

Native American Repatriation at UC Berkeley

February 10, 2022

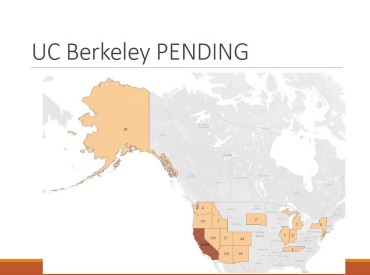
Dr. Sabrina Agarwal (Professor of Anthropology, Special Advisor to the Chancellor and Chair of NAGPRA Advisory Committee)



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UC Berkeley and Hearst Museum

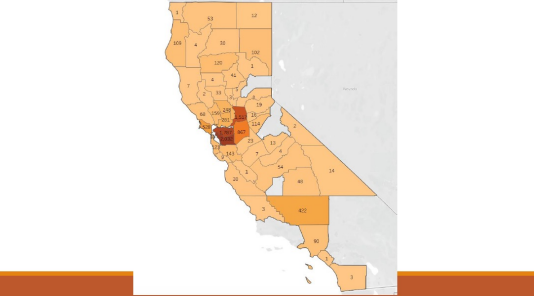
- UC Berkeley holds approximately 9,591 ancestors and 123,412 associated cultural belongings



National NAGPRA, courtesy of Director Melanie O'Brien

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UC Berkeley PENDING



National NAGPRA, courtesy of Director Melanie O'Brien

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Acknowledging the History



- Why do we hold so many Native American ancestors and belongings?
 - Ancestors and belongings taken in violation of Indigenous Communities' spiritual and cultural beliefs, without prior and informed consent for over century (as many institutions did, though Berkeley primary)
 - Native Americans viewed as a "dying" or "disappearing race" needing to be "preserved" in a museum context = collection, exhibition
 - Part of a larger context of structural violence and racism towards Native Am peoples (and others)
 - This scientific racism went unchecked and overlooked despite protest within and outside campus

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UC Berkeley and Hearst Museum

- NAGPRA** law: passed in 1990 with intention of returning Native American ancestral remains and sacred artefacts. Required institutions to inventory, affiliate and return.
- UCB completed inventory in 2000, but categorized 86% as "culturally unidentified" (not belonging to federally recognized tribes); privileged scientific and scholarly evidence, and did not recognize/discounted tribal knowledge for cultural affiliation
- CaINAGPRA**: institutions to inventory and allow repatriation to non federally recognized tribes
- New Bills in CA (**AB 2836 & AB 275**): cited UC and UC Berkeley in particular as being in non compliance

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Acknowledging the Truth



UC system and UC Berkeley acknowledge that injustices perpetrated on Native Americans and Native Hawaiians, and their consequences, continue to this day, and that as long as the remains of ancestors, sacred objects, and cultural items remain in the University's control, healing and reparation will be incomplete.

We acknowledgment and apologize for the harm we have done → new repatriation practices are part of our commitment to uphold the new system-wide policy designed to restore justice and create better relationships with Tribes built on trust and respect.

The goal is to repatriate and/or transfer control of all ancestors and cultural belongings on our campus
And to move to widen classification of sacred objects and objects of cultural patrimony (e.g. baskets, "regalia", seeds, earth)

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Transformation And Progress

- Change began in 2017, tribal council at UCB expressed frustration at obstacles to repatriation. VCRO creates new NAGPRA committee with majority tribal membership and commitment to repatriation
- 2018, CA legislature passes CalNAGPRA (AB-2836), requiring state institutions to expedite repatriation. In response, UC systemwide drafted new policy aligned with CalNAGPRA, emphasizing tribal consultation
- **Moratorium on research and teaching using Native American ancestral remains and belongings without tribal permission**

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Recent Steps Taken

- **NAGPRA Advisory Committee:**
 - We use tribal definitions of NAGPRA terms and goal is to make the consultation and repatriation process as simple as possible
 - reformulated in compliance with CalNAGPRA and UC Policy: three university representatives (two of them are Native American), and three Californian tribal members, Chair, Professor Sabrina Agarwal
- **NAGPRA Liaison: Dr. Tom Torma:**
 - Since 2020: point person for communication and active consultation with Tribes
- **Hearst Museum:**
 - In 2021 under the directorship of Professor Lauren Kroiz and Dr. Caroline Fernald, develop strategic plan oriented toward decolonization and repatriation

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What have we been doing (since July 2020)

- **We are now in consultation with Tribes that are affiliated with majority of all holdings**
- Actively consulting with tribes on ~70-80% of ancestors and belongings
- Consulted with: approx. +100 tribal entities
- 15 Transfers of control, five of which included transfers of possession
- Revised agreement from the campus NAGPRA Committee on sacred objects, object of cultural patrimony, and concept of sacredness of space.

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Continuing Goals

- Significant funding has been dedicated, and more will be needed, for hiring full complement of staff, inviting tribes to campus, physically transferring ancestral remains and belongings, and building strong relationships with tribes.
- In some cases we must help identify land that can be used for reinterment
- We must repair relations with tribes as equal partners
- **GOAL: not just repatriation and compliance – but also collaboration towards reparation and rematriation**

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