




Creating a New Reality: Repatriation, Reconciliation and Moving Forward

By Jodi Simkin



For Indigenous Peoples, like the Klahoose First Nation of the central coast of British Columbia, Canada, efforts to bring the ancestors home are at the forefront of work by the nation's Department of Cultural Affairs and Heritage.

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Jodi Simkin is the Director of Cultural Affairs and Heritage for the Klahoose First Nation. Located in central British Columbia, the Nation has undertaken the development of a systematic framework for the research, location, and repatriation of ancestral remains and related cultural patrimony. For more than 30 years, Jodi has devoted her professional life to issues of social justice as both an archeologist and a museum professional. A graduate of the Secwepemc Cultural Education Society/Simon Fraser University, Jodi is a lifelong advocate of social justice issues. She is the President of the British Columbia Museums Association (BCMA), an appointed member of the BCMA Indigenous Advisory Council, and a member of the Association on American Indian Affairs Repatriation Working Group. Jodi is a past presenter at the Federation of International Human Rights Museums, the Canadian National 2019 SICC ē-micimināyākik Gathering, the Mitchell Museum of the American Indian Chicago, an opening panelist for Indigenous Perspectives on Repatriation sponsored by the Royal British Columbia Museum and the First Peoples Cultural Council, and at Voicing Contested Histories: Creating Opportunities to Foster Diversity, Inclusion and Reconciliation hosted by Heritage BC and Royal Roads University. Jodi was on the Editorial Team for Culture at the Centre, produced by the UBC Museum of Anthropology, which chronicles First Nations art collections of the coastal corridor of British Columbia and Alaska.

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Last spring, the Aboriginal Peoples Television Network shared with viewers a story about a Canadian politician who gave her boyfriend a human skull for his birthday. To most, the headline seemed like something borrowed from a Hollywood blockbuster, but as we waited for a shadowy figure to appear in a darkened alley, something much more sinister transpired: it was not a story dreamt up by creative minds, but rather a reflection of the ongoing trafficking of human remains that initially occurred in Canada when the first Europeans began their colonial treasure hunt. And it continues today, with buyers who remain eager purchasers of such antiquities, thereby keeping the market alive and active.


As of 2012, it was estimated by the Association on American Indian Affairs that between 1-2 million Native American ancestral remains and cultural items were being housed in repositories around the globe (AAIA: 2012). This figure does not include pieces held in private collections, and since many collectors do not publicize their holdings, the number is likely significantly higher.

For Indigenous Peoples, like the Klahoose First Nation of the central coast of British Columbia, Canada, efforts to bring the ancestors home are at the forefront of work by the nation's Department

of Cultural Affairs and Heritage. Established in 2017, the Department has focused on identifying, researching and repatriating ancestral remains and related patrimony. As a nation, the Klahoose Peoples remain responsible for the caretaking of the ancestors: this ongoing cultural obligation is crucial and supersedes the search for historical artifacts. Chief Kevin Peacey is steadfast in his determination to address this historic wrong and maintains that: "...we must fulfill the sacred obligation of bringing our grandmothers home to ensure that our children, their children and their children's children can soar beyond this duty, knowing everything was done to make things right" (2017).

Like so many of the 634 registered First Nations in Canada, the Klahoose Nation remains committed to searching, repatriating and returning their relations to the territories from which they were stolen. Communities continue to mourn the absence of their ancestors and artifacts and, for many, there remains a strong and continuing "...link between Aboriginal heritage and the present circumstances of First Peoples" (Report of the Royal Commission on Aboriginal Peoples, 1996:610).





The act or process of restoring or returning someone or something to the country of origin, allegiance or citizenship is, by definition, repatriation (Merriam Webster Dictionary). But beyond this somewhat obscure concept lurks a myriad of challenges, the least of which are multiple stakeholders with a breadth of perspectives, motivations and worldviews. These mindsets are reinforced by economic and political considerations, some of which pit Indigenous rights and interests against academic and scientific pursuits.

The enormity of the repatriation conversation necessitates paring down ideas and focusing attention on specific priorities. In the coming pages, we will explore repatriation in terms of a broader historical movement towards decolonization and reconciliation by and with Indigenous Peoples, the relationship between museums and First Peoples, and the initiatives being directed by the Klahoose First Nation to address a lack of funding and capacity, without diminishing the intensity of this heritage activity. This is a powerful motivator as many First Peoples across Canada, including the Klahoose Nation, see reconciliation primarily in terms of seeing their ancestors returned home. Until this has been accomplished in good faith across all sectors, true, meaningful, and lasting reconciliation will remain elusive.

A basic understanding of Canadian Indian Policy is warranted prior to untangling repatriation concepts. It is only here, at the juncture of historical colonial policy – i.e., the complete assimilation and acculturation of the Indigenous populations – that we find the lingering philosophy and nature of many contemporary museum strategies.

Through systemic, race-based barriers, Canada attempted to eradicate the country of its “Indian problem” by simply ridding Canada of its “Indians.” If the policies had been successful and the populations exterminated, the only evidence of the first inhabitants would be the material culture and human remains collected for safekeeping. So, “believing the First Nations peoples were a disappearing race and that their sacred artifacts needed to be salvaged, the activities of anthropologists and ethnographers of the time led to the desecration of graves and the removal of totem poles and other traditional objects in order to study them and preserve them for future generations” (Gough, 2008).

Throughout the 1800s, as Canada grew and immigrant populations ballooned, the urgency and need to deal with the Indian situation intensified. The residential school program expanded, and in 1876 the cultural bans prohibiting the potlatch and other activities were implemented. Over the next 67 years, the First Peoples were displaced by law from the rich cultural traditions and heritage which had defined them since the first fires were lit. Thousands of artifacts were confiscated, acquired, or purchased under duress throughout this period, forming the foundation for tensions between the museum sector and Indigenous populations, a legacy that continues to linger today.

Despite repeated attempts at cultural genocide, the Indian population survived, and in 2015 Canadians were confronted with the harsh realities of the Indigenous experience in Canada through the first-person narratives contained in the Summary of the Final Report of the Truth and Reconciliation Commission (TRC). Not every

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citizen embraced this truth-telling, but those who did understand that change was imminent.

Armed with a platform and the 94 distinct Calls to Action contained in the TRC report, Indigenous communities were able to engage in a process of decolonization. Both Indigenous and non-Indigenous Canadians embraced histories which more accurately reflected Indigenous experiences, worldviews, culture, interpretations, and inherent ways of knowing. The support for First Nations communities in reclaiming family, language, traditional practices, and ties to territorial lands elevated issues to the forefront of the national conversation. Nation-state institutions such as educational systems responded by working collaboratively with First Peoples to revamp curricula and resources to align with the TRC.

Equipped with this introductory information, one can appreciate that museums and related institutions that refuse to engage in repatriation conversations and evolve their colonial narrative are seen as an extension of the unremitting oppression of cultural expression that began in 1876, when the first cultural bans were enacted (Fisher, 2012:1). Along this continuum, worldviews

collide, as diametrically opposed belief systems encounter one another. For First Peoples, ownership refers to a connection or relationship to an artifact or item, which cannot be broken or changed regardless of physical location or time. For the heritage sector, ownership is by and large alienable, or transferable to another owner. As a consequence, Indigenous communities attempting to satisfy Canadian or international ownership claims for repatriation, face frustrating challenges before negotiations even commence.

Because they play a unique role in society, museums are seen as truth-tellers that reflect our communities. They are deemed to be responsible for the materials they steward and use not only to explain our circumstances both present and historical, but also to expand our knowledge so that we can see beyond the boundaries of any given territory and glimpse inside worlds thousands of miles away physically, spiritually and emotionally. “They teach, they educate and they inform. But it is the dominant society, however, that owns the concept of museology, while the First Nations people own the heritage represented in the relevant collections” (Atleo, 1991:48).

In the fall of 2019 at the meeting of the International Council of Museums (ICOM) in Kyoto, Japan, a new, more contemporary [definition on the role of museums](#) was proposed:

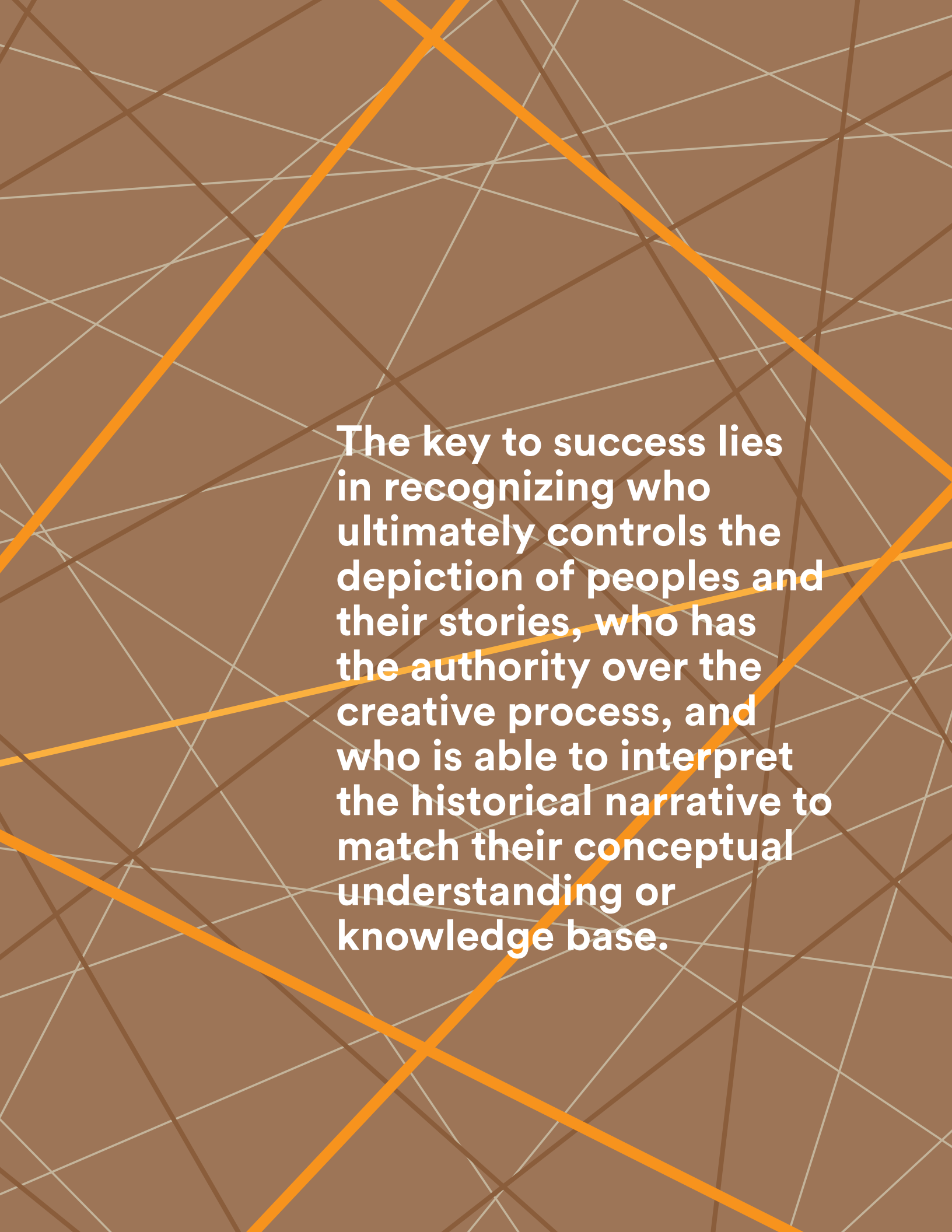
Museums are democratising, inclusive and polyphonic spaces for critical dialogue about the pasts and the futures. Acknowledging and addressing the conflicts and challenges of the present, they hold artefacts and specimens in trust for society, safeguard diverse memories for future generations and guarantee equal rights and equal access to heritage for all people.

Museums are not for profit. They are participatory and transparent, and work in active partnership with and for diverse communities to collect, preserve, research, interpret, exhibit, and enhance understandings of the world, aiming to contribute to human dignity and social justice, global equality and planetary wellbeing.

Museums are interpreters of social trends and in this capacity, their story-telling, exhibits and collection practices should reflect the interests of the public, who often subsidize their operations through taxes, membership, and fundraising campaigns. In Canada, many museums have embraced the TRC's Calls to Action and are working towards creating greater synergy between Indigenous Peoples and the institutions themselves. The result is a change in understanding and expectations. It is unlikely for example, that a visitor in Canada today would encounter Indigenous human remains on display in a museum. Institutions like the Royal British Columbia Museum have engaged in decolonization through the ongoing reparation of more than 700 sets of ancestors in their collections.

Human remains continue however, to entice museum-goers worldwide – in Paris, for example, one can visit the National Museum of Natural History's Gallery of Comparative Anatomy, the Museum of Evolution, or the Orsay Museum and view human remains in various configurations, contexts and exhibits. It is not only a European phenomenon: since 1995, over 40 million people have viewed *Body Worlds* – an exhibit of plastinated cadavers set in dramatic poses that offer intimate views of the inside workings of the human body. Capitalizing on the public's interest, museums have incurred tremendous expense bringing Egyptian remains to their galleries, knowing that the appetite to witness such curiosities will bring significant revenue, attention and sometimes prestige to their institutions. A recent limited touring exhibit from the collections of the Field Museum in Chicago provided visitors to several US museums the opportunity to view *Mummies*, which:

... showcases the ritually preserved remains of 18 individuals from ancient Egypt and pre-Columbian Peru, many on view for the first time since the 1893 Chicago World's Fair. Visitors can discover how modern imaging techniques have transformed the study of mummification by letting researchers peer inside centuries-old mummies without damaging them. Digital touchscreens allow visitors to virtually peer into Peruvian mummy bundles as well as animal mummies buried as offerings to Egyptian gods, while visitors can handle 3D-printed figurines of burial goods that were encased within mummy wrappings for millennia and only recently revealed (AMNH, 2015).



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Pause, even for a fleeting moment, and question if the loved ones of the 18 individuals on public display envisioned a moment when their relations would be exhumed, examined and displayed to satisfy an ever-interested audience. And imagine now if that was your grandmother whose remains and material possessions were paraded as part of the show.

Competing value systems often pit First Peoples against a scientific community that, at times, finds repatriation for the purpose of reburial contrary to fundamental principles of preservation and conservation. Indigenous leaders point to the disproportionate number of their ancestral remains lingering in museum collections as proof of ongoing racism and continued attempts to establish Anglo-Saxon superiority. Combined with this is a lack of respect for the religious and spiritual rights of their relations, who fail to garner the same respect afforded to non-Indigenous remains.

Behind a thin veneer of scientific legitimacy, the academic community has attempted to make inroads to repair the damaged relationship between institutions and First Peoples. A deferential respect for the sanctity of the grave and a feeling of deep responsibility for one's relations are inherent in the worldview of many Indigenous Peoples, who see the collection of their ancestors in museums as an affront to their sense of dignity and spiritual beliefs. As Jose Riera, an Apache activist once asked, "Do we have to be dead and dug up from the ground to be worthy of respect?" (Colwell: 2017).

The interpretation of Indigenous material in mainstream institutions has often resulted in inaccurate portrayals of Indigenous Peoples.

Stereotypical imagery depicting noble savages on horseback against the backdrop of a teepee hardly captures the reality of today's modern world, nor is it reflective of those nations, along the coastal corridor of British Columbia, for example, for which all of these characteristics are foreign. Stagnant displays freeze Indigenous Peoples in time, and when museums fail to embrace modern interpretations or feature contemporary artists, visitors leave with a sense that what they have seen is truth.

To help modernize exhibits and operations, many museums have initiated Indigenous advisory committees and hired Indigenous staff to help guide interpretation and ensure there is a First Peoples perspective. Certainly, such undertakings are positive steps in the decolonizing process for both Indigenous Peoples and the museum-going public. The key to success, however, lies in recognizing who ultimately controls the depiction of peoples and their stories, who has the authority over the creative process, and who is able to interpret the historical narrative to match their conceptual understanding or knowledge-base. This becomes increasingly contentious if there is disagreement over the display of sacred material, the loaning of material or the institutionally-acknowledged ownership of any given piece.

Many Indigenous nations struggle to overcome the challenges of working collaboratively within colonial institutions, and choose instead to create their own centres, where responsibilities for museum operations are vested in the community. Such organizations allow First Peoples to control and direct the narrative of their histories and identities, and ensure that special care is given to sacred items and stories. Citing an ongoing moral

and legal obligation towards cultural materials has bolstered the actions of mainstream institutions, who insist they have an unresolved responsibility for the care and conservation of pieces. Hesitancy on the part of mainstream institutions to relinquish their control over Indigenous cultural materials, coupled with cost and capacity constraints at the community level, has forced many Indigenous centres to consider long-term loans as opposed to complete repatriation of items. Centres are left to balance the excitement of an item returning home with the knowledge that the “loaning” institution continues to exert a paternalistic sense of duty over their heritage if the conditions of the loan are not met or maintained.

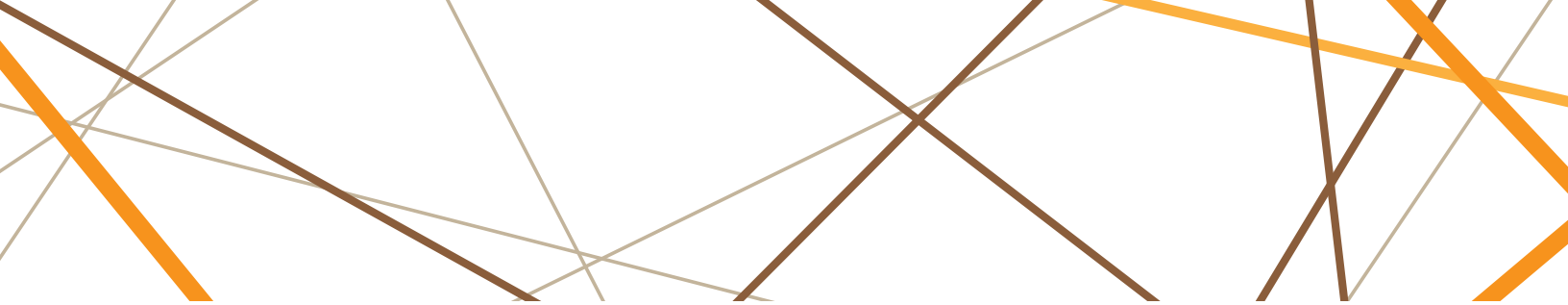
Competing claims by multiple Indigenous nations over singular ancestral remains or cultural items have resulted in repatriation conversations being paralyzed. This is seen by many Indigenous communities as a mechanism to hinder progress. Furthermore, a lack of flexibility in the interpretation of accession records, which are often incomplete or inaccurate, pose new challenges. Although information on artists or location, as opposed to owner, was often recorded, this constitutes an incomplete testimony of an item’s journey into a museum collection. Dubious provenance creates distance between community and institution, making achievable verification elusive.

To address the challenge of competing claims, many First Nations have joined together for a common purpose. The Michigan Anishinaabek Cultural Preservation and Repatriation Alliance, representing 14 Tribes, is one such entity. Its *Consensus Statement* declares:

Each of the signatory tribes to this agreement authorizes any private landowner, individual, governmental entity, university, organization or institution to return Native American human remains, funerary objects, sacred objects, or items of cultural patrimony in its possession to any Repatriation Designee (s) of any of the undersigned tribes. Each of the signatories to this document has been duly authorized by his or her respective tribal government to sign on its behalf.

It is the unanimous desire of the Native American people of Michigan (Anishinaabeg) that these items be returned as quickly as possible to a Repatriation Designee of any of the undersigned tribes. All of the undersigned tribes recognize that we, as Anishinaabeg and as the People of the Three Fires, are culturally affiliated. Therefore, as long as one of the requesting undersigned Three Fires, are culturally affiliated. Therefore, as long as one of the requesting undersigned tribes shows, by a preponderance of the evidence [as required by 43 CFR § 10.10(a) (1)(ii)(B) and § 10.10 (b)(1) (ii)(B)], cultural affiliation as Anishinaabeg, then the remains or items should be repatriated to that party as per NAGPRA regulations. If there are questions or concerns that address those concerns amongst ourselves. The undersigned tribes unequivocally assert that it is we who are the experts in determining cultural affiliation for repatriation purposes and that NAGPRA specifically recognizes our expertise in 25 UCS § 3005 (a)(4).





Relinquishing control and repatriating Indigenous artifacts comes at a cost for mainstream institutions that have profited through the elaborate exhibition and sale of Indigenous imagery. Visit any museum gift shop and one is likely to find glossy coffee table books brimming with images of Indigenous Peoples and their art. Why? Because Indigenous Peoples are big business, and it is the collection of this material culture that drives visitors, at least in part, to their doors and entices them to open their pocketbooks. Few institutions acknowledge the role exhibits on Indigenous Peoples play in the bottom line of their operations; fewer still redirect profits back to the community.

Asking a mainstream institution to consider repatriation of First Nations material need not be viewed as negative. On the contrary, it offers such agencies the chance to create new relationships with contemporary artists and establish or reconsider engagement opportunities with the community. Through enhanced access to collections, industry training, and collaborative policy development, relationships have the opportunity to evolve to a more balanced place, respectful and beneficial to all parties.

Establishing a new ethical framework for a repatriation dialogue is seen as an essential step towards creating a more just relationship between the museum sector and the First Peoples. In the United States, the *Native American Graves Protection and Repatriation Act* (NAGPRA) has expanded beyond its mandate to repatriate human remains and related funerary objects to include

sacred items and cultural patrimony. Although specific to the U.S.A., NAGPRA does afford a structure or model within which repatriation conversations can be situated. And the notion that institutions receiving federal funding should be mandated to engage with the nations whose material culture and ancestral remains they are holding provides a clear direction.

Although a national strategy for the repatriation of Indigenous cultural property is currently under consideration in Canada, the lack of federal legislation to support repatriation conversations prompted the British Columbia Museum Association (BCMA) to adopt its own strategy. In March 2017, the *Rod Naknakim Declaration* was unanimously endorsed by the BCMA and First Nations' representatives; it put forward four pillars of repatriation for consideration:

1. Museums acknowledge the fact that ownership of First Nations artifacts and remains is in the Indigenous peoples;
2. Acknowledge there is an opportunity for museums to decolonize by partnering with the Indigenous owners;
3. The new relationship must result in a space in which there is greater respect and effect for Indigenous peoples and a more authentic experience for museum goers;
4. Costs for repatriation of artifacts and remains should not be born[e] by the Indigenous peoples.



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During the initial presentation of the Declaration, Mr. Naknakim, a lawyer and member of the We Wai Kai Nation, acknowledged the challenges and complexities that collaboration often brings. He remained optimistic, however, that building relationships and respectful partnerships could change the trajectory between the First Peoples and the institutions who steward their material culture.

That same year, the BCMA established the Indigenous Advisory Council to provide guidance and support to its membership. The Council is comprised of leaders from First Nations communities, alongside sector professionals who have shown excellence and innovation in building capacity. The Council serves as a resource to the BCMA Board of Directors, helping to identify, for Indigenous and non-Indigenous stakeholders, opportunities that facilitate reconciliation and to provide a portal for liaison between the sector and the community.

The evolving relationship between culture and heritage institutions and Indigenous Peoples has prompted new and emerging partnerships to support repatriation work. The Klahoose

Nation, for example, has welcomed the Royal British Columbia Museum, the University of British Columbia Museum of Anthropology and the Vancouver Museum to join them in the development of a progressive mobile web app to help track material culture displayed in public facilities. Creating a platform for museum-goers who encounter a piece of art or artifact belonging to a participating nation, the Mountain and the Mouse mobile app enables users to track and seamlessly direct information back to the community, capturing pertinent details and photographs. For potlatch peoples whose artifacts were confiscated, this is particularly important as no single document exists detailing where pieces were sold and to whom. Still in the development stages, the app will feature articulated curriculum and an interactive map showcasing where pieces were located. By engaging the largest cultural institutions in the province and their memberships, First Nations can exponentially increase the number of people involved in their repatriation work without having to redirect vital resources to do so: there is no cost to the nations, institutions or users. The goal of the project is to allow any First Nations wishing to participate, the opportunity

to do so – until all 203 BC nations have been accepted and the project is opened across the country.

Like the Mountain and the Mouse mobile app, the Klahoose Nation's Journey Home Project uses technology to bolster repatriation efforts. With support from the Department of Canadian Heritage, the nation was able to compile a list of 500 institutions worldwide that are most likely to hold Indigenous ancestral remains and related cultural patrimony. A comprehensive community profile was produced and circulated in the spring of 2019 and the database is now available to any community engaged in repatriation work.

Solutions to address repatriation are complex and vary from nation to nation. It is unlikely that any one strategy will be able to accommodate the multitude of voices and intentions. Even the most simplistic approach is plagued with challenges: who can claim an ancestor or artifact, what happens when no direct descendants remain, who pays for the process and any future care, and how do we ensure community capacity can be realized?

What role and responsibility does government have in supporting repatriation efforts? Indigenous leaders argue government interference through the cultural bans created a fiduciary responsibility in perpetuity to support research and repatriation work. As holding artifacts in a public facility is often a condition of repatriation or loan from mainstream institutions, funding must be made available for both capital and operation costs: without government legislation, pieces would have remained in the owner's treasure box and therefore, the need for comprehensive repatriation

and the building of specific facilities, with environmental considerations, would simply not exist.

Beyond any legislative solutions, we must work together to rewrite the script of our relationship with the First Peoples. Our elected officials are often key players in repatriation conversations, adding significantly to positive outcomes. It will be impossible for us to hold external stakeholders, museums and international institutions to a standard higher than that by which our elected officials are measured. Furthermore, such politicians will likely offer little or no support in our endeavour to provide redress to the Indigenous Peoples who have been robbed of their cultural treasures, and stripped of the dignity of proper burials for their dead. It should be elementary and self-evident that unbridled research and collection devalue human dignity, and that any possibility of making amends begins when we protect the sale of cultural property and human remains (Atleo:1991).

We must realize as a sector, that when we hold material culture against the will of the rightful owners, regardless of how that material was acquired, we do so at our own peril – especially if true, lasting and meaningful reconciliation is really our objective. Our cultural institutions should reflect the tone and tenor of our national identity and, as Canadians, we have a shared responsibility to ensure those nations wishing to reunite with their ancestors and treasures have the tools, capacity and funding to do so, with dignity and respect. We are strong enough to withstand the scrutiny of a history in which we were not kind to one another – we ought to be brave enough now to fix it.

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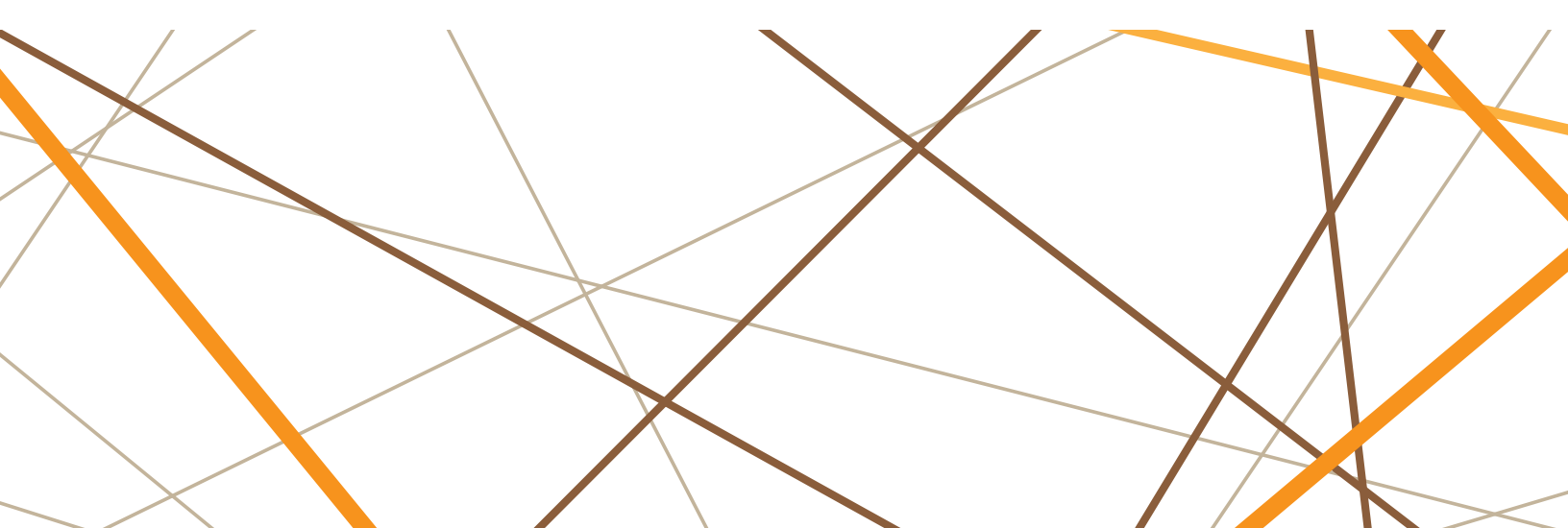
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