idem.
[21] Idem.
[22] Caroline Redmond, "Mystery Of 10,600-Year-Old 'Spirit Cave Man,' Earth's Oldest Natural Mummy, Finally Solved." All That's Interesting, December 6, 2018. https://allthatsinteresting.com/spirit-cave-mummy.
[23] Jenkins, 301.
[24] Asher.
[25] Ibid.
[26] Idem.
[27] Jenkins, 190.
[28] Jenkins, 305.

However, human populations are generally not bound to the same location over hundreds of thousands of years.[29]

In 2015, after a twenty year legal battle, the remains were once more DNA tested to reveal that they are definitively genetically linked to the Paiute-Shoshone Tribe.[30] The remains were returned to the tribe in 2016 and reburied in a private ceremony in 2018.[31] The ceremony and final resting place of the Spirit Cave Mummy were kept secret in order to fend off burial desecration.[32] The tribe's necessity that the remains be treated respectfully lies in their cultural connection to the remains. According to the British Museum's position on keeping human remains in their collections and displays, "'we have to ask whether something is the actual mortal remains of a person, or if it's been turned into something else, an artifact of some sort. A thigh bone that's been turned into a trumpet is different from a thigh bone that was intended for burial. Secondly, we have to ask if the remains are recent enough to have any emotional link to living people, and if they can be identified. That's when the issue shifts, and the object becomes not a thing but a person. And that makes everything different."[33] In the case of the Spirit Cave Mummy, Eske Willerslev, a geneticist on the team of scientists who extracted and sequenced the bones of the mummy, stated that "the tribe [has] real feelings for Spirit Cave, which as a European it can be hard to understand but for us it would very much be like burying our mother, father, sister, or brother. We can all imagine what it would be like if our father or mother was put in an exhibition and they had that same feeling for Spirit Cave."[34]

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[29] Ibid.
[30] Asher.
[31] Jo Tynan, "DNA of World's Oldest Natural Mummy Unlocks Secrets of Ice Age Tribes in the Americas." EurekAlert!, November 8, 2018, https://www.eurekalert.org/pub_releases/2018-11/sjcu-dow110618.php.
[32] Ibid.
[33] Rupert Smith, *The Museum: Behind the Scenes at the British Museum.* (London: BBC Books, 2007), 133.
[34] Tynan.

Throughout the second genome sequencing, Willerslev and the tribe maintained open communication and a respectful relationship.[35] The geneticist assured the tribe that his team would not do any testing unless they gave him express permission.[36] The tribe was kept well informed of every development in the case and two of their members were present during the sampling of the DNA.[37] Willerslev's interaction with the Paiute-Shoshone Tribe is an excellent example of how museums should interact with their communities. According to a statement from the tribe, "The Tribe has had a lot of experience with members of the scientific community, mostly negative. However, there are a handful of scientists that seemed to understand the Tribe's perspective and Eske Willerslev was one of them...He took the time to acquaint himself with the Tribe, kept us well-informed of the process, and was available to answer our questions."[38] After the negative experience of twenty years of legal deadlock with the scientific community, the second genome sequencing and its cathartic consequences showed an example of members of colonized groups regaining cultural agency over their history.

Another excellent example of positive collaboration between museums and their communities can be found in the case of the Tlingit Killer Whale Hat (fig. 5). The Killer Whale clan crest hat, or Kéet S'aaxw, was created in 1900 by a well-known Deisheetaan clan artist for his brother-in-law Gusht'eiheen, a Dakl'aweidi leader.[39] In 1904 it was acquired by the Smithsonian Institute where it remained for over a century.[40] Because of the 1989 National Museum of the American Indian Act, the Tlingit requested back many of their sacred and

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[35] Ibid.
[36] Idem.
[37] Idem.
[38] Idem.
[39] Meilan Solly, "This Replica of a Tlingit Killer Whale Hat Is Spurring Dialogue About Digitization." Smithsonian Magazine, September 11, 2017. https://www.smithsonianmag.com/smithsonian-institution/replica-tlingit-killer-whale-hat-spurring-dialogue-about-digitization-180964483/.
[40] Ibid.

funerary items, including the hat.[41] In 2005 the Killer Whale hat was repatriated to Mark Jacobs Jr. and soon after the hat was used in its first ceremony in over 100 years.[42] This ceremony transitioned the hat into an at.óow, or a sacred communal object.[43] The clan expressed interest in digitally archiving the hat for future education and scholarship.[44] The hat was laser-scanned into a 3D model which was then utilized to create a nearly exact replica.[45] This collaboration marked "the first museum-led replication of a repatriated sacred object and could prove precedent-setting for cultural institutions and indigenous groups alike."[46]

San Jose State University professor of anthropology Elizabeth Weiss expressed that she felt that NAGPRA and identity museums hinder scientific research and progress, especially where the study of human remains is concerned.[47] "To me, the scariest aspect of repatriation and reburial is the loss of scientific freedom. Scientists should be able to investigate all sorts of questions about the world around them, a world that includes the past; and the attempt to answer these questions should not be hampered by political or religious sentiments. Scientific freedom is lost when tribal consultation or supervision is required."[48] Scientific "freedom" is what got us into this mess in the first place.[49] Having the freedom to unearth graves without permission and usurp sacred objects for colonialist collections is one of the reasons repatriation is needed today.[50] Jenkins feels that "handing over the right to narrate history on the basis of ethnicity is not the way knowledge works. The pursuit of knowledge and the understanding of the past must

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[41] Idem.
[42] Idem.
[43] Idem.
[44] Idem.
[45] Idem.
[46] Idem.
[47] Jenkins, 307
[48] Ibid.
[49] Schwarzer, 113.
[50] Jenkins, 257.

be open to everybody."[51] Giving power back to the original owners of objects in some ways rights this past wrong. All is not lost by giving these owners the choice to decide what to do with them. They should be able to decide whether they want to claim certain objects or not, whether they feel outsiders should be able to study an artifact or not, and how they want their artifacts shared and explained. These should be their rights. Reinstating these rights does NOT inherently close this knowledge off to people of a different ethnicity. They simply grant mediation and control to a group who have historically been stripped of their rights and culture.

In fact, as shown by the Tlingit hat, replicas and digital models can allow museums to behave ethically WHILE maintaining their mission of education. According to the British Museum, "technology in the last 30 years has made it possible for those objects to travel much more safely, so we can meet different needs in different places without compromising the long-term integrity of the collection....now we have different ways of sharing things, which actually enrich the meaning of the individual objects, letting them tell many different stories by allowing them to be seen in many contexts."[52] The egalitarian sharing of collections, be that through physical artifacts, replicas, or 3D models, will help to preserve individual culture while also removing barriers between people by helping us to relate to one another and appreciate each other's cultures.[53] In this way, scientific freedom is indeed allowing the pursuit of knowledge to be open to everyone, but with the consent of all parties.

Jenkins describes the humanist idea that "the individual was able to transcend their everyday, 'particular' culture, in order to appreciate a 'universal' culture," which can be used as a symbol for the relationship between identity museums and encyclopedic museums.[54]According

[51] Jenkins, 265.
[52] Smith, 132.
[53] Ibid.
[54] Jenkins, 171.

to former director of the British Museum Neil MacGregor, the issue of repatriation concerning the Elgin marbles is a perfect example of the debate between identity and encyclopedic museums[55] (fig. 6). The British Museum considers itself to be an encyclopedic museum holding the world's culture in trust.[56] It may seem that identity museums and encyclopedic museums cannot coexist, but that is not the case. Both have educational aims and both allow for the appreciation of the world's culture. Both are important. However, identity museums allow for a more thorough examination of one particular culture while encyclopedic museums present a broad examination of the interaction of the world's cultures, even if these interactions are not meant to be highlighted by the museum. It is impossible to display artifacts from different cultures together without viewers mediating their perspective on the artifacts through the lens of the world's cultures as a whole.[57]

Today we have the opportunity to begin addressing and repairing the lingering results of problematic acts from the past. Globalism and constant international connectedness allow museums now, more than ever, to be egalitarian in the knowledge they share. We can find commonalities among the world's varied cultures and see each other in a kinder, more empathetic light while still retaining the unique qualities of our individual cultures. Repatriation can help heal intergenerational trauma by helping people to have a sense of control over their own culture, by destroying anonymization, by affirming community identity, and by reuniting them physically and spiritually with their ancestors through mourning. Mourning is a cathartic salve to the lingering wounds that are passed down through generations. Repatriation takes away some of the lasting sting of colonization.

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[55] Smith, 131-132.
[56] Ibid, 137.
[57] Olafur Eliasson, *The Weather Project.* (London: Tate Publishing, 2003.)

Fig. 1. *Minik in New York*, Photograph, 1897

Fig. 2. Sam Durant, *Scaffold*, 2012,Wood and Metal,

33.73' x 47.47' x 51.77,' Walker Art Center, Minneapolis, MN

Fig. 3. Malvina Hoffman, *Races of Mankind*, 1933, Bronze, Field Museum, Chicago, IL

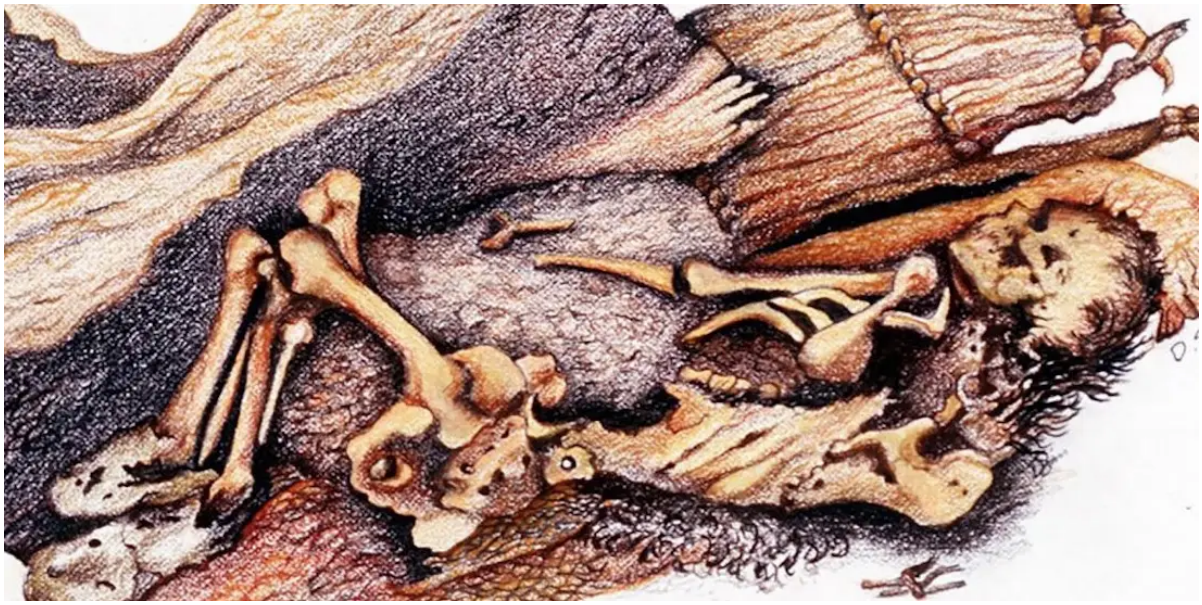

Fig. 4. *Illustration of Spirit Cave Mummy,* Colored Pencil, 2018

Fig. 5. *Replica and Original Versions of the Tlingit Killer Whale Hat Side by Side,* 2012, National Museum of Natural History, Washington, D.C.

Fig. 6. Pheidias, *Marble relief (Block XLVII) from the North frieze of the Parthenon,*438–432 BC, Marble, The British Museum, London, England

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