The Changing Understanding of North American Archaeology and Native American Heritage

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Introduction

Before 1990 and the passage of the Native American Graves Protection and Repatriation Act, Native Americans in the United States had essentially no rights when it came to the human remains and the artifacts of their ancestors which forms a considerable amount of their cultural heritage. The looting of the Native American past began with the very earliest European presence in North America, starting earlier than many would think. When the Mayflower landed at Plymouth in 1620, the first scouting party off of the ship looted a Native American grave, stealing the grave goods interred with the corpse (Tsosie 1997). The disinterment of Native American remains interferes directly with fundamental Native American religious beliefs. While Native American religions differ, almost all consider the disturbance of bodies as “disruptive” (Mihesuah 2000:99). Across tribal communities, Native Americans do not believe human remains can be treated as property (Goldstein 2000). Klesert (2000) points out that,

[p]eople cannot own people, even the remains of dead people, according to virtually all Native American traditions. Thus, it is inappropriate for anyone, Indian or otherwise, to possess such remains for whatever purpose (p. 202).
However, for many years, anthropologists, often working for the United States government, treated and took Native American heritage as property. Despite the fact that most Euro-Americans held and continue to hold respect for the sanctity of the dead, anthropologists and archaeologists did not afford this respect to Native American dead. It has been estimated that between 100,000 and two million Native American bodies have been disinterred and shipped off for study or display (Trope 2001).

This article explores the evolving ways in which anthropologists, archaeologists, and the United States government have viewed Native American cultural heritage, especially in terms of burials and grave goods. I begin with a historical view of the looting and racism that plagued the disciplines since their inception, and move into the present, while examining how NAGPRA has enabled indigenous communities to have a voice concerning what happens to their heritage, thus transforming archaeology in beneficial and productive ways that were previously not thought possible.

**Nineteenth Century American Views of Native American Remains**

In the 1830s, negative views of Native Americans increased in the United States. This time period saw settlers expanding out from the original colonies, encountering Native American communities as they went along. Native Americans were a direct threat to settlers’ ability to claim land. The settlers believed that their infringement had in no way impacted the environment of the Native Americans. The settlers came to believe that because the natives had not developed the land in the same way that they would, that they were innately incapable of change due to genetic inferiority (Bieder
2000). Since it was thought that Native Americans were incapable of changing to Western ways, it was assumed that they would become extinct (Garza 2001). The “science” of craniology encouraged this belief claiming that measuring the skulls of Native Americans could accurately prove their genetic inferiority to that of the white settlers. This study also promoted a view that Native Americans were doomed to extinction because of their racial inferiority. This validated the government policies of removal and relocation, which for all intents and purposes legalized the theft of their land.

Throughout the nineteenth century the collection of Native American remains became more popular as museums began establishing interest in obtaining them for the “science” of craniology and as displays of a group about to go extinct. The Army Medical Museum was established in 1862. It collected mostly Native American remains. The museum’s main purpose was to measure the crania. In 1868, to collect Native American remains became federal policy with the Surgeon General’s order of 1868, which ordered army personnel to obtain human remains for the Army Medical Museum (Trope 2001). What resulted was a no holds barred robbing spree. In the following years it was estimated that over four thousand heads were taken from graves, battlefields, hospitals, and POW camps (Trope 2001). These acts continued to dehumanize Native Americans in the eyes of the non-indigenous population, and eased colonization.

Other newly founded museums of the time, such as the Smithsonian Institute, the American Museum of Natural History, the Harvard Museum of Comparative Zoology
as well as European museums were similarly eager to obtain collections, stripping Native American cemeteries as they did so. The American Museum of Natural History actually held a fake funeral in order to obtain Polar Eskimo remains – the institution did not want a son of one of the Eskimos to know that they had stolen them (Trope 2001). Trope (2001) argues that this demand for indigenous remains had not only soldiers stealing remains, but also government employees, pothunters, normal civilians, and museum workers.

**Early Anthropological and Archaeological Practices**

American anthropology, as a four-field discipline, emerged and took off because of this widespread looting, study, documentation, and display of Native American remains. After the Civil War, theories of social evolution were becoming popular in the academic world. American anthropology developed within this context, seeking to document it in Native American communities, evidencing the evolution from “savage” to “civilized” before the tribes died out (Thomas 2007). Cultural anthropology was developed for collecting ethnographies of what was seen as a vanishing race of people; linguistic anthropology was used for documenting what were seen as dying languages; archaeology was utilized for obtaining Native American bodies and artifacts for preservation in museums, and physical anthropology was used for measuring Native American skulls and subsequently quantifying the Native American race before it was gone.
The goals of American anthropology were closely tied to Native Americans but ironically they were not used or meant to assist Native Americans in any way. Garza (2007) argues that, “[a]merican anthropology developed in large part to preserve Native American culture for posterity—not to help them fit into the new society (p. 44).” Even Franz Boas himself, the so-called father of American anthropology, participated in grave robbing. Boas wrote that, “it is most unpleasant work to steal bones from a grave, but what is the use, someone has to do it (Colwell-Chanthaphonh 2009:97).” Although he clearly considered it to be distasteful, it seems like he believed it was necessary for further development of the science of anthropology.

In 1906, the Antiquities Act was passed. This Act placed greater control of Native American heritage into the hands of the government and academic scholars, and subsequently marginalized the Native American people even further from their own past. These “laws divorced Native Americans from their own heritage while privileging academic researchers who were to preserve Indian history and culture for all Americans (Colwell-Chanthaphonh 2009).” The Antiquities Act turned Native American remains found on federal land into “archaeological resources” and “federal property” thereby giving anthropologists and archaeologists the exclusive right to conduct excavations and studies (Trope 2001). The act was not concerned in any way with Native American beliefs, laws, or customs, and only furthered archaeologists’ control over sacred sites, burial grounds, and ancestral Native remains (Tsosie 1997).
As the years passed, archaeology began to recognize the cultural changes and achievements of past Native American communities but became more scientific rather than ethnographic (Ferguson 1996). The scientific perspective only contributed to the alienation between archaeologists and Native Americans. Archaeologists considered Native American beliefs about their past to be myths and folklore, and therefore irrelevant, completely disregarding the native point of view in favor of “science,” which further separated indigenous groups from their own heritage (Lippert 1997). By the 1970s, archaeologists had very few contacts with Native American tribes (Downer 1997). Archaeologists completely discounted Native American oral histories and beliefs, turning entirely to the material record continuing to control Native American heritage, confident of the scientific work they were doing (Downer 1997).

Archaeologists continued unburying Native Americans’ ancestors and then sending them off to storage boxes in museum labs, to be stored rather than looked at or studied (Downer 1997). These scientists were preserving the bodies of the natives in order to study these in the future with more advanced techniques (Downer 1997). They failed to consider the fact that there were descent communities who were affiliated with the remains. These descent communities were never going to accept the argument of keeping their ancestors in storage boxes was important for future scientific research. Archaeology as a discipline had been conducted from the perspective that science was more important than the desires of any indigenous groups, and tried to rationalize the taking of any and all information that seemed pertinent to their scientific interests (Watkins 2007). Lippert (2008) argues that, “[t]he discipline of archaeology developed
within a social system that privileged the perspectives on non-indigenous peoples with regard to evaluating and defining cultural heritage (p. 152).” Individuals who were in no way connected to the communities they were studying were in control of archaeology’s course (Lippert 2008). These archaeologists based their careers on the heritage of a people whose desires and wishes were completely ignored.

**NAGPRA: Mending the Circle**

The year 1990 saw the passage of major federal legislation regarding Native American cultural heritage: The Native American Grave Protection and Repatriation Act (NAGPRA). This law was the result of a movement that began in the 1970s in native communities in response to the longstanding disconnect between anthropologists and the living descendants of the human remains being studied. If you had asked an archaeologist in 1990 (and some archaeologists today), “who owns the past?” They would probably state that it belongs to everybody. Native American tribes, however, would disagree by saying that their past is their own (Zimmerman 2007). Zimmerman (2007) states that, “[w]hen non-indigenous people feel protective of pasts and call them their own, indigenous people clearly see the ‘past as public heritage’ value as a double standard; our past is everyone’s, but your past is yours (p. 97).” What Zimmerman is referring to here is the blatant discrimination when it came to human remains. He uses several examples to demonstrate this: the US spending millions to have bodies from the Vietnam War, among others, repatriated and the fact that before NAGPRA, almost all Native American bodies accidentally discovered ended up in labs, whereas non-
indigenous bodies were always immediately reburied (Zimmerman 2007). The dead of the Native Americans were not treated equally; instead of being viewed as human and being respected as such, they were viewed as scientific specimens and resources.

In the 1970s, the repatriation movement was founded, so that the Native Americans’ demands would be taken seriously. Various groups such as the American Indian Movement (AIM) held protests and even went so far as to “vandalize” an archaeological dig in Minnesota (Colwell-Chanthaphonh 2009). Anthropologists and archaeologists continued to ignore the cry for repatriation, believing that Native Americans were incapable of taking care of objects of their own cultural patrimony (Mihesuah 2000). Over the years, archaeologists argued against repatriation:

[i]f we could just educate the Indians about what we are doing, and why, and what the results of our research have been, then they would stop trying to make us rebury Native American skeletal remains (Downer 1997:30).

Some archaeologists considered repatriation as an infringement upon academic freedom (Klesert 2000). Klesert and Powell (2000), however, bring up a valid point that academic freedom does not condone the right to “act as one pleases (p. 202).” These authors argue that archaeologists do not have the right to dig up whatever they want, especially if doing so goes against religious beliefs and desires of the communities or descendant communities they are studying (Klesert 2000). In their view, the desires of the present communities should come first. Despite the fact that most archaeologists and museum curators believed that the cry for repatriation was merely a political ploy for attention, the movement garnered the sympathy of the American public and of the
lawmakers, resulting in the passage of the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990.

The Native American Graves Protection and Repatriation Act was passed on November 16, 1990. NAGPRA finally gave federally recognized Native American tribes control over their own heritage, and forced archaeologists to begin a dialogue with the communities they were studying. NAGPRA set out legal procedures and standards for the repatriation of human remains, funerary objects, and objects of cultural patrimony (Trope 2001). Thomas (2007) states that, “[i]n 1990, for the first time, Native people were empowered to question mainstream American ownership of the past, both literally and metaphorically (p. 58).” Native Americans were allowed to participate in archaeology while their spiritual beliefs and history were respected rather than disregarded. Native Americans finally had a say concerning the remains of their ancestors and their associated artifacts. They finally had a stake in learning about and controlling their own heritage.

NAGPRA was primarily viewed as human rights legislation intent on addressing the violation of the “civil rights of America’s first citizens” (Trope 2001:22). The legislation was designed to create a legal process that included the needs of museums as well as the rights of Native Americans. The law requires federal agencies to consult with Native American tribes concerning human remains and sacred objects discovered on federal lands and work through Native American religious leaders and secular tribe leaders (Dongoske 2000). For the first time, museums were required to compile
inventories of their collections of human remains in order to determine their cultural affiliation. At the time of NAGPRA’s passage, it was estimated that museums in the United States held more than 200,000 remains of Native American men, women, and children (Trope 2001). ⁶

Native Americans have fought long and hard for repatriation as they had been consistently kicked to the sidelines when it came to the control of their own heritage. The remains and artifacts of their ancestors were disrespected, treated as specimens and scientific resources rather than the very real and spiritually connected progenitors and sacred objects of existing communities. Native American groups “could not believe that archaeologists as anthropologists, practitioners of the ‘most human’ of the social sciences, could so thoroughly dehumanize and objectify the people they studied (Downer 1997:24).” At the passage of NAGPRA, Native Americans viewed archaeology and anthropology rightfully with dislike and distrust, equating archaeologists with grave robbers. Mihesuah (200) writes that to Native Americans, “the only difference between an illegal ransacking of a burial ground and a scientific one is the time element, sunscreen, little whisk brooms, and the neatness of the area when finished” (p. 99). As James Riding In (2000) puts it, “like other American Indians of the time (and now), I viewed archaeology as an oppressive and sacrilegious profession that claimed ownership over many of our deceased relatives, suppressed our religious freedom, and denied our ancestors a lasting burial” (p. 106).

⁶ When it comes to tribes proving their cultural affiliation, they are allowed to draw on a number of different sources, which include geography, kinship, biology, archaeology, anthropology, linguistics, folklore, traditional oral history, and history (Trope 2001).
Some scholars believe that the past relationship between Native Americans and archaeologists can be understood as a form of scientific colonialism, which Zimmerman (2001) defines as “the process whereby the center of gravity for acquisition of knowledge about a people is located elsewhere than with the people themselves” (p. 169). Prior to NAGPRA, the archaeological excavation of Native American sites and the study of Native American human remains did little to benefit their communities directly. Archaeologists rendered Native American understandings of their past completely irrelevant, assuming “they are the caretakers and owners of the past” (Mihesuah 2000:97-98). This disadvantaged Native Americans when it came to their own heritage and succeeded in maintaining a power structure where archaeologists were the only people who were qualified to formulate understandings of native North America’s past (Lippert 2007).

NAGPRA has been described as “mending the circle,” a circle that was initially ripped apart by the forces of colonialism and oppression (Colwell-Chanthaphonh 2009:100). Colwell-Chanthaphonh (2009) defines repatriation as “a means for Native Americans to salvage their past while moving forward into the future” (p. 100). Repatriation is immensely important in terms of giving Native Americans back control of their heritage and their past. It is a policy that is based on “collaboration, cooperation, and inclusion” (Loring 2007:183). This means that archaeologists need to collaborate and cooperate with and most importantly include Native communities when conducting research on their heritage. Loring (2007) argues that, “[r]epatriation is fundamentally about sharing, about a bridging of perspectives and practice...that has the potential to
broaden our awareness and understanding of human diversity and human differences (p. 183).

Not surprisingly, opponents of the law believed that the passage of NAGPRA was a precursor to the end of archaeology and physical anthropology in the United States. They argued that as a result of its passage museums would become empty. Meighan (2000) states that archaeology is well on its way to being legislated out of existence as archaeologists abandon their “scholarly ethics in favor of being ‘respectful and sensitive’ to non-scholars and anti-intellectuals” (p.193). This scholar compares archaeology to hard sciences such as chemistry and engineering, claiming that if such “attacks” were affecting those sciences then it would not be accepted (Meighan 2000). What he fails to take into consideration, however, is that archaeology and anthropology in North America deal with not only the heritage of the dead, but also the heritage of the living people that have every right to have a say in how research into their own heritage should or should not be conducted.

**Collaborative Archaeology**

Rather than the end of archaeology as predicted by some archaeologists, NAGPRA has transformed the discipline in positive ways. Lippert (2008) suggests that, “[w]e are in a new world, one in which Native people are not seen as merely part of the environment but as active participants in the understanding of this environment. Repatriation is not the end but the beginning” (p.120). Repatriation has prompted many archaeologists to work in collaboration with indigenous people rather than Western
science. They had to seriously consider religious and spiritual beliefs as well as recognize the importance of “place” to Native American communities (Loring 2007:188). Archaeology performed by non-indigenous people no longer exclusively controls the interpretation of another people’s past (Bray 2008). According to Kintigh (2007), repatriation affords archaeologists a better opportunity to accomplish their goals, which are to “provide an understanding of the past that serves not only our own interests but also Native American and public interests” (p. 206).

Native Americans have become involved in archaeology on an individual basis, whether on behalf of their tribes or by becoming archaeologists themselves. As of 2006, there were thirteen Native Americans with doctorates in archaeology, whereas previously in 1990 there were no more than three (Lippert 2008). Many Native American tribes have established archaeology programs and hire non-indigenous archaeologists to collaborate and work with them. Collaboration with Native Americans has become extremely important since the passage of NAGPRA. Colwell-Chanthaphonh and Ferguson (2008) define collaboration as “a range of strategies that seek to link the archaeological enterprise with different publics by working together” (p. 1).

Collaboration with Native American tribes has turned a one sided power dynamic into a reciprocal and productive relationship between Native Americans and archaeologists:

I think that collaboration to me means a partnership that is equal and also one of reciprocity. That’s what I think about when that word comes up. I think collaboration goes both ways, professionally and ethically. It’s a relationship that should be equal but yet one of reciprocity (Kuwanwisiwma 2008:154).
Collaboration with Native Americans does not mean the end of American archaeology as we know it. It merely encourages a dynamic relationship based on equality and respect for Native Americans and their heritage.

Native American involvement in archaeology has been key to recreating archaeology in a way that acknowledges the connection of the human remains and artifacts to Native American communities today. Lippert (2007) argues:

We Native Americans (sic.) relate to the human remains of our ancestors with an awareness of their essential personhood. Because we do not relinquish the humanity of these individuals, it is possible to create or reestablish relationships with them. We feel an obligation to treat these people with respect. The boundaries between us are created by the weight of years. Yet the crossing of boundaries is facilitated by a perception that we are part of a family created in the wake of the conquest (p. 156).

Lippert gives an explanation of Native American perspectives on human remains, which is integral to understanding the contribution that Native Americans to archaeology. They have a tribal connection with the human remains. The years cannot break this connection. Instead of denigrating the remains of their ancestors into mere scientific specimens, they are treated with respect and attributed an integral humanness was absent from archaeology for many years. Archaeologists need to treat the human remains of Native Americans on the terms of the Native Americans.

Becoming an archaeologist is not the easiest career choice for a Native American to make. Lippert (1997) states that she often has to defend her work and her choice of archaeology as a profession to other Native Americans and discusses the internal struggles she contends with as both a Native American and an archaeologist (cf. Lippert
2007). Even though the number of Native American archaeologists has gone up, there are still many Native Americans who view archaeologists as an enemy and archaeology as an oppressive force. The latter has been denoted by its history.

The field of archaeology in North America has evolved from an oppressive colonialist science to an inclusive academic field that is more in touch with its roots in humanity and anthropology. Although the treatment of Native Americans and their heritage has shameful beginnings in American anthropology and archaeology, archaeology is evolving into an academic field taking into account the living people it is affecting. Contemporary North American archeology strives to form relationships to better reach the goals of understanding the past while taking into account the diversity of the beliefs of the people they are working with in the present. Repatriation has impacted archaeology in ways that enable and encourage Native American involvement, something undoubtedly almost inconceivable before the passage of NAGPRA. This forced communication between the formerly at odds groups and opened a dialogue that has only benefited and transformed the field. The collaboration with Native American communities has encouraged a number of Native Americans to become archaeologists, and has helped archaeologists realize that they are working with the very personal heritage of groups that are very much alive today.

*The views expressed in this article are the author's own and do not necessarily reflect the views of the Department of Anthropology and University of New Hampshire.*
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