This volume brings together Indigenous and non-Indigenous repatriation practitioners and researchers to provide the reader with an international overview of the removal and return of Ancestral Remains.

The Ancestral Remains of Indigenous peoples are today housed in museums and other collecting institutions globally. They were taken from anywhere the deceased can be found, and their removal occurred within a context of deep power imbalance within a colonial project that had a lasting effect on Indigenous peoples worldwide. Through the efforts of First Nations campaigners, many have returned home. However, a large number are still retained. In many countries, the repatriation issue has driven a profound change in the relationship between Indigenous peoples and collecting institutions. It has enabled significant steps towards resetting this relationship from one constrained by colonisation to one that seeks a more just, dignified and truthful basis for interaction. The history of repatriation is one of Indigenous perseverance and success. The authors of this book contribute major new work and explore new facets of this global movement. They reflect on nearly 40 years of repatriation, its meaning and value, impact and effect.

This book is an invaluable contribution to repatriation practice and research, providing a wealth of new knowledge to readers with interests in Indigenous histories, self-determination and the relationship between collecting institutions and Indigenous peoples.

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This book is dedicated to:

Yakki Ngarrindjeri yanthi-orn Ngarrindjeri yanthi-iminar parpun miwi Yarluwar-Ruwe
Kukuthal Yawar Mudhaka
Au Wanvar Ged Tarpeilu
Orlu oal oal peebool weye dai bin daigimwai yoobulu loongdaim yoobulu guddu kumbak na
Kei rāwāhi tonu e ngaro ana

这项古籍是献给:

Yakki Ngarrindjeri yanthi-orn Ngarrindjeri yanthi-iminar parpun miwi Yarluwar-Ruwe
Kukuthal Yawar Mudhaka
Au Wanvar Ged Tarpeilu
Orlu oal oal peebool weye dai bin daigimwai yoobulu loongdaim yoobulu guddu kumbak na
Kei rāwāhi tonu e ngaro ana

And

Dr Jane Hubert (1935–2019) for her early and enduring support, generosity, scholarship, and friendship to many in the repatriation movement. TNSF:

Uncle Thomas Edwin Trevorrow (1954–2013), renowned and respected for his life-long commitment to the health of his beloved Ruwe/Ruwar (Country, spirit, body and all living things) and the restoration of dignity and justice to Ngarrindjeri Old People stolen from their resting places.
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Warning
Please be warned that this volume contains references to, and images of, people who have passed away.

- It contains information that readers may find confronting.
Amber Aranui is the researcher for the Karanga Aotearoa Repatriation Programme at the Museum of New Zealand Te Papa Tongarewa, where she undertakes provenance research to aid in the return of Māori and Moriori Ancestral Remains back to their descendant communities. In her work as the programme’s researcher over the past ten years, Dr Aranui developed an interest in the collection and trade of human remains and the effects this had on Indigenous peoples throughout the world. Amber gained a bachelor of arts in anthropology and religious studies from Victoria University and a master of arts in archaeology from the University of Auckland. She recently completed a PhD with Victoria University, focusing on Māori perspectives on repatriation. Amber is of Ngāti Kahungunu, Ngāti Ūkāhuroro, Ngāti Tāhinga and Ngāi Tahu descent and is dedicated to working with iwi Māori as well as other Indigenous peoples throughout the world. Amber has a passion for research, especially relating to Māori history and material culture. She also has an interest in the wider Pacific. She was a partner investigator on the Return, Reconcile, Renew project (2013–2016) and a Facility Advisory Group member on the Restoring Dignity project (2018–2020), both funded by the Australian Research Council.

Jacinta Arthur holds a PhD in cultural and performance studies from University of California, Los Angeles. She serves as Repatriation and Research Coordinator to the Rapa Nui Repatriation Program. From this position she currently leads a research reciprocation project for the development of a digital database of tao’a (Rapanui treasures) globally dispersed at holding institutions worldwide. She teaches in the MA program in cultural heritage at Universidad Católica de Chile and conducts research on heritage management for the Rapa Nui Heritage Office. She lives in Rapa Nui.

Patricia Ayala has focused her research on the relationship between Indigenous people, archaeologists and the state, patrimonialisation processes, neoliberal multiculturalism and disciplinary ethics. Her fields of interest cover decolonial, collaborative, Indigenous and public archaeologies. In Chile, Dr Ayala was the coordinator of public relations between the Atacameño Community and the Archaeological Research Institute and Museum of the Universidad Católica del Norte, where she also worked as an academic. In the United States, she was a visiting professor at the College of the Atlantic in Maine. In South America, currently she is a visiting professor of postgraduate programs at the Universidad de Chile and the Universidad de Buenos Aires. Patricia
Contributors

has made important contributions in the theoretical field and disciplinary reflections of archaeology, which have been published in various magazines and books. At the moment her research is focused on repatriation and reburial of Indigenous human remains, as well as in anthropological biographies and life histories. She works as a co-lead consultant at the Abbe Museum for their Museum Decolonization Institute Project.

Edward Halealoha Ayau is of Ôïwi (Hawaiian) ancestry. He is the son of Reynolds Leialoha Ayau and Merle Moani kela Ka’eo, husband of Kainani Kahaunaele, and father of four daughters and a son. He was raised in Ho’olehua, Molokai, and attended Kamehameha Schools. He earned a bachelor’s degree from the University of Redlands, a law degree from the University of Colorado, clerked for the Native American Rights Fund, worked as an attorney for the Native Hawaiian Legal Corporation, and served on the staff of US Senator Daniel Inouye. He later worked for the State Historic Preservation Division, where he managed the Burial Sites Program and helped promulgate Hawai‘i Administrative Rules Chapter 13–300 for Human Remains and Burial Sites. Halealoha served as the executive director of Hui Mālama I Nā Kūpuna O Hawai‘i Nei, an organisation founded by Edward and Pualani Kanahele, who repatriated approximately 6,000 iwi kūpuna (Ancestral Hawaiian Remains) and moepū (funerary possessions) from institutions in Hawai‘i, the continental United States, Canada, Australia, Switzerland, Sweden, the United Kingdom, and Germany from 1990 to 2015, before the organisation formally dissolved. Halealoha continues to work on international repatriation cases as a volunteer for the Office of Hawaiian Affairs. He was a Facility Advisory Group member on the Restoring Dignity project, funded through the Australian Research Council (2018–2020).

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Shaun Berg is a commercial lawyer specialising in the areas of intellectual property and Aboriginal rights. He is currently the principal of Berg Lawyers and has a broad range of experiences in legal practice. Aboriginal rights is one of Shaun’s passions and he currently represents two main Native Title groups in South Australia. Shaun has researched and written on numerous topics related to Aboriginal rights, most notably in his book Coming to Terms, which re-assesses our understanding of the legal mechanisms of dispossession, following the Mabo and Wik judgements, and discusses actions governments must take to overcome the injustice. In 2017 Shaun supported the Ngarrindjeri nation to negotiate the first treaty between the State of South Australia and an Aboriginal Nation.

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Lauren Booker (Garigal clan, Eora nation) is a research fellow and PhD student at the Jumbunna Institute of Indigenous Education & Research, University of Technology Sydney. She has previously worked for PARADISEC (USYD), assisting on projects with endangered language communities to digitise recorded cultural material for cultural and language revitalisation and organise appropriate digital archives. Lauren was a 2017 Churchill Fellow and her current research focuses on institutional collecting and keeping of Ancestral Remains, and the related issues of archival preservation and collection management.

Joe Brown is a senior Walmajarri elder, a former long-standing Kimberley Aboriginal Law and Culture Centre (KALACC) chairman, a KALACC life member, special advisor to KALACC, special advisor to the Kimberley Land Council and director of the Yiriman Project. Joe has worked tirelessly throughout his life in the pursuit of a pan-Kimberley agenda of Aboriginal self-determination. His many public contributions over a forty-year history fill the pages of KALACC’s main publication: New Legend: A Story of Law and Culture and the Fight for Self-Determination in the Kimberley. He is particularly passionate about passing on the cultural legacy to young people and has been a tireless public advocate within well-being and suicide prevention programs. In February 2007, Brown wrote to the Western Australia (WA) coroner and thus instigated a major coronial inquest report into the deaths of 22 Aboriginal people in the Kimberley. In his younger days he travelled overseas to the United Nations and he has assisted with several overseas repatriations of Ancestral Remains stolen in the early years of the twentieth century.

Stacey Campton is Director, Indigenous Engagement, at RMIT University. Since joining RMIT in 2014 she has developed and implemented the Indigenous strategic vision for the university, which in turn has increased the overall position and profile of Indigenous business at this
institution. Prior to this role she worked in the Australian Public Service in various departments, mainly education, where she was responsible for a number of programs relating to improving educational outcomes for Aboriginal and Torres Strait Islander peoples. Her last role in the public service was with the Ministry for the Arts, where she was responsible for the delivery of Indigenous language, culture, visual arts and repatriation programs. She feels privileged to have been able to work with communities and individuals to build projects and pathways for maintaining their languages, growing their culture, curating their arts and returning the remains of their ancestral people to Australia from foreign institutions.

Timothy S. Carpenter is Supervisory Special Agent (SSA) of the Federal Bureau of Investigation (FBI). A graduate of the University of Tennessee, he entered into duty with the FBI in February of 2004, after serving a total of eleven years in the US Air Force and six years as a police officer in South Carolina. During his sixteen-year tenure with the FBI, SSA Carpenter was assigned to work in the Louisville, Miami and Indianapolis field offices, where he worked on a multitude of programs, including international terrorism, domestic terrorism, violent crime, major theft and art crime, all in addition to serving as a special agent bomb technician. After becoming a member of the FBI’s Art Crime Team in 2008, SSA Carpenter spent the next eight years investigating art crime and antiquities-related matters in the field. In 2016, SSA Carpenter transferred to FBI headquarters, where he now manages the FBI’s national Art Theft Program and the FBI’s Art Crime Team.

Neil Carter is the Repatriation Officer for the Kimberley Aboriginal Law and Culture Centre (KALACC). He is responsible for the repatriation of Ancestral Remains and Secret/Sacred objects. His extensive experience of repatriation in the Kimberley region includes liaison with museums, organising the logistics of reburial events and undertaking all consultation with community groups to ensure appropriate repatriation and reburial processes. Neil was also a member of the Ministry for the Arts Advisory Committee on Indigenous Repatriation (ACIR) until 2015 and has had a key role as KALACC’s Community Based Researcher on the Return, Reconcile, Renew (2013–2016) and the Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

Margaret Clegg has a degree in behavioural science, a masters and PhD in biological anthropology. Her own research includes work on the evolution of human growth, particularly at adolescence, and the evolution of speech through investigation of anatomical markers such as the hyoid bone. Margaret was Head of the Human Remains Unit at the Natural History Museum, where her work included investigating the provenance of Indigenous human remains being claimed for repatriation. She was closely involved in the return of Ancestral Remains to the Torres Strait and Hawaii. She currently holds an honorary position at University College London.

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**Ned David** is a Kulkalaig, a traditional owner from the Central Islands in the Torres Strait whose homeland Magan includes Tudu (Warrior Island), Iama (Yam Island) Gebarr (Gabba Island) Mucar (Cap Island) Sassie (Sassie Island), Zagai (Long Island) the surrounding reefs of Wapa (Warrior reef) and Thidu (Dungeness reef). He is the current chair of several organisations in the Torres Strait including the Torres Strait Islanders Regional Education Council (TSIREC), the Magani Lagaugal Registered Native Title Body Corporate, and the Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK). Mr David has played a central role in repatriation efforts in the Torres Strait since 2009. He has led delegations to speak with international museums on repatriation matters, leading to the submission of repatriation claims which have produced the return of Torres Strait Old People from, for example, the Natural History Museum in London, the Liverpool Museum, and the Charité Hospital in Berlin. He was co-chair of the Australian Government’s Advisory Committee on International Repatriation, including for the national process of consultation regarding the establishment of a National Resting Place for unprovenanced Ancestral Remains. He was a partner investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

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Shannon Faulkhead concentrates her research on the location of Koorie peoples and their knowledge within the broader Australian society and its collective knowledge as reflected through narratives and records. To date, Dr Faulkhead’s multi-disciplinary research has centred on community and archival collections of records.

Cressida Fforde is a Senior Research Fellow at the Centre for Heritage and Museum Studies at The Australian National University. Previously Deputy Director of the National Centre for Indigenous Studies, ANU (2011–2019), she has been involved in repatriation scholarship and practice since 1991. Associate Professor Fforde has worked for Indigenous communities and institutions internationally, particularly in the location and identification of Ancestral Remains through archival research. She was the lead chief investigator for the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

Larissa Förster is head of the newly established Department “Cultural Goods and Collections from Colonial Contexts” of the German Lost Art Foundation. Between 2016 and 2019 she was a post-doctoral researcher at the Centre for Anthropological Research on Museums and Heritage, Humboldt-Universität zu Berlin. In her PhD she has investigated practises of remembering and commemorating the German colonial war/genocide (1904–1908) in Namibia. Her academic work centres around the history, memory and legacy of colonialism in Europe, with a particular focus on the nexus between colonialism and the formation of (ethnographic) museums and collections. She has conducted research on the provenance of human remains in German museums and fieldwork around the returns of Indigenous human remains to Namibia, Australia and New Zealand. Dr. Förster is a member of the German Museum Association’s working groups for “Guidelines for the Care of Collections from Colonial Contexts” and “Recommenations for the Care of Human Remains”. She has co-curated exhibitions on African history, urbanism and arts at the Rautenstrauch-Joest-Museum, Cologne. She was a partner investigator on the Restoring Dignity project (2018–2020), funded by the Australian Research Council.

Jeff Gayman is Professor of Indigenous and Minority Education at Hokkaido University and member of the Hokkaido University Information Disclosure Research Group. Since commencing work at Hokkaido University in 2012, he has devoted his efforts to consciousness-raising about Ainu and Indigenous issues and has sponsored two international seminars at Hokkaido University on the issue of the Ainu remains housed on campus.

Alan Goodman is Professor of Biological Anthropology at Hampshire College in Amherst, MA. He is an expert in human variation and skeletal analyses. Goodman has served as Hampshire’s dean of faculty and vice president and a member of the US National Native American Graves Protection and Repatriation review committee, and president of the American Anthropological Association. Much of his teaching, research and writing focuses on better understanding the processes by which political/economic systems such as inequality and racism have biological consequences as indicated by measures of stress, health and nutrition. He has a long political and scientific interest in how race became reified and is still frequently used as if it was a ‘natural’ reality rather than a politically useful cultural tool. He is especially interested in finding better ways to measure and understand human variation and the biological consequences of racism.

Julie Gough is an artist and writer based in Hobart, where she has also been a curator of Indigenous cultures at the Tasmanian Museum and Art Gallery since 2018. Her research and art practice involves uncovering and re-presenting often conflicting and subsumed histories, many
referring to her family’s experiences as Tasmanian Aboriginal people. Current work in installation, sound and video provides the means to explore ephemerality, absence and recurrence. Gough’s mother’s family are Trawlwoolway people, originally from Tebrikunna in far north-east Tasmania, and her paternal heritage is Scottish and Irish. Gough, since 1994, has exhibited in more than 130 exhibitions. Julie holds a PhD from the University of Tasmania” Transforming Histories: The Visual Disclosure of Contentious Pasts” (2001); a masters degree (visual arts) from the University of London, Goldsmiths College (1998), a BA (visual arts) from Curtin University and a BA (prehistory/English literature) from the University of West Australia. Her artwork is held in most Australian state and national gallery collections, and she is represented by Bett Gallery, Hobart. http://juliegough.net.

Elena Govor, a Russian-born historian, conducts her research in the field of South Pacific materials in Russian museum and archival collections and cross-cultural contacts between Russians and the peoples of the Pacific and Australia. She has examined these topics in a range of publications including Twelve Days at Nuku Hiva: Russian Encounters and Mutiny in the South Pacific (University of Hawaii Press, 2010) and Tiki: Marquesan Art and the Krusenstern Expedition (Sidestone Press, 2019, ed. with Nicholas Thomas). She participated in the international projects ‘Artefacts of Encounter’ and ‘Pacific Presences’ and is currently an adjunct academic on the project ‘The Collective Biography of Archaeology in the Pacific: A Hidden History’ at the Australian National University.

Natalie Harkin is a Narungga woman and activist-poet from South Australia. Dr Harkin is a senior research fellow at Flinders University with an interest in decolonising state archives, currently engaging archival-poetic methods to research and document Aboriginal women’s domestic service and labour histories in South Australia (SA). Her words have been installed and projected in exhibitions comprising text-object-video projection, including creative arts research collaboration with the Unbound Collective. She has conducted poetry workshops and presented panels, readings and keynotes at events including the Ottawa International Writers Festival; the Active Aesthetics Conference on Contemporary Australian Poetry and Poetics, UC Berkeley; the Queensland Poetry Festival; and poet residencies with RMIT University and Sydney University. Her work is included in state secondary school and university curricula in many states, and she has published widely, including with literary journals Overland, Westerly, Southerly, The Lifted Brow, Wasafiri International Contemporary Writing, TEXT and Cordite. Her poetry manuscripts include Dirty Words with Cordite Books in 2015 and Archival-poetics with Vagabond Press in 2019.

Steve Hemming is an Associate Professor in the Indigenous Nations and Collaborative Futures Research Hub in the Jumbunna Institute for Indigenous Education and Research. His work with Indigenous communities began in the early 1980s as a museum curator. He worked on community-based projects focusing on social histories, heritage, family history and arts. Associate Professor Hemming has worked at a number of Australian universities and over the last few decades his community engagement and research has focused on Indigenous nation building, environmental management, cultural heritage management, and Indigenous environmental studies. Steve was a chief investigator on the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

Te Herekiekie Herewini is the Head of Repatriation at the Museum of New Zealand Te Papa Tongarewa, where he has the main responsibility to seek the repatriation of Māori and Moriori
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Ancestral Remains housed in institutions outside of their homeland of Aotearoa New Zealand. Te Herekiekie works alongside the Repatriation Advisory Panel, whose membership consists of Māori and Moriori elders with expertise and knowledge in repatriation, Māori culture, arts and language, and overcoming international barriers to repatriation. The Karanga Aotearoa Repatriation Programme was established in 2003 and has the mandate of the New Zealand government with the national support of Māori and Moriori communities. The underlying philosophy of the programme is to build a bridge to repatriation for all institutions, communities and governments involved, in particular where all participants genuinely are able to reflect on the positive benefits of repatriating ancestral human remains to their communities of origin. Since the programme was established it has repatriated over 500 Māori and Moriori ancestral remains. Te Herekiekie has ancestry connected Māori tribes including Ngāti Apa, Ngāraurū Kitahi, Te Āti Hau a Pāpārangi, Ngāti Ītu Ītū, Ngāti Whakaue, Ngāti Ruanui, Pakakohi, Ngāti Toa, rangatira, Te Āti Awa, Ngāti Mutunga, Ngāti Raukawa, Muaāpoko, Ngāpuhi and Ngāti Porou. He was a partner investigator on the Return, Reconcile, Renew (2013–2016) project, funded by the Australian Research Council.

Tsuyoshi Hirata is a freelance journalist and member of the Hokkaido University Information Disclosure Research Group.

Hilary Howes is an historian of science with expertise in provenance research and repatriation. She is currently researching the German language tradition within Pacific archaeology and ethnology as postdoctoral fellow on Professor Matthew Spriggs’s Laureate Fellowship Project ‘The Collective Biography of Archaeology in the Pacific: A Hidden History’ (CBAP), based at the School of Archaeology & Anthropology at The Australian National University. Dr Howes’s publications to date include The Race Question in Oceania: A.B. Meyer and Otto Finsch between Metropolitan Theory and Field Experience, 1865–1914 (Peter Lang, 2013). From 2011 to 2015 she was employed as executive assistant to the ambassador at the Australian embassy in Berlin, where her responsibilities included bilateral research collaboration and the repatriation of Australian Indigenous ancestral remains from German collecting institutions.

Audie Huber is an employee of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and an enrolled member of the Quinault Indian Nation. He began his work at the CTUIR as a summer intern in 1995 in the CTUIR Cultural Resources Protection Program. In 1998, he graduated from Northwestern School of Law at Lewis and Clark College, though he is not a licensed attorney. He began working full time for the CTUIR in the Department of Natural Resources as Acting Deputy Director and later the Intergovernmental Affairs Coordinator. His work is focused on the protection of treaty reserved rights and resources and works directly with federal, state, and local governments as well as private parties. He was also involved in the administrative and court proceedings regarding the Ancient One (‘Kennewick Man’) under the Native American Graves Protection and Repatriation Act since the discovery in 1996.

Simon Jean is a PhD student in museum and heritage studies at Victoria University of Wellington, focusing on Māori culture and the repatriation of human remains from France. He completed a history degree in 2008 and a masters in heritage and museum studies in 2010 at the University of Rouen. He has worked with the Karanga Aotearoa Repatriation Programme at the National Museum Te Papa Tongarewa in Wellington and continues to aid in building relationships between Te Papa and French institutions. In 2011, he participated in the creation of a permanent exhibition for the Oceanic collections at Rouen and was involved in the exhibitions
E tu Ake: Māori standing strong and Tattooist, Tattooed, both at the Musée du Quai Branly-Jacques Chirac in 2012–2013 and 2014–2015, respectively. In 2012 and 2018 he was a recipient of the France New Zealand Friendship Fund, which supports activities and initiatives to create greater understanding between the two countries.

**June Jones** has led on repatriation at the University of Birmingham since 2011, completing the proactive repatriation of Salinan, Māori and Aboriginal Australian ancestors. She is Senior Lecturer in Biomedical Ethics, responsible for the ethics curriculum for doctors in training. She is now based at Edge Hill University, UK.

**Honor Keeler** (Cherokee) is Assistant Director of Utah Diné Bikéyah and holds an honorary position at the National Centre for Indigenous Studies at The Australian National University. She is currently a member of the NAGPRA Review Committee and was previously director of the International Repatriation Project at the Association on American Indian Affairs. She is well regarded for her expertise in repatriation matters and has worked extensively to support Indigenous repatriation efforts, including bringing the legal, policy and legislative concerns of Native Americans in international repatriation to national and international forums. Honor was in charge of coordinating repatriation of Wesleyan University collections to Native nations, and the development related protocols, as well as teaching university courses on repatriation within a cultural resources and cultural property context. She is author of *A Guide to International Repatriation: Starting an Initiative in Your Community*. She graduated in 2010 with a JD and Indian Law Certificate (clinical honours) from the University of New Mexico School of Law. She was a partner investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**Gareth Knapman** is a researcher on Indigenous repatriation at the National Centre for Indigenous Studies, the Australian National University. Dr Knapman previously worked as a curator and repatriation officer at Museum Victoria’s Indigenous Cultures Department. He has written extensively on museum collections and collecting, and has made significant contributions to Australian Aboriginal history. He is a leading authority on nineteenth-century British colonialism in Southeast Asia. His recent book, *Race and British Colonialism in Southeast Asia* (2017), creates a new understanding of colonial Southeast Asia. He was a research officer on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**Grace Koch** is an ethnomusicologist with particular expertise in the management of Indigenous archives. She has consulted for the Central Land Council in preparing documentation for land claims under both the Aboriginal Land Rights Act (NT) (1976) and the Native Title Act (1993). Grace worked at the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) for over thirty years, most recently in the collections department where she worked to repatriate and enable access to information from the print and audio-visual collections to Native Title claimants, Native Title representative bodies and service providers, government organisations and consultants preparing Native Title claims. She has published nationally and internationally in the fields of archiving, ethical cultural protocols, ethnomusicology and history. At present, she is a senior research fellow at the National Centre for Indigenous Studies at the Australian National University. She was a chief investigator on the *Return, Reconcile, Renew* project (2013–2016) and a facility advisory group member on the *Restoring Dignity* project, both funded by the Australian Research Council.
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**Apolline Kohen** moved to Australia in 1996 after completing her studies in art history and museology at the Ecole du Louvre in Paris. She has over twenty years’ experience working at senior levels in the cultural and research sectors, including in museum and art galleries, government departments and non-governmental organisations. As Director of Maningrida Arts & Culture and later as a consultant, she curated a number of landmark national and international exhibitions involving contemporary Maningrida artists, and she also managed many cultural and research collaborations, including joint partnerships between France and Australia. Her commitment to promoting Indigenous artists and art centres around Australia led her to establish in 2007 the annual Darwin Aboriginal Art Fair, now a key national community arts event generating significant income for Indigenous artists.

**Cara Krmpotich** is a museum anthropologist, associate professor and director of the Museum Studies Program at the University of Toronto. She is a member of the Great Lakes Research Alliance for the Study of Aboriginal Arts and Cultures, and, thanks to her research with the Haida Repatriation Committee and Pitt Rivers Museum, author of *The Force of Family: Kinship, Repatriation and Memory on Haida Gwaii* and co-author of *This Is Our Life: Haida Material Heritage and Changing Museum Practice*.

**Antje Kühnast** is a research assistant with the research network Race and Ethnicity in the Global South (REGS) at the University of Sydney. She received her PhD in the history and philosophy of science from the University of New South Wales for a thesis on the scientific utilisation of Indigenous ancestral remains during the long nineteenth century in the German-Australian context. She currently examines nineteenth-century German anthropological literature as a valuable source for future repatriations, collating information about the ways Indigenous Ancestral Remains in German collections were handled after their initial acquisition. Her research interests include the histories of racial and evolutionary theorising during the Enlightenment era and the nineteenth century, transnational scientific networks and the history of German anthropology in the Pacific region. She has published a number of book chapters on these topics, her most recent examining the rendition of the German immigrant Ludwig Becker’s perceptions of Australian Aborigines into scientific knowledge by his compatriots, the early German physical anthropologists Alexander Ecker and Gustav Lucae in the 1860s.

**Tsugio Kuzuno** is Ainu from Tobetsu Kotan, Vice Chairperson of the Kotan no Kai, and leading member of the movement to revitalise praxis of Ainu sacred ceremonial knowledge and ritual via reburial ceremonies. He is the son of the renowned Elder and prayer ceremony leader, Kuzuno Tatsujiro, and has devoted his life to passing down the knowledge bequeathed to him by his father. In May 2018, he participated, along with Ainu Elder Shimizu Yūji and Kuzuno’s son, Kuzuno Daiki, in the international symposium held at the National Museum of Australia, ‘Long Journey Home: The Repatriation of Indigenous Remains across the Frontiers of Asia and the Pacific’, where the Kuzunos performed an Ainu prayer ceremony for the Indigenous Ancestral Remains housed in Canberra and elsewhere.

**Richard Lane** trained as a biologist at Imperial College, London. During his research career he specialised in the transmission of tropical diseases by blood-sucking insects. This work took him from the laboratory all over the developing world, where he often worked with Indigenous communities studying how they caught infections. He undertook numerous missions for the World Health Organization and was the Director of International Health at the Wellcome Trust, the world’s largest medical research charity. During this time Dr Lane was involved in the ethics
of health-related research in developing countries. When he became the Director of Science at the Natural History Museum in London, he drew on these experiences when confronting the complex issues around the repatriation of human remains to Indigenous communities. He later advised the Australian government and Indigenous committees on issues around repatriation and science.

Gavan McCarthy has been Director of the eScholarship Research Centre at the University of Melbourne since 2007. His research, based on action research methodologies, is in the fields of social and cultural informatics and relational knowledge. As a practising archivist with a focus on digital scholarship (rather than digital humanities), his goal is the building of sustainable digital information resources and services to support research, now and in the future. His present career path started in 1985 with his appointment as the archivist founding the Australian Science Archives Project in the Department of History and Philosophy of Science in the University of Melbourne. He has been awarded five ASA Mander Jones Awards for publications relating to archival science and contributions to archival practice. He became an active member of the International Council on Archives in 1995, playing various roles in the Section on Universities and Research Organisations and contributing to the development of archival documentation standards, in particular the XML schema Encoded Archival Context. Of note is his increasing engagement through the last two decades with Aboriginal and Torres Strait Islander communities and researchers, in the capture and transmission of knowledge in transcultural settings. Gavan was a chief investigator on the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

C. Timothy McKeown is a legal anthropologist whose career has focused exclusively on the development and use of explicit ethnographic methodologies to document the cultural knowledge of communities and use that knowledge to enhance policy development and implementation. He has been intimately involved in the documentation and application of Indigenous knowledge to the development of US repatriation policy since 1991. For 18 years, he served as a federal official responsible for drafting regulations implementing the Native American Graves Protection and Repatriation Act (NAGPRA), developing databases to document compliance, establishing a grants program, investigating allegations of failure to comply for possible civil penalties, coordinating the activities of a secretarial advisory committee and providing training and technical assistance to nearly 1,000 museums and federal agencies and 700 Indigenous communities across the United States. He has served as partner investigator on multiple grants from the Australian Research Council. He is an Honorary Senior Research Fellow at the National Centre for Indigenous Studies, Australian National University, and a visiting instructor at in Cultural Heritage Studies, Central European University. He was a partner investigator on the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

Wes Morris is Co-ordinator for the Kimberley Aboriginal Law and Culture Centre and plays a key role in fundraising for this organisation. Between 2009 and 2013, Wes was a member of the Western Australian Government Collections Advisory Committee. At KALACC he has had extensive involvement in managing, planning and securing funding for KALACC’s repatriation program and establishing a number of Kimberley Keeping Places for returned Ancestral Remains and secret/sacred objects. He was KALACC’s Partner Investigator on the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.
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**Sarah Morton** is a lecturer in heritage at Bath Spa University. Her AHRC doctoral research, undertaken in collaboration with The Royal College of Surgeons of England, examined the legacies of the repatriation of ancestral human remains from UK museums, the meaning and social role of repatriated ancestral remains and the geographies of the human remains store. As a former museum professional and an accredited objects conservator, she continues to work closely with a range of heritage organisations, researching and writing about the social and material meanings of heritage and biographies of museum collections.

**Ryūkichi Ogawa** is Ainu from Kineusu Kotan, plaintiff in the repatriation case against Hokkaido University, member of the Hokkaido University Information Disclosure Research Group, and former chairperson of the Hokkaido Ainu Association-Sapporo Branch. Recently a Korean translation of his autobiography, *Ore no Uaskuma* (Tales of My Life) has been published. At age 83, he still remains a driving force in the Ainu repatriation movement.

**Coralie O’Hara** is the Coordinator and Researcher of Tamaki Paenga Hira Auckland War Memorial Museum’s human remains repatriation programme in Auckland, New Zealand. She has worked in the museum sector since 2003 across visitor services, collection management and human remains repatriation. She holds a Masters in Museum and Heritage Studies from Victoria, University of Wellington. Her Master’s research focused on the repatriation process, resulting in her dissertation *Repatriation in practice: A critical analysis of the repatriation of human remains in New Zealand museums*, and included an internship with the Karanga Aotearoa Repatriation Programme at the Museum of New Zealand Te Papa Tongarewa.

**Lyndon Ormond-Parker** is an ARC research fellow in the Indigenous Studies Unit of the Melbourne School of Population and Global Health at the University of Melbourne. Dr Ormond-Parker is a member of the Australian Heritage Council and the Australian Government Ministry for the Arts Advisory Committee for Indigenous Repatriation. He has worked extensively in the repatriation field both as a practitioner and scholar, and his expertise is recognised internationally. He was a chief investigator on the *Return, Reconcile, Renew* (2013–2016) and a facility advisory group member on the *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**June Oscar AO** has been Australia’s Aboriginal and Torres Strait Social Justice Commissioner since 2017. She is a proud Bunuba woman from the remote town of Fitzroy Crossing in the Kimberley region of Western Australia and is a distinguished national leader in Indigenous issues. She has worked tirelessly as an advocate for Australian Indigenous languages, social justice, education, health and women’s issues in a range of positions across her career. In 2015, June received the Menzies School of Health Research Medallion for her work to reduce Foetal Alcohol Spectrum Disorder (FASD), and in 2017 was awarded an honorary doctorate by Edith Cowan University. June has a bachelors degree in business from the University of Notre Dame and is currently writing her PhD.

**Johanna Parker** is a PhD scholar at the National Centre for Indigenous Studies at the Australian National University, Canberra. Her thesis examines the motivations and methodologies of private collectors of Indigenous human remains. Johanna holds a master of arts in museum studies from the University of Leicester and a master of arts in public history from the University of Technology Sydney. Johanna has held the position of curator at the National Museum of Australia, the National Archives of Australia and the Museum of Australian Democracy. Since
2009, Johanna has worked in government arts policy including the repatriation of Indigenous human remains and cultural property.

**Michael Pickering** is currently Senior Curator at the National Museum of Australia. He has worked with Aboriginal and Torres Strait Islander organisations, state and territory heritage agencies and museums. Dr Pickering moved to the National Museum of Australia as the Director of the Repatriation Program in 2001, later taking on the role of Head of the Aboriginal and Torres Strait Islander Program from 2004 to 2011. He then moved to the Research Centre. From 2013 to 2014 he was the Acting Head of the Australian Society and History Program. In 2015 he took up the position as Head of the Research Centre. Dr. Pickering has a wide range of research interests and has published numerous articles on topics including political cartoons, material culture, cannibalism, settlement patterns, exhibitions, ethics and repatriation. He was a partner investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**Laurie Rankine Jr** is a citizen of the Ngarrindjeri nation with significant experience in Ngarrindjeri cultural heritage management and working within the Ngarrindjeri community. Laurie has worked with the Ngarrindjeri Regional Authority (NRA) heritage team since 2010, where he was first introduced to Ngarrindjeri repatriation research and practice. Laurie is the NRA's media officer and uses film to document Ngarrindjeri stories and achievements, including those around repatriation. He is also a member of several Ngarrindjeri committees and working groups and was a partner investigator for the NRA on the *Return, Reconcile, Renew* project (2013–2016) and a project officer on *Restoring Dignity* (2018–2020), both funded by the Australian Research Council.

**Daryle Rigney**, a citizen of the Ngarrindjeri nation, is Director of the Indigenous Nation Building and Collaborative Futures Research Hub in the Jumbunna Institute for Indigenous Education and Research at the University of Technology Sydney. He is a board member of the Australian Indigenous Governance Institute and member of the Indigenous Advisory Council, Native Nations Institute, University of Arizona. Daryle’s academic and community work currently focuses on developments in Indigenous nation building and governance following colonisation. He has published widely and influentially on these topics. Daryle was a chief investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**Alexandra Roginski** is a researcher and writer based in Melbourne, Australia, whose work spans the histories of science, intercultural relations and Australia and Aotearoa New Zealand, as well as museum studies, repatriation and native title. Her first book, *The Hanged Man and the Body Thief: Finding Lives in a Museum Mystery* (Monash University Publishing, 2015), told the story of Jim Crow, a young Aboriginal man from the Hunter Valley, and the phrenologist who collected his remains. A prequel of sorts to the chapter in this volume, the book was shortlisted in 2015 for a student prize with the Council for the Humanities, Arts and Social Sciences. Alexandra completed her PhD through the Australian National University in 2018 with a thesis exploring the history of popular phrenology in the Tasman World during the second half of the nineteenth century. Passionate about public scholarship, she has contributed to publications including *The Age* newspaper, the *Australian Book Review* and the National Portrait Gallery’s *Portrait Magazine*. She is a research associate of the history program at Monash University.
Nancy Alexander Rushohora is a postdoctoral fellow in studies in historical trauma and transformation at Stellenbosch University, South Africa. She holds a PhD in Historical Archaeology from the University of Pretoria (2016). Currently, she is working on the Majimaji War, a resistance against the German colonialism in Tanzania (1904–1908). She is particularly interested in the removal and restitution of human remains from Tanzania to Germany and engaging with the use of the war landscape, museum and memorials.

Yūji Shimizu is Ainu from Niikappu, Chairperson of the Kotan no Kai (Kotan Association), which was the recipient of the repatriated 12 individuals in the Hokkaido University case, co-chairperson of the Hokkaido University Information Disclosure Research Group, chairperson of the Citizen’s Group for Ethnic Education, and former chairperson of the Ebetsu Ainu Association. In May 2018, he participated, along with Kuzuno Tsugio and Kuzuno Daiki, in the international symposium held at the National Museum of Australia, 'Long Journey Home: The Repatriation of Indigenous Remains across the Frontiers of Asia and the Pacific.'

Ailie Smith is a senior research archivist at the University of Melbourne’s eScholarship Research Centre where she has worked since it was established in 2007, as well as with its predecessor, the Australian Science and Technology Heritage Centre. Her work includes managing projects, the publication and management of a range of web resources, working with a range of organisations to enable them to manage their own archival collections and resources, as well as collaborating with researchers in projects with a social and cultural informatics focus. Ailie completed a master of business information systems degree at Monash University in 2012, specialising in archival and recordkeeping systems and information and knowledge management systems. She has worked on a large number of collaborative research projects, including the Return, Reconcile, Renew (2013–2016) and Restoring Dignity (2018–2020) projects, both funded by the Australian Research Council.

Major Sumner, A.M. (Uncle Moogy), is a senior Ngarrindjeri man and has been a leading figure in Ngarrindjeri repatriation since the 1990s. He has been involved in repatriation negotiations with national and international museums and undertaking ceremony at handover events, welcome home ceremonies and reburials. He has been chair of the Ngarrindjeri Heritage Committee and works closely with the Ngarrindjeri heritage team in the planning of reburials. Uncle Moogy was appointed as a member of the Advisory Committee on Indigenous Repatriation (ACIR) in 2015 and is also a member of the Restoring Dignity Facility Advisory Group, providing advice to the project on a range of issues that assist the development of the Return, Reconcile, Renew digital archive. Uncle Moogy was the NRA’s Community Based Researcher on the Return, Reconcile, Renew Australian Research Council Linkage Project (2013–2016).

Paul Tapsell (Paora John Tohi te Ururangi Tapihana) is Ngāti Whakaue and Ngāti Raukawa. Professor Tapsell is widely experienced representing Māori people and their interests including, for example, as Director Māori at the Auckland War Memorial Museum (2000–2008), Co-convenor of the Cultural Heritage and Museum Programme at the University of Auckland (2000–2008) and, from 2009, Dean and then Professor of Māori Studies at the School of Māori, Pacific and Indigenous Studies at the University of Otago. Paul has played a leadership role in the development of museum and government policy pertaining to the repatriation of Māori human remains and Taonga (objects of high cultural significance) as well as providing advice and submissions to overseas deliberations. He was appointed Director of Research and Collections at Museums Victoria in Melbourne in 2017 and is currently Professor of Australian Indigenous
Studies at University of Melbourne’s School of Culture and Communication. He was a chief investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

**Russell Thornton** is Distinguished Professor of Anthropology at UCLA. Born and raised in Oklahoma (USA), he is an enrolled member of the Cherokee Nation of Oklahoma. He is a former chair of the Smithsonian Institution Native American Repatriation Review Committee, a committee established under the National Museum of the American Indian Act of 1989 to monitor the repatriation of Native American human remains and cultural objects held at the Smithsonian Institution. He has published widely on North American Indians.

**Kirsten Thorpe** (Worimi, Port Stephens NSW) is a PhD student in the Faculty of Information Technology, Monash University, and a researcher at the Jumbunna Institute of Indigenous Education & Research, University of Technology Sydney. Kirsten’s research interests relate to Indigenous self-determination in libraries and archives. She has been involved in numerous projects that have involved the return of historic collections to communities, and advocates for a transformation of practice to centre Indigenous priorities and voice in regard to the management of data, records and collections. Kirsten is an advocate for building and supporting the development of local digital keeping places. She was a Facility Advisory Group member on the *Restoring Dignity* project (2018–2020), funded by the Australian Research Council.

**Luke Trevorrow** is a citizen of the Ngarrindjeri nation with extensive experience in Aboriginal cultural heritage and natural resource management. From an early age he has worked with Ngarrindjeri Elders, organisations and the community concerning the repatriation of Ngarrindjeri ancestral remains. Since 2009, Luke has coordinated the Ngarrindjeri Regional Authority (NRA) heritage team, which has responsibilities including the care and protection of Ngarrindjeri burials. Luke has been involved in significant partnerships and projects with universities, museums and other research and educational organisations and was a partner investigator for the NRA on the *Restoring Dignity* project (2018–2020), funded by the Australian Research Council.

**Simone Ulalka Tur** is from the Yankunytjatjara community in north-west South Australia and resides in Adelaide. Simone has undertaken leadership roles within higher education, most recently as associate dean, Tjilbruke Teaching & Learning within the Office of Indigenous Strategy & Engagement, 2015–2017 at Flinders University. She is now located in the College of Humanities, Arts and Social Sciences in Creative Arts. A particular focus of her leadership role involves integrating Indigenous Australian perspectives within university topics and promoting a greater understanding between Indigenous Australian peoples and the broader Australian community. She currently lectures to Indigenous and non-Indigenous students, representing her educational philosophy of privileging Indigenous cultures, languages and ideologies as a deconstruction and de-colonising educational process. Her work also explores new spaces where both Indigenous and non-Indigenous people can re-engage and transform their understandings of Australia and what it means to be Australian from an Indigenous perspective. Simone is been part of collective of four Aboriginal women academics and artists in Bound and Unbound: Sovereign Acts – decolonising methodologies of the lived and spoken, who enact critical and creative responses to colonial archives and institutions. Simone’s PhD explored creative and educational activist praxis from an Anangu woman’s standpoint.
Paul Turnbull is emeritus professor of digital humanities and history at the University of Tasmania and an honorary professor of history at both the University of Queensland and the Australian National University. Over the years he has undertaken provenance research for various Indigenous representative organisations and written about various aspects of racial science and the investigation of the bodily remains of Australian and other Indigenous peoples. His recent publications include *Science, Museums and Collecting the Indigenous Dead in Colonial Australia* (Palgrave Macmillan 2017). He was a chief investigator on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

Annelie de Villiers is an assistant research archivist at The University of Melbourne’s eScholarship Research Centre. She has worked on archival research projects with Aboriginal Australian and Torres Strait Islander communities since 2014. In 2016, Annelie commenced her PhD with community partner Kimberley Aboriginal Law and Culture Centre through Monash University. Annelie holds both a bachelor of arts and a masters in business information systems (Honours) from Monash University. She worked as a research archivist on the *Return, Reconcile, Renew* (2013–2016) and *Restoring Dignity* (2018–2020) projects, both funded by the Australian Research Council.

Corinne Walsh is a PhD scholar at the National Centre for Indigenous Studies (NCIS) at The Australian National University (ANU). Her research is analysing ear disease (otitis media) and hearing loss amongst Aboriginal people in the community of Yarrabah, Queensland (QLD) from a holistic, anthropological, community-based perspective. Before commencing her PhD, Corinne worked for three years as a research officer at NCIS. She has a masters in applied anthropology and participatory development (ANU, 2015). Before working and studying at the ANU, Corinne worked in the New South Wales (NSW) Department of Health and the Federal Department of Families, Housing, Community Services and Indigenous Affairs. Her work included policy, program and research. She holds a bachelor of arts in anthropology and sociology from Macquarie University.

The Western Apache NAGPRA Working Group is made up of the repatriation officials of the Arizona Indee/Nnee tribes, including the White Mountain Apache Tribe, the Tonto Apache Tribe, the San Carlos Apache Tribe, and the Apaches of the Yavapai-Apache Nation. Since 1996 the Working Group has repatriated nearly 500 sacred objects and objects of cultural patrimony from over 20 institutions under NAGPRA, and another 38 objects from the Smithsonian.

Christopher Wilson is an archaeologist and senior lecturer in the College of Humanities, Arts and Social Sciences at Flinders University (critical Indigenous studies, history and archaeology). He is the first Indigenous Australian to be awarded a PhD in archaeology (Flinders University in 2017). Dr Wilson worked as an academic advisor/associate, lecturer for the Yunggorendi First Nations Centre for Higher Education and Research and senior lecturer for the Office of Indigenous Strategy and Engagement at Flinders University. Key research interests include Holocene occupation and migration models for the lower Murray River, south-eastern Australia; post-contact archaeologies, conflict, memory and trauma, and studies of colonialism; intersections of cultural heritage, intellectual property and digital technologies; and Australian Indigenous archaeologies. Chris was a partner investigator for the Ngarrindjeri Regional Authority on the *Return, Reconcile, Renew* project (2013–2016) funded by the Australian Research Council.
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In this large and full volume of essays, every fascinating and confronting dimension of repatriation is explored. For many people, especially for Indigenous peoples whose lives are affected by repatriation directly, it can be difficult and painful reading. We must never lose sight that repatriation is intensely personal. It brings up complex and contradictory emotions felt by individuals and collectives. As someone who has experienced repatriation first-hand, and the search for lost ancestors and warriors, I know the simultaneous feelings of grief, anger, relief, pride and triumph. It is a reminder of what has been lost, and it makes real the full weight of historical injustices never rectified that has resulted in the intergenerational trauma and related issues we must live with today. It also reminds us that we are survivors and have never stopped fighting to have our histories told while claiming back what is ours, and all the time asserting our heritage and connection to our traditional lands.

For me, and as explored in parts of this book, at the heart of repatriation is *coming home*. It is about reuniting and bringing peace to those who were taken and those who remain. It is an uncovering of trauma from which we must heal, whether Indigenous or non-Indigenous, so we can rest again in the places we belong. To do this takes time. It means going on a journey to re-encounter the past and to meet, in the present, Indigenous and non-Indigenous people who carry the lineage of that past. This book, like repatriation, explores the ins and outs of what, I believe, is an essential journey for global and inter-cultural and societal healing, reconciliation and nation building. Each chapter provides a comprehensive look at how repatriation contributes to this bigger story of societal creation from the past to the future.

Like all journeys, the chapters chart the diverse and expansive territories of repatriation, ranging from the often painful and violent colonial histories that have necessitated repatriations today, to the pitfalls and learnings of how repatriation as *study* and *work* is practiced, and the processes of healing, reconciliation and cultural and societal revitalisation that repatriations can bring. The volume digs deep into our multiple Indigenous and non-Indigenous histories and is global in its reach, documenting removal and return of Indigenous human remains in places such as Japan, Chile, Australia, the United States, New Zealand and many others. The movement to repatriate countless Ancestral Remains – in other words, to bring our people back to their rightful place – involves Indigenous peoples across the earth. Colonisation in its ferocious spread went everywhere, and so repatriation follows the same global course.

**FOREWORD**
Repatriation as academic study, practice and as a global Indigenous movement for justice and truth-telling knows few bounds. As a process, repatriation does not exist as an isolated moment in time. It documents how history lives on and how we experience it today and choose to deal with how history influences the building of our future. This volume shows how repatriations expose the brutal extent of the theft and removal of our Indigenous ancestors. It also shows how through dialogue and negotiation Indigenous and non-Indigenous peoples can unite in understanding this history and in righting the wrongs of the past. In doing so, we can learn to tell a more complete and greater truth of the colonial frontier and the foundation of the nation states we live within today.

The chapter that I have co-authored in this volume with Cressida Fforde, about searching for the remains of our Bunuba warrior Jandamarra, speaks to this process of reconciliation. Jandamarra was killed defending our country on the colonial frontier. His head was taken to be put on display in a gun factory in Birmingham, England. Finding his skull is an ongoing journey and is explored in our chapter. Jandamarra did not end with a fatal gunshot within the rugged ranges of our Bunuba country. His spirit of strength, defiance, and unyielding belief in being all of who we are as Indigenous peoples lives on. In our search to find him, like so many other Indigenous peoples, we are hearing stories of an entwined history from the gun-making factories of England, the museums of London and the far north of Western Australia. These are histories that are often seen as distant and isolated, but through processes of repatriation they have been shown to be deeply connected.

Within this troubling and disturbing past that, time and again, people have attempted to silence, we are finding a shared Indigenous and non-Indigenous history that brings us closer together. Along the way, in the present, we are reconciling with those who took the remains of our peoples. In many instances, as we discover the truth, we are developing lifelong friendships. All the dimensions of repatriation laid out in this book are powerful. This volume states it clearly to me that, as painful as it can be for all of us, the processes of repatriation enable truth to be uncovered and told, and all of us are and will be the better for it.

This is a significant volume of work, and is essential reading for scholars and practitioners of repatriation and for all our Indigenous peoples across the globe. The chapters help us consider how far we have come, the enormity of the work before us which we must continue to undertake, and how we as diverse societies and nations want to be in the future. Underpinning all those considerations, outlined throughout the chapters, is truth-telling, healing and reconciliation, of which repatriation is pivotal to achieving.

June Oscar AO
INTRODUCTION

Cressida Fforde, C. Timothy McKeown and Honor Keeler

Background

The repatriation of human remains is a significant Indigenous achievement and global inter-cultural movement that requires greater recognition and understanding. This volume brings together Indigenous and non-Indigenous expertise from fourteen countries to provide the reader with an international overview of scholarship about the removal and return of Indigenous Ancestral Remains. The volume contributes major new work, illustrates new facets of what can now be termed ‘repatriation studies’, and documents how much this field has developed over the past thirty years.

Early scholarship commencing in the 1990s generally focussed on exploring the arguments for and against repatriation, examining its impact on museums and professional practice, and documenting a hitherto unknown history of the removal and scientific use of Indigenous human remains. Coverage was generally limited to the UK and those countries where Indigenous peoples were active in repatriation campaigns at that time (Australia, New Zealand, and the United States). As illustrated in this volume, the field now encompasses many more countries and more detailed and diverse historical analyses. It has expanded to contain information about the challenges facing repatriation practitioners and how these have been overcome, and there is now more nuanced understanding of the global and historical context of removal and return. The field now benefits from the experience of practitioners who can reflect on nearly forty years of repatriation activity (e.g. Chapters 2, 3, 7, 44, and 54). There is major growth in understanding, for example: the ways in which repatriation interconnects with reconciliation, healing, and wellbeing (e.g. Chapters 43–46); how sovereignty, Indigenous nation (re)building, and resistance to ongoing colonialism are critical components of the repatriation movement (e.g. Chapters 7–11); about what repatriation reveals in terms of ethics in the past and present (e.g. Chapters 55 and 56) and the nature of colonial violence (e.g. Chapters 24 and 51); and how repatriation is now also an emerging theme explored in diverse and informative ways by Indigenous artists (e.g. Chapters 49 and 50). The importance of the repatriation archive and its management (whether in terms of the historical documents associated with collecting and collections, or new archives developed from documents created by repatriation research and practice) is also a focus of increased understanding, diversity of scholarship, and creative response (e.g. Chapters 8, 29, 35, 36, and 48–50).
Confronting and inspiring histories

It is now customary in Australia and some other countries to provide warnings so that Indigenous people do not come across photos, names or details of deceased peoples and traumatic histories unawares. This protocol reflects the prohibition followed by many Indigenous nations against using the names, or seeing images of, the deceased that is followed for a period of time after their passing. Such a warning has thus been included in the front pages of this volume. It also respects the fact that, for many Indigenous people in Australia and beyond, the history of how they and their ancestors were treated can cause significant pain, and thus tries to ensure as much as possible that readers are prepared for the type of histories that can be found in this book.

Histories of the theft of people’s ancestors can be confronting and traumatic, particularly for the communities affected. However, this does not mean that people should not know the historical details or that communities are not interested in the circumstances of how and why their ancestors’ remains were sent to institutions. To the contrary, knowing what happened is, frequently, exactly the type of information requested by communities, and understanding and acknowledging the past and its consequences are recognised as essential parts of healing and reconciliation processes. Clearly this book contains many histories that are brutal and upsetting. But in its accounts of the successes of repatriation, the book also contains many that are heartening and uplifting. Emotions play an important part in repatriation practice and are experienced both by Indigenous and non-Indigenous people who become involved in, for example, handover ceremonies and reburial events. More is known about what Indigenous people feel when receiving Ancestral Remains back into their care. As told in a number of chapters in this book, Indigenous leaders, scholars, and other first-nations people involved in repatriation say it is often a time of mixed and intense emotions, and that anger, sadness, joy, and pride all play a part. Less has been written about non-Indigenous people feel, but it seems clear that experiencing emotion is for many a pivotal point in truly ‘getting it’ and understanding the Indigenous view. In this volume there are a number of chapters written jointly by Indigenous and non-Indigenous people that provide some insight into the role of emotions, but this is certainly an area of potential further research. Writing about this aspect of repatriation is generally a taboo subject for non-Indigenous people, a prohibition that likely has its roots in notions of scientific unemotional ‘objectivity’ set against a less valued Indigenous emotional ‘subjectivity’ that has been so prevalent in arguments and discourse underlying anti-repatriation arguments. These were well observed and critiqued thirty years ago by Robert Layton in his introduction to Conflict in the Archaeology of Living Traditions (1989).1

Part of understanding how to address the impact of such history is to understand how the language in which it is embedded needs to shift. While most obvious in the racial and racist terms used by those who took and studied remains, it is pertinent to highlight that descriptors such as ‘collecting’ and ‘skeletal remains’ are also increasingly problematic for many Indigenous peoples who often prefer terms that instead reflect the immoral nature of the activity and the humanity of their ancestors. Of course, language approaches to repatriation matters are not uniform. Nonetheless, many chapters in this volume frequently or exclusively use terms such as Old People, Ancestral Remains, and Ancestors, and describe the acquisition of remains in terms of theft or removal rather than ‘collecting’. Such language assists the reader to understand that, for Indigenous claimants, the deceased in museum contexts are perceived as family and kin and not as objects, and their approaches to repatriation proceed accordingly (e.g. Chapters 2 and 3).
A brief history

A small number of human remains of non-Europeans can be located in collections concerned with anatomy and medical practice in the seventeenth century. Thus, for example, the Royal Society of England housed the skin of a Moor in 1681 (Grew 1681: 4), and the collection of Sir Hans Sloane (1660–1753) is described by Day (1995: 71) as having various pieces of black skin and an African foetus. However, it is only with the rise of comparative anatomy and an interest in analysing racial difference through examination of skulls and, to a lesser extent, other body parts, that the acquisition of human remains from around the world began in earnest. This occurred in the late eighteenth century and can be observed, for example, in the collections amassed by Petrus Camper in the Netherlands, John Hunter in London, and Johann Friedrich Blumenbach in Göttingen. Blumenbach received one of the earliest Ancestral Remains known to have been taken from Australia, and the circumstances are informative: the remains were described as the skull of a young man of ‘those who dared to attack the new English settlement near Sydney on Botany Bay’ (Spengel 1874: 77). Evidencing resistance, and likely the violent death of the individual concerned, the catalogue entry for this remain also shows that, at least in Australia, Indigenous human remains were taken from the earliest days of colonisation and sent to museums worldwide. The majority were taken from burial places, but a significant number were also taken before they had been accorded funerary rites, such as from hospital morgues, execution sites, battlefields, massacre sites, or from where people had died of disease or famine.

‘Race’ collections increased in size throughout the nineteenth century and were acquired, for example, by anatomy departments in universities, as well as by local, regional, and national museums, hospitals, private collectors, and professional organisations (such as anthropology and natural history societies). They were measured and studied to describe and quantify the different ‘races’. After the introduction of Darwinian theory in the second half of the nineteenth century, the rate of growth in collection size increased as people sought to identify features that were evidence of evolutionary development. All of this research was conducted within the now abandoned race paradigm, an insidious model of human diversity that upheld, and was a product of, perceptions of other peoples as biologically and culturally inferior to Europeans.

The first half of the nineteenth century also witnessed Indigenous Ancestral Remains acquired by phrenologists and phrenological societies (and see Chapter 42) interested in measuring the behavioural characteristics of the different races through analysis of skull shape. As interest in phrenology waned from the 1840s onwards, it was common for collections in phrenological societies to be transferred to other institutions. Indeed, many other types of collections were also transferred between institutions as societies merged or shut down, private collectors died or needed to release capital, or research agendas moved to other priorities. This has meant that many large collections today, particularly in Europe, contain a number of smaller collections—presenting challenges for those trying to trace their ancestors (see Chapter 29).

In Europe, collections comprised European remains in the majority but also contained large numbers of non-European individuals as they sought to have global representation. In places such as Australia and New Zealand, Ancestral Remains of the Indigenous population are in the majority. In the old colonies, collections began to be amassed from around the 1880s onwards as museums and universities became established and, from the early twentieth century, locally based scientists started lobbying to keep Indigenous human remains in the country rather than exporting them overseas. In Australia, such lobbying led to proclamations by the governor general under the existing Customs Act in 1911 and 1913 to limit the export of ‘anthropological specimens’, although it continued to occur both legally and illegally (see Chapters 16 and 33). While the acquisition of Indigenous human remains by European institutions was slowing at the
turn of the century and had generally stopped by 1920, collecting by domestic museums carried on, sometimes up until the 1980s, as they continued to be seen as the ‘correct’ places to house Ancestral Remains dug up through archaeological excavation, revealed by construction work, or handed in by the public to the police or to museums directly. By the 1970s, significant Indigenous opposition had galvanised against museums holding their ancestors, and by the 1980s this had transformed into an increasingly global movement. This is not to say that Indigenous people had not voiced their concerns previously nor opposed the desecration of their burial sites. To the contrary, the historical record contains evidence of Indigenous efforts to protect their ancestors from at least the early nineteenth century onwards (Fforde 2004; Turnbull 2017).

Indigenous campaigns for the return of human remains have been a significant instrument of change in professional practice in museums, archaeology and bioanthropology over the past forty years. Past analyses of repatriation have generally focused on its impact in these areas (e.g. Fforde and Hubert 2006; Pickering 2007; Tapsell 2005). However, despite the multiple returns of Ancestral Remains and the extensive community expertise in repatriation and reburial, there has been less awareness of the community histories of this experience, the effects of repatriation, or the transformative opportunities it provides for community development. This volume contributes the results of new research in this area, paying particular attention to the rich Indigenous histories of repatriation, exploring its effects, meaning and values, and analysing the ways in which repatriation has and can be incorporated into programs for community social, cultural and economic development (e.g. Chapters 2, 3, 6–8, 12, 44, 46, 47, 53, and 54).

The repatriation process is invariably long and complicated. The successful return of remains from overseas institutions and their subsequent reburial is reliant on fine-grained research to locate collections and identify where Ancestral Remains were taken from. Such research has also provided new and significant insights into Indigenous history and that of the relevant colonising nation more generally. For example, analysis of the primary sources of collecting (e.g. museum catalogues and donor correspondence) has provided an emergent understanding of the Indigenous response to the removal of Ancestral Remains and how it was recorded and understood by Europeans at the time. Such responses are demonstrated, for example, by collectors’ descriptions of the ‘perilous’ and ‘clandestine’ night-time removal of remains from grave sites as well as attempts by Indigenous peoples to secure their return (Fforde 2004; McCooey 1892; Tapsell 2005; Turnbull 2002).

Since the 1970s, Indigenous campaigns for the return of human remains have resulted in significant success. In Australia, the remains of over 1,500 individuals have been returned from overseas museums alone, although almost all from the United Kingdom. At the time of writing (April 2019), ninety Ancestral Remains have just been returned to Australia from institutions in the UK and Germany. For many years, research on the history and provenance of foreign collections was focused almost entirely on the UK. Recently, there have been some publications about German collections, but there is a general absence of published information and scholarship about the acquisition and use of human remains by institutions in other countries, which this volume goes some way towards addressing. In this volume, new work reveals histories of acquisition and scientific use of Indigenous human remains in a number of countries, such as Russia (Chapters 16 and 28), Germany (Chapters 4, 5, 25, and 26), France (Chapters 21 and 22), and Japan (Chapter 12). Collections are extensive, both geographically and numerically. It has been estimated that foreign institutions still contain the remains of up to 3,000 Indigenous Australians (OEA 2009), and the number could be far greater. In the 1990s, inventories produced by museums in the United States as part of compliance under the Native American Graves Protection and Repatriation Act (NAGPRA) showed that the remains of approximately 200,000 Native Americans were held in institutions that received federal funding. Given these numbers, and with the continued retention of Indigenous human remains in
museums worldwide, repatriation will remain a major responsibility for communities, museums and governments for years to come. It is imperative, therefore, that repatriation and its practice learns from its short history to ensure successful outcomes for Indigenous peoples. This volume provides one means by which practitioners and scholars (and these categories are not mutually exclusive) can gain insight into a range of topics of use for understanding this global movement, navigate challenges, and learn from the work of others to secure and organise the successful return of Ancestral Remains to their communities of origin.

Development of a volume

This volume commenced as a book designed solely to inform the reader about research outcomes from an Australian Research Council (ARC) and partner organisations supported project entitled Return, Reconcile, Renew: Understanding the History, Effects, and Opportunities of Repatriation and Building an Evidence Base for the Future (LP130100131). Funded for three years, the project commenced in 2013 and involved an international team of sixteen investigators and at least five support personnel from thirteen organisations from the Indigenous community, research, museum and government sectors. Personnel included community-based researchers in the Indigenous partner organisations. The project aim was to grow understanding about the removal and return of Indigenous Ancestral Remains in a number of new areas and to develop a digital archive of repatriation information with Indigenous-led protocols for access and use (see Chapter 35). A second project with a similar team but more support personnel, named Restoring Dignity: Networked Knowledge for Repatriation Communities (LE170100017), focused solely on the further development of the digital archive and commenced in 2018. This second project also informs work in this book. Information compiled by these projects, as well as the public side of the digital archive that has been created, can also be found at the project’s website (www.returnreconcilerenew.info).

Administered by the National Centre for Indigenous Studies (NCIS) at The Australian National University, these projects were designed to respond to questions and research needs posed by the project’s three Indigenous partner organisations and developed for research funding in collaboration with team members. These organisations represent almost fifty Indigenous Australian communities in repatriation matters and all have extensive current experience in international repatriation. Their work complements, informs, and builds upon the repatriation work of other Australian Indigenous communities, as well as the international initiatives of many other Indigenous peoples globally (see Chapter 1), such as in New Zealand (see Chapters 6, 22, 23, 37, and 38), Hawaii (Chapter 3) and Haida Gwaii (Chapter 2). The Kimberley Aboriginal Law and Culture Centre (KALACC) is the peak organisation for repatriation in the Kimberley region of north Western Australia and has undertaken repatriation from domestic and international institutions since the early 2000s (see Chapters 8, 16, and 17). The Ngarrindjeri Regional Authority (NRA) represents the Ngarrindjeri Nation of South Australia. Burial sites of the Ngarrindjeri were heavily raided from the mid-nineteenth century, many by state employees and in particular by Dr William Ramsay Smith, an Adelaide coroner. They are likely to be the Indigenous Australian nation with the most Old People sent to institutions worldwide; they call these deceased kin their ‘first stolen generation’ (see Chapters 7, 39, 46, and 47). Consequently, Ngarrindjeri have been involved in repatriation practice since the early 1990s, although they are first documented as requesting the return of Old People in the early twentieth century. Gur A Baradharaw Kod Torres Strait Sea and Land Council (GBK) is a regional native title peak body and is responsible for repatriation matters in the Torres Strait Islands. Its members have been heavily involved in international repatriation since 2010 (see Chapters 6, 40, and 41).
In this volume, twenty-two chapters report on research arising from *Return, Reconcile, Renew* and *Restoring Dignity*. Many of these draw upon information generously shared by community members in nearly fifty interviews in the Kimberley, Torres Strait and Ngarrindjeri country. These recorded discussions explore a range of repatriation issues and histories, providing insight into challenges, impacts, and the meaning and value of repatriation. They have informed understanding, for example, of the relationship between the living, the deceased, and traditional country that was fractured with the removal of Ancestral Remains, and how this interconnection can begin to heal with their return – and why this is of such importance to people today. They have also increased understanding of the relationship between repatriation, identity, and dignity, and how the return of Ancestral Remains contributes to, and is embedded within, nation building, cultural governance, and community development initiatives (e.g. Chapters 7, 8, and 43).

Research for *Return, Reconcile, Renew* and *Restoring Dignity* has provided support to repatriation practice and has documented the history of repatriation activity by KALACC, GBK, and NRA, including growing understanding of cultural protocols (e.g. Chapter 3) and how new ceremonial practice is being developed to meet the new, unique, and unprecedented issues posed by the return of Ancestral Remains from museums (e.g. Chapter 47). These projects have newly identified the extent of the sale, purchase, and exchange of Indigenous human remains in the long nineteenth century (e.g. Chapters 3 and 4) and broadened understanding of early legislative initiatives to limit export (Chapters 1 and 19). They have started to explore the connections between how communities think about the return of their deceased from museum contexts and those challenged with the return of their kin from battlefields (Chapter 9), and reports on the archive informatics required to build the *Return, Reconcile, Renew* digital archive (Chapter 35).

However, in development of this volume, an early decision was made to invite a significant number of external contributions to reflect the global nature of repatriation and explore differences and commonalities. The aim has been to provide a companion that provides the reader with the breadth of information required to do justice to repatriation as a global movement. While the majority of chapters relate to Australian Indigenous peoples, the volume thus includes significant scholarship on the removal and return of Ancestral Remains in relation to New Zealand, the United States, Hawai‘i, Haida Gwaii, Japan, Germany, Namibia, Tanzania, Argentina, Chile, Rapa Nui, Russia, France, and the UK. These external contributions demonstrate the breadth of new scholarship and experienced engagement with repatriation issues. They show that while there may be different cultural and regional specifics, Indigenous peoples have a shared history of theft and removal of their deceased for domestic and overseas institutions and have faced similar challenges in securing their return. They express common values and philosophies that provide the foundation for the often protracted repatriation campaigns undertaken as a priority amidst numerous other pressing and complex matters (health, education, protection of land and waters, economic imperatives, etc.). Many people have devoted decades to repatriation while also working relentlessly on community development in other areas of social and economic need.

**Volume structure**

The volume is divided into four sections, each containing fourteen chapters. The sections have distinct themes, but unsurprisingly many overlap, and chapters in separate sections can be read to complement one another. There are also distinct topic threads woven throughout the sections which inform different areas of repatriation research and practice and help bind the volume together as a cohesive whole. Three are highlighted here for particular attention: relationships, trauma/healing, and repatriation practice. The first thread illustrates the ways in which Ancestral
Remains are associated with relationships and the role that the deceased play and have played in creating connections. This is expressed, for example, in the strong spiritual relationship between the living, the ancestors, and the land that Indigenous peoples describe (e.g. Chapters 7, 8, 43, and 44), as well as the way in which Ancestral Remains were acquired through personal and institutional relationships and networks fostered by curators and collectors (e.g. Chapters 15 and 18). Ancestral Remains were also deployed by collectors and institutions in an exchange capacity to facilitate mutually beneficial relationships with other individuals and organisations (e.g. Chapter 27). Relationship building is also identified as a key element of successful repatriation – whether as strategy for facilitating returns and smooth repatriation processes (e.g. Chapters 3, 40, and 41), the re-setting of relationships between Indigenous peoples and museums (e.g. Chapters 37, 38, and 54), or the creation of long-lasting friendships between curators and community individuals following repatriation events (e.g. Chapters 39 and 41). The importance of building relationships is also central to the role that repatriation is identified as playing in healing and reconciliation (e.g. Chapters 2 and 43).

The second thread is in one aspect a counterpoint to the first and concerns the trauma caused by the rupturing of relationships and the injury to individuals and the social body that resulted from theft of the deceased. In binary equilibrium, this thread also concerns the redressing of this trauma through repatriation practice. This thread is found in many chapters that document the history of collecting (e.g. Chapters 5, 23, and 28) but also those which explain the fundamental role of repatriation in healing and reconciliation (e.g. Chapters 3 and 43–45). Others make it clear that collecting human remains should be viewed as a form of colonial violence (e.g. Chapters 51 and 55), whether directly in the taking of skulls of leaders shot for their part in resistance to European invasion (e.g. Chapter 32), those who were executed (e.g. Chapter 42), those who died of introduced sickness (e.g. Chapter 16), or those whose burials were robbed by agents of the state (e.g. Chapter 7). It is critical also for readers to be aware that the removal of human remains occurred in a historical context of concerted ongoing violence and oppression experienced by Indigenous populations worldwide. It was this context which enabled the theft of Ancestral Remains – as such theft and the resulting ‘truths’ about racial inferiority produced by scientific racism also enabled and contributed to the broader violence perpetrated against Indigenous peoples. The relationship is circular, with repatriation acting as one mechanism that breaks this cycle, and can help address past wrongs; establish new collective memories of Indigenous agency, pride and self-determination; and contribute to creating new, dignified, and equitable cross-cultural relationships. Past oppression forces the need for reconciliation, a topic that is wrapped around the entire volume.

The third thread relates to repatriation practice and the development of key facets to ensure success. It is clear from the reflections of Indigenous organisations involved in repatriation for decades (e.g. Chapters 2, 3, 6–8, and 44) that success is not simply judged by the number of Ancestral Remains reburied (although funding is almost always now linked to number of reburials). Instead, success is better measured through the social benefit that has occurred with good repatriation practice (e.g. Chapter 43). Understanding what success looks like is absolutely critical for museums and other agencies and Indigenous organisations newly entering into repatriation processes. It requires understanding Indigenous philosophies and cultural protocols, community development initiatives, governance regimes, and the complexities facing Indigenous organisations with often insecure funding and diverse responsibilities. It also requires understanding the extended time frames that can be involved for proper consultation with Indigenous and non-Indigenous authorities that is usually required prior to reburial events. Although the focus of Part 3, the complexity, challenges, politics, nuance, practicalities, diplomacy, negotiations, research, and everyday hard work involved in repatriation are evidenced
throughout the volume. It can be seen in the chapters by Indigenous organisations and museum practitioners, is contextualised in the histories of removal documented in Part 2 and understood holistically in the chapters on the effects of repatriation that are located in Part 4.

**Challenges for writing the history of removal and return**

A challenge for all scholarship concerned with documenting the history of the removal of Ancestral Remains is one that is familiar to anyone concerned with writing Indigenous histories. First, there is the significant challenge presented by trying to locate the Indigenous perspective in the writings of Europeans in the long nineteenth century, given the dearth of first-person Indigenous narratives in that period. As noted earlier, there has been some scholarship that has charted the Indigenous response in the writings of collectors who describe their clandestine activities, fear of Indigenous reprisals, and a few documented cases where Indigenous people sought redress and the return of remains through official channels (Fforde and Hubert 2006; Turnbull 2002). An early example of the latter is described in Chapter 19 and concerns the approach made by a Māori chief from the Northland area via the Reverend Samuel Marsden to Ralph Darling, the governor of New South Wales. The chief’s application concerned the trade in Toi moko (preserved tattooed Māori heads) and resulted in an official proclamation in 1831 to cease import of such items into Sydney and to seek the return of Toi moko to New Zealand (Darling 1831). In this volume, this challenge is also addressed through Indigenous authorship and co-authorship. Of sixty-four contributors, thirty are Indigenous; of fifty-six chapters, twenty-seven have Indigenous authorship or co-authorship. Many chapters benefit from co-creation by Indigenous and non-Indigenous repatriation researchers and practitioners, some of which employ different narrative styles. These types of chapters are unusual for scholarly works, although incorporation of non-academic Indigenous voices was a feature of two edited volumes in the *One World Archaeology* series (Layton 1989; Fforde et al. 2002) that can be viewed as this book’s genealogical antecedents. These types of chapters are important for a number of reasons. Indigenous repatriation expertise frequently lies outside the academy and although often quoted in scholarly works, it is less often represented in authorship. The result is a history and analysis of repatriation in scholarship that is dominated by non-Indigenous researchers primarily, although with significant contribution by Indigenous academics. The voices of Indigenous experts outside the academy is more frequently found either quoted in the foregoing, or in the media, ephemera, and other grey literature such as policy documents or submissions to enquiries, forming essential components of repatriation-related archives, often created as an ancillary action by relevant Indigenous organisations. As will be discussed below, a number of these chapters are also of interest because they document the relationships that have developed through repatriation between people from different cultures and different nations.

The second challenge, and one that is more complex, is how to write the history of all those whose remains became part of museum collections rather than produce more histories about the white men who took and studied them. It is much easier to write about ‘collectors’ and ‘collecting’ because so much published and unpublished literature exists to document their activities. While the pre- and post-mortem histories of some individuals whose remains were taken can be documented (e.g. Chapters 23 and 32), the majority of Indigenous human remains in museum stores are anonymous, which, as science rendered them as ‘data’ and ‘research resource’, contributed to their objectification and commodification. Ways to ‘tell their story’, to re-humanise and reconnect them to their kin communities, are evident in many chapters in this volume. This includes the fine-grained work in repatriation research to identify where Ancestral
Remains were taken from, and thus reconnect them to their traditional country and kin once again (see Chapter 29), and how communities prosecute their repatriation agendas based upon cultural and familial responsibility (e.g. Chapters 2 and 3). It can be seen in the ways in which dignity is accorded to the deceased in handover ceremonies (e.g. Chapters 8 and 37), how they also become part of the social fabric of a community again through reburial events (e.g. Chapters 35), and subsequently as their (re)burial sites are regularly visited by community members, young and old (e.g. Chapters 8 and 43). Building testimony from those who have campaigned for the return of ancestors and have been involved in repatriation processes also acts to locate the deceased in a web of social relationships. Telling the story of these relationships may be a powerful way to tell the social story of those anonymous deceased whose remains were taken and have now been returned.

Part 1: A global movement: repatriation reflections from around the world

Part 1 contains chapters that document and reflect on the removal and return of Indigenous human remains from Australia, New Zealand, Japan, Haida Gwaii, Hawai‘i, Germany, Argentina, Tanzania, Chile and Rapa Nui. In Chapter 1, Tim McKeown opens the volume with an overview of the global repatriation movement told through the lens of a legislative and policy history. As detailed in this chapter, nineteenth- and early twentieth-century appeals to museums and courts were disparate and isolated, with mixed results, but concentrated repatriation efforts by Indigenous peoples in the 1980s precipitated a florescence of national and international legislative and policy reforms from 1989 onwards. In Chapter 2, Collison and Krmpotich provide a nuanced and rich account of Haida repatriation initiatives. Locating their contribution in the role of the Haida Gwaii museum, their chapter challenges assumptions about museums and envisions a future in which Indigenous museums and such institutions more broadly and together actively create communities through reconciliation and repatriation. Their chapter begins a strong theme throughout the volume that connects repatriation, healing, and reconciliation.

In Chapter 3, Edward Halealoha Ayau explores cultural responsibilities in relation to iwi kupuna (Ancestral Remains) and iwi moepu (funerary possessions) in Hawai‘i, and commences a theme of repatriation, dignity and identity that weaves throughout the volume. In detailed description of three case studies of international returns to Hawai‘i, Ayau considers what has been learned from over twenty-five years’ involvement in repatriation, offering a summary of lessons learned and strategic approaches developed, including persistence, relationship-building, commitment to traditional cultural values, and the need for succession planning. In Chapter 4, Hilary Howes provides a detailed overview of Germany’s recent involvement in the repatriation issue, showing how this country is now beginning to engage with the legacy of a colonial past long overshadowed by impacts of the era of National Socialism. Chapter 5, contributed by Larissa Förster, provides a detailed and comparative analysis of returns by the Charité university hospital in Berlin to Namibia and Australia.

Three chapters then follow from the Return, Reconcile, Renew community partner organisations, each of which contributes detailed information about the removal and return of Ancestral Remains and the work of GBK, NRA, and KALACC (Chapters 6–8). Separately, these chapters provide insight into the local historical context of repatriation initiatives and the many and varied solutions developed to meet the numerous and diverse challenges that such activity presents. Chapter 6 on the Torres Strait charts particular complexities faced by Indigenous repatriation practitioners working across different cultural contexts. Chapter 7 provides an in-depth analysis of how repatriation is embedded within broader Ngarrindjeri nation building initiatives.
Chapter 8 documents the repatriation work of KALACC and provides unique insight into the work of its repatriation officer in a diverse, geographically extensive and remote Australian region. This chapter also introduces the importance of the repatriation archive created by Indigenous organisations – a topic that is picked up throughout the volume – and shows how repatriation activity is a modern expression of resistance to European invasion that can be traced to the late nineteenth century. Together these chapters and others throughout the volume that also relate to the work of these three organisations (e.g. Chapters 16, 31, 39–42, 46, and 47) form a significant corpus of knowledge about repatriation practice in three regions of Australia.

In the next three chapters, insights on repatriation are provided from Argentina, Chile, and Rapa Nui. In Chapter 9, María-Luz Endere traces the development of repatriation in Argentina, focusing on key legislative measures and notable case studies since the early 1980s. In Chapter 10, Patricia Ayala explores repatriation in Chile, demonstrating the challenges presented by the way in which Indigenous heritage is conceptualised by the state and the limitation of existing legislation. In Chapter 11, Jacinta Arthur explores the ontological relevance of repatriation in Rapa Nui, a Pacific Island and non-self-governing territory of Chile. Taken together, these three chapters from South America explore the ways in which repatriation has produced and is producing friction between epistemological approaches to Indigenous heritage held by the colonising states. In Argentina, with the return of democracy in 1983 and within a framework of increasing recognition of Indigenous rights, protracted campaigns by Indigenous peoples have steadily secured legislative change. In Chile, this process is less developed, which impacts significantly on expression of Indigenous cultural authority and control, whether domestically or in the offshore territory of Rapa Nui.

In Chapter 12, Tsuyoshi Hirata, Ryūkichi Ogawa, Yūji Shimizu, Tsugio Kuzuno, and Jeff Gayman explore the meaning and importance of repatriation for Ainu, the Indigenous peoples of the regions bordering the southern Sea of Okhotsk, the Kuril Archipelago, the island of Hokkaido and the island of Sakhalin. Ainu Ancestral Remains are found in quantity in Japanese institutions as well as in museums in other countries worldwide. The chapter describes the successful litigation process brought by Ainu against the University of Hokkaido in 2012, and how this is embedded in a human rights perspective. In Chapter 13, Paul Tapsell reflects on over twenty-five years of experience in repatriation from the perspectives of a curator, museum ethnographer, senior museum executive and engaged Māori tribal descendant. This chapter is the third in a trilogy of publications by Tapsell concerning the history of the Auckland War Memorial Museum’s role in the removal of Māori and Moriori Ancestral Remains from burial grounds and their frequent use as exchange ‘specimens’ with overseas institutions. This chapter considers the development of the museum’s repatriation program, and the challenges faced to ensure source-community decision making and cross-cultural partnerships within a context of museum governance. It provides important insights that may inform strategic approaches for both museums and repatriation practitioners in communities. The last chapter in this section is provided from Tanzania by Nancy Rushohora. In Chapter 14, The Majimaji War Mass Graves and the Challenges of Repatriation, Identity, and Remedy, she provides an important contribution that takes repatriation out of the museum context and instead considers the challenges presented by colonial war graves. However, the key elements of remedy, reconciliation and healing are as evident in Rushohora’s discussion of the Tanzanian context as they are for Indigenous peoples requesting the return of Ancestral Remains from museums. Her chapter can also be read in complement with that of Gareth Knapman (Chapter 51), which explores the interconnections between Australian communities dealing with the return of human remains from museum and battlefield contexts.
Introduction

Part 2: Networks of removal: understanding the acquisition of Ancestral Remains in the long nineteenth century

In Part 2 chapters chart new territory in documenting and analysing how and why Indigenous human remains were removed from around the globe. Chapters 15 and 28, authored by Elena Govor and Hilary Howes, bookend this section. These chapters provide rare insights into Russian collecting and are the first publications to explore the Russian collecting of Indigenous human remains in the Pacific region, revealing a history that has not been previously examined in the Western canon. Although it is known that museums in the old Russian Empire contain Indigenous human remains, there has been minimal information available about where they were acquired from, who collected them, and why. In Chapter 15, Govor and Howes consider nineteenth-century Russian collecting networks and anthropological pursuits in Australia and the Pacific more broadly. In Chapter 28, they focus on the collecting activities of Nikolai Miklouho-Maclay, a Russian naturalist and anthropologist, offering valuable insights into Russian attitudes towards physical anthropology in Australia and the South Pacific in the later nineteenth century. In Chapters 16–19, members of the Return, Reconcile, Renew team present the results of new research into the removal and supply of Indigenous human remains to collecting institutions. Chapter 16 considers the role of missionaries in the acquisition of remains and presents the case study of Father Ernst Worms, a Pallottine monk based in the Kimberley for many years who knowingly illegally exported Ancestral Remains to Germany in 1935. This chapter charts the history of these Old People from their removal by Worms to their return to Australia and eventual reburial in Bardi Jawi country, facilitated by KALACC.

Chapters 17 and 18 provide the first in-depth examination of the purchase and sale of Indigenous human remains. Previous scholarship has focused on networks of donation, gift, and patronage, and – while noting its presence – failed to realise the prevalence of commercial dealings or explore their nature and extent. Chapter 17 is concerned with the role of auction houses and dealers both in the past and today. Chapter 18 focuses on the various mechanisms involved in the purchase and exchange of Indigenous human remains by museums and private collectors more broadly. It explores the ‘chain of supply’ and argues that this arena of commercial dealings can be justifiably identified as an economy. Chapter 19 considers nineteenth- and early twentieth-century official measures, including legislation, to prevent the trade in (and regulate the export of) Indigenous human remains from New Zealand and Australia. It documents successful and unsuccessful attempts by collectors to break the law, providing insights into notions of morality and illegality, and suggests there may be many Indigenous human remains in overseas institutions that were illegally exported from their country of origin. If so, such illegality provides holding institutions with few options other than to repatriate. It is important to note that this chapter considers the ‘rule of law’ from the perspective of the settler state. Indigenous peoples had and still have their own laws governing appropriate treatment of the deceased.

In Chapter 20, Amber Aranui explores the uses and abuses of Māori and Moriori human remains by European scientists, charting the development of European science and the effects this has had, and is still having, on Indigenous communities through an Aotearoa New Zealand lens. In Chapter 21, Apolline Kohen provides an overview of collecting by French institutions and recent repatriation developments in that country. Her chapter highlights a critical need for further research to produce more information about French collections, explores the legal and administrative status of public collections, and draws attention to the complexity of French repatriation cases to date. In Chapter 22, Simon Jean provides additional information about the twenty-one Toi moko that were held in French museums until their return to New Zealand in
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2010. Finalising a mini-section on repatriation and Aotearoa New Zealand (although see also Chapters 37 and 38), in Chapter 23 Coralie O’Hara details the history of repatriation requests for the return of the Andreas Reischek collection housed in the Natural History Museum in Vienna since the late nineteenth century. Requests for the return of this collection were commenced by the Māori battalion in the Second World War and were continued by various parties, subsequently resulting in the repatriation of some Ancestral Remains in 1985 and 2015, including the mummified remains of two famous individuals stolen from a burial cave in the Kawhia district of North Island by Reischek in the early 1880s.

In Chapter 24, Paul Turnbull explores the collecting of Ancestral Remains as colonial violence. Considering Australia and South Africa in particular, he draws attention to how remains acquired by European museums were obtained in contexts of physical violence, coercion, the plundering of traditional burial places, or the dismemberment of the bodies of Indigenous victims of colonial violence. Chapters 25 and 26 return to Germany. The former charts the collecting activities of Berlin anatomist Wilhelm Krause, who travelled to Australia in 1897 and obtained the remains of fourteen individuals from academics in Adelaide, Sydney, and Melbourne. Its author, Andreas Winkelmann, was responsible for the repatriation of these remains to Australia from the Charité university hospital in Berlin (documented also by Larissa Förster in Chapter 5), and his chapter draws attention to the importance of provenance research to not only re-humanise Indigenous human remains in museum contexts, but also to inform institutions about their own history and legacies. In Chapter 26, Antje Kühnast provides an analysis of German interest in Aboriginal Ancestral Remains through fine-grained examination of a debate initiated by Rudolf Virchow about the significance of a particular part of the skull (the Stirnfortsatz) for the evaluation of human diversity. Her research reveals how early German physical anthropologists offered authoritative plausibility to already existent ideas of Australian Indigenous inferior status, and the chapter thus contributes to understanding why Germany sought to obtain Ancestral Remains, how they were studied, and how such study reified pre-existing racist notions as authoritative ‘truths’. In Chapter 27, Johanna Parker provides the first in-depth analysis of the collecting activities of Joseph Barnard Davis, a British medical practitioner who amassed the largest private ‘race’ collection in the world. Details of its assembly offer much to the understanding of the motivations and methodologies of private collectors of human remains throughout the British Empire and beyond.

Part 3: Repatriation methods in research and practice

Repatriation is a complex process. Over forty years of repatriation practice has highlighted pitfalls, produced appropriate methodologies, and charted important elements as essential for success. This part provides practical information for those involved in repatriation. Chapters describe research methods to locate and provenance Ancestral Remains, provide case studies, and offer reflections on past repatriation events from those most directly involved.

Written by members of the Return, Reconcile, Renew team, Chapter 29 sets out ‘Research for Repatriation Practice’. This chapter is the result of the combined effort of five repatriation practitioners since the early 1990s whose work has focused on the location and provenancing of Indigenous Ancestral Remains prior to repatriation. It identifies ‘repatriation research’ as a particular suite of research techniques that can be effectively used in combination. Its focus is the primacy of archival records, but it also provides an overview of scientific techniques that communities may wish to consider should exhaustive searches reveal no accompanying documentation. The chapter scopes the limitations and risks involved in scientific techniques that are
currently vulnerable to being presented as uncritiqued solutions to the challenges presented by unprovenanced Ancestral Remains. In Chapter 30, Gareth Knapman, Paul Turnbull, and Cressida Fforde describe the rich variety of historical resources that are now available in digital form to assist repatriation research. New and easily searchable data sets of international newspapers, nineteenth-century scientific journals, and collection catalogues are now available to assist those searching for their Old People. Chapter 31, by Neil Carter, Joe Brown, and Michael Pickering, moves repatriation practice to the community level once Ancestral Remains have been returned and provides insights into the cultural protocols that must be followed to help ensure success. In Chapter 32, Cressida Fforde and June Oscar report on ongoing research to locate the remains of Jandamarra, a famous leader of the Bunuba people of north Western Australia who led a resistance to European invasion of Bunuba country in the 1890s. The chapter details the research processes required to reveal part of Jandamarra’s post-mortem history and illustrates the significance and method of fine-grained historical research in the repatriation sector. The chapter also contributes to knowledge about the acquisition of Aboriginal human remains by small, private museums in the UK – about which currently little is known.

In Chapter 33, Holly Cusack-McVeigh and Timothy Carpenter describe the criminal investigation launched by the Federal Bureau of Investigation (FBI) in 2013 that led to the bureau’s largest single recovery of Native American human remains, cultural items, and foreign artefacts to date. The chapter describes how this case helped redefine how law enforcement deals with the sensitive area of repatriating remains and objects that have been subjected to the criminal justice processes. Chapter 34 by Audie Huber discusses the use of genomic testing in the case of the Ancient One (Kennewick Man), providing important insight into how scientific techniques were used first to deny the repatriation of this individual under NAGPRA and then, through DNA testing, to support it. In many ways the chapter charts the passing of craniometrics as an authoritative scientific technique for determining ancestry and the ascendancy of genomics in this area. It is of particular interest because of the continuing use of craniometrics in repatriation practice, particularly in relation to Australian Indigenous human remains and, as the author notes, the promise and potential perils for Indigenous communities employing genomic science for repatriation purposes (and see Chapter 29).

Chapters 35 and 36 continue the topic thread of archives in repatriation practice. In Chapter 35, Gavan McCarthy, Ailie Smith, and Annelie de Villiers outline the contribution of the University of Melbourne’s eScholarship Research Centre (ESRC) to the Return, Reconcile, Renew and Restoring Dignity projects. Tasked with building a digital knowledge base that would assist communities engaged in repatriation efforts and provide information related to matters of cultural and historical significance to the general public, the ESRC used archival informatics to map the entangled historical and contemporary contexts of the removal and repatriation of Ancestral Remains. Through collaborative action research methodologies, the ESRC sought to consolidate the contextual information into a networked digital archive in a way that subverts colonial archival practices, many of which are still deeply embedded in contemporary archival practice. Based on a study of access policies in major libraries, archives and Indigenous organisations, in Chapter 36 Grace Koch offers an overview of how culturally sensitive materials are managed in Australian archive collections.

Chapters 37–41 take up the threads of relationship building and repatriation practice. Chapter 37 describes the 2013 repatriation of Māori Ancestors from the University of Birmingham, UK, to the Museum of New Zealand Te Papa Tongarewa (Te Papa). Those leading this process, June Jones and Te Herekiekie Herewini discuss their partnership approach and what has been learned from it, describing the ways in which they built a bridge which has resulted in
collaborative work that has continued after the formal handover ceremony. In Chapter 38, June Jones reflects on her experience of facilitating two repatriations from Birmingham University: one to New Zealand and the other to the United States. It discusses the proactive decision-making process and focuses on the rich relationships built between those involved. It provides insight into the development of a rare proactive approach to repatriation adopted by one UK institution and how this was informed by common frameworks used in medical ethics, which respect and value personal boundaries and notions of justice. Chapter 39 features Major Sumner and Tristram Besterman in conversation about their joint experience of repatriations from the Manchester Museum in 2003 and the Brighton Museum in 2009. It provides personal reflections on their involvement in repatriation and seeks to offer insights into the friendships that can be forged in consequence. In doing so, it also considers a little-discussed aspect of repatriation in scholarship: the presence and significance of emotion in repatriation events. Chapters 40 and 41 are concerned with the return of control over 138 Torres Strait Islander Ancestors from the Natural History Museum in London (NHM) to traditional owners, a landmark event for repatriation in the UK, and the result of many years of Indigenous campaigning. Chapter 40 is written by the NHM staff member most centrally involved in organising this repatriation (Margaret Clegg), and by the Torres Strait community representative who led negotiations with this institution (Ned David). Chapter 41 is written by the senior member of the Australian government involved in supporting international repatriation (Stacey Campton) and by the senior NHM staff member tasked with changing the NHM’s approach to repatriation (Richard Lane). Taken together, these chapters provide an overview of how a major institution changed the way it handled repatriation requests and provides important insight into the way in which relationships were built and facilitated the return. The NHM was previously known for its refusal to return Ancestral Remains and then, in 2006, for its decision to return seventeen individuals to Tasmania but – against the wishes of the Tasmanian Aboriginal Centre – to retain samples for scientific analysis. This heavily criticised decision led to a court case and then mediation. Chapters 40 and 41 acknowledge the importance of the Tasmanian case for helping the NHM to chart a different way forward. To contextualise these chapters, they should be read in conjunction with Chapter 6, which describes the removal of Ancestral Remains from the Torres Strait Islands and the rise of its repatriation endeavour. Chapter 42 closes this section with a detailed and nuanced account of the return of the remains of an Aboriginal man, Jim Crow, from Museum Victoria to the Wonnarua traditional owners of the Hunter Valley in New South Wales, Australia. Written by Alexandra Roginski, who was centrally involved in locating Jim Crow’s remains and facilitating his repatriation, the chapter explores how community members made sense of the return and how his story was interwoven with histories that are a foundation of contemporary Aboriginal identity in the region.

Part 4: Restoring dignity

In the final part, fourteen chapters consider the effects and impact of repatriation. Forty years since the beginnings of the repatriation movement in the United States, New Zealand and Australia, it is now an interesting time to consider the effects that it has had, although understanding its impact is complex. Part 4 offers a variety of perspectives and approaches, whether providing insight into the relationship between repatriation, healing, reconciliation and identity (Chapters 43–46 and 52); the importance of song and ceremony (Chapter 46); transformative approaches to archives (Chapters 47–49); new ways to think about the relationship between the return of remains from museum and battlefield contexts (Chapter 51); the impact on museums and professional practice (Chapters 53 and 54); or repatriation and ethics (Chapters 55 and 56).
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Taken together, the section exemplifies the far-reaching and diverse social ripples that can occur when Indigenous Ancestral Remains are returned home.

In Chapter 43, Cressida Fforde, Gareth Knapman, and Corinne Walsh draw upon interviews from the Torres Strait, the Kimberley region, and Ngarrindjeri country that were undertaken for the Return, Reconcile, Renew project to explore and elucidate the relationship between repatriation, healing, and reconciliation. Indigenous-specific concepts of country, health, and wellbeing are identified as key components, as are universal human needs for the return of the dead and the grieving process to be complete. The chapter explores the role of memory and collective identity and considers the concept of dignity as a useful lens through which to understand all of these interconnections more deeply. In Chapter 44, Western Apache describe the importance of repatriation in a holistic manner that interconnects the land, the living, and the ancestors, and what they express in terms of re-establishing a state of Gozhóó, or ‘the happiness and fulfillment that is derived from harmony and balance between oneself, one’s community, and the natural world’. While this philosophical approach is culturally specific to Apache, it shows clear harmonics with how other Indigenous peoples express the reasons why repatriation is so important. In Chapter 45, Russell Thornton explores how repatriation can be part of addressing historical traumas that perpetuate intergenerationally. He identifies the removal of Native American remains as part of the trauma produced by colonisation, noting that many bodies were taken from sites of some of the worst episodes in tribal histories. By considering examples in the United States, Thornton describes how, through repatriation, Native American communities have achieved some ‘healing of soul wounds’. In Chapter 46, Steve Hemming and colleagues describe the importance of repatriation for Ngarrindjeri people of South Australia, further illustrating the cultural specifics yet Indigenous commonalities that exist for those dealing with the past removal of their ancestors. In this chapter, they consider the Ngarrindjeri approach to bringing Old People back to Yarluwar-Ruwe (sea country) as a process of research, negotiation, translation, healing, self-determination, and restoring dignity. In Chapter 47, Ngarrindjeri elder Major Sumner and musicologist and archivist Grace Koch contribute an account of the importance of ceremony in repatriation. They describe how repatriation is a new concept that must be accommodated within ceremonial practice, with development of songs and dances necessary to reflect the history of removal and return. This chapter complements others in this volume that have identified the challenges that people face in deciding how to re-bury Ancestral Remains returned from museums, because this was never part of traditional funerary practice (e.g. Chapter 8).

The next three chapters (Chapters 48–50) provide insights into the archive that is associated with the removal and return of Ancestral Remains. In Chapter 48, Kirsten Thorpe Shannon Faulkhead and Lauren Booker describe the considerations that accompany how to manage the often distressing information that must accompany the return of Ancestral Remains in order to ensure successful repatriation. In Chapter 49, one of Australia’s pre-eminent Indigenous artists, Julie Gough, describes her creative response to repatriation and its historical context. As she observes, threads of Tasmanian Aboriginal narratives in the archives hint at histories, lives and afterlives of Ancestors whose remains were stolen. She describes the challenges for an artist engaging with fraught, contested histories and how creative responses can work to disturb and break the mechanisms by which Ancestors and living peoples were objectified. In Chapter 50, Ali Baker Simone Ulalka Tur, Faye Rosas Blanch, and Natalie Harkin (together the Unbound Collective) describe the ways in which they strive through artistic praxis to engage with and transform colonial representations that saturate the archive and which continue to ‘haunt, oppress and shape Indigenous lives’. The chapter provides many examples of the different ways in which their artistic collective uses sovereign acts of creative work, performance and
theory to create a safe place to engage with the trauma and horror of the archive. The chapter illustrates the way in which the Unbound Collective repatriate a pre-colonised safe space and an Indigenous understanding of identity, ways of being, and pasts.

In Chapter 51, Gareth Knapman draws from a range of resources to explore the interconnections between the experiences and responses of those whose fallen relatives lie in war graves, and those whose ancestors are stored in museums. The chapter reveals important similarities among these two communities. Importantly, it emphasises the parallels between violent processes of colonialism and other global conflicts while contrasting the dramatically differing responses to the treatment of human remains in each of these contexts. In Chapter 52, Russell Thornton considers the relationship between repatriation and identity. Using the case study of a dispute between the Pawnee and the Smithsonian Institution that occurred between 1995 and 1997, Thornton discusses the details and implications of a case in which Indian tribal identity was disputed and negotiated not only with museums and institutions but with other tribes as well. Chapters 53 and 54 explore the impact of repatriation on museums. In Chapter 53, Sarah Morton considers how Indigenous repatriation from UK institutions has influenced the way in which some institutions have curated and exhibited all of the human remains in their care. The chapter builds on recent work in cultural geography and museum studies on materiality and the relations between people, things, practices, and buildings, and explores the meanings that human remains in UK museum stores have for the people who work with them. In Chapter 54, Michael Pickering considers aspects of the history of engagements between Australian Aboriginal and Torres Strait Islander people and the National Museum of Australia in the area of repatriation. He describes how, through engagements often initiated through repatriation advocacy, barriers to honest, transparent, and mutually respectful engagements have collapsed, producing new directions in museum practice and philosophy.

The final two chapters are concerned with ethics and, in particular, how museums must respond to past unethical behaviour that is compounded in the present by refusals to repatriate Indigenous human remains. While some critics have drawn attention to what they consider the unfair ‘judging’ of past collectors, other writers have pointed to the knowledge by many who took remains that their actions were against the wishes of Indigenous peoples and that an appraisal of their actions should thus not be understood (and dismissed) in terms of ignorance. It has been argued that the past removal of Ancestral Remains was embedded within an ethics of ‘that time’, and thus modern ethics should not be applied. However, as Paul Turnbull sets out in Chapter 55, the issue is more nuanced and must take into account that past European societies were not uniform in what they considered to be ‘ethical’ practice. Anatomists in early nineteenth-century Britain were happy to receive grave-robbed corpses, an activity abhorred by broader society. Similarly, there is evidence that at least some settlers considered the removal of Ancestral Remains to be wrong and against the wishes of the local Indigenous population, and informed collectors accordingly. The chapter draws attention to important continuities of moral sensibilities and law in respect of the dead in metropolitan Britain and Australian settler society and argues for an ethical imperative in considering whether the knowledge that might be gained by denying Indigenous peoples their rights to the dead comes at the cost of diminishing our common humanity. In the final chapter, Tristram Besterman examines assumptions made about the value and status of contested human remains in museums in the context of codified ethical standards and procedures, national legislation and international conventions. Drawing upon case studies and exploring issues of ethics and power, Besterman argues for a more empathetic and outwardly accountable ethic to drive cultural change in the encyclopaedic museum, which can then engage with claims for repatriation in ways that reward all participants in the long term.
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Repatriation research and practice is a vibrant, challenging, and complex space that constantly produces opportunities for learning and knowledge creation. It encompasses an array of different multi-level and interconnecting threads. Indigenous Partner Organisations on the Return, Reconcile, Renew project have often adopted a weaving analogy to express the different dimensions of repatriation and how they interlink. Holistic notions of wellbeing are embedded in a worldview where social, spiritual, and ecological environments are intimately interconnected and achieve balance. The past removal of Ancestral Remains within a broader context of the violence of colonisation ruptured this balance and the woven ‘whole’ became unravelled with threads cast outwards in disparate and unknown directions. Such fragmentation contributed to the challenges faced by Indigenous peoples on many levels. In a transformative reversal, the return of Ancestral Remains can enact Indigenous self-determining agency to trace where they are located, undertake protracted campaigns to shift the discourses that hold them in museums, and to organise their successful return. Disparate threads are thus brought back together and woven anew to support the social fabric. The process itself is not without many challenges to ensure that repatriation works for social benefit. Yet the commitment to repatriation that has been shown by Indigenous peoples for over forty years is clear testament to its importance and necessity for the future.

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Notes

1 This false dichotomy privileging European ways of knowing has been memorably described by Colin Scott as ‘science for the west, myth for the rest’ (Scott 1996).

2 As of 29 April 2019, the figure of 1,573 Ancestral Remains returned to Australia over the past thirty years is provided by the Australian government’s International Repatriation website. The number of repatriations is broken down by country as follows: United States: 100; Canada: 1; UK: 1,265; Germany: 105; Austria: 47; Sweden: 41; Czech Republic: 8; Netherlands: 5; and Ireland: 1. Available at www.arts.gov.au/what-we-do/cultural-heritage/Indigenous-repatriation/international-repatriation (accessed 29 April 2019).

3 Organisations involved in Return, Reconcile, Renew were Kimberley Aboriginal Law and Culture Centre; Ngarrindjeri Regional Authority; Gur a Baradharaw Kod Torres Strait Sea and Land Council; National Museum of Australia; Australian National University; University of Tasmania; Flinders University; University of Melbourne; Australian Institute for Aboriginal and Torres Strait Islander Studies; University of Otago; Australian Government Indigenous Repatriation Unit, Department of Communication and the Arts; Museum of New Zealand Te Papa Tongarewa; Association on American Indian Affairs. In Restoring Dignity, the team changed slightly with the addition of Humboldt University and the University of the Netherlands, and the departure of Museum of New Zealand Te Papa Tongarewa, University of Otago, and Association on American Indian Affairs.

References


Introduction

PART 1

A global movement
Repatriation reflections from around the world
The return of human remains and ceremonial objects to their Indigenous nations of origin is today a true global movement highlighted by the 2007 adoption by the United Nations General Assembly of the Declaration on the Rights of Indigenous Peoples. The Declaration establishes minimum standards for the survival, dignity, and well-being of the Indigenous peoples of the world, and was initially adopted by 143 countries, with four votes against and eleven abstentions (United Nations 2007a). Since then, the four countries that voted against – Australia, Canada, New Zealand, and the United States – have changed their positions and endorsed the Declaration, as have three of the countries that initially abstained: Samoa, Colombia, and Ukraine (see Figure 1.1).

Article 12 of the Declaration focuses specifically on the repatriation of Indigenous human remains and ceremonial objects:

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with Indigenous peoples concerned.

(United Nations General Assembly 2007b)

Today, nearly 80 per cent of the 192 members of the United Nations have recognised the right of Indigenous peoples to access and/or repatriate their ceremonial objects and human remains, and have agreed to enable fair, transparent, and effective repatriation mechanisms. The 42 countries that have not endorsed the declaration are Azerbaijan, Bangladesh, Bhutan, Burundi, Chad, Côte d’Ivoire, Equatorial Guinea, Eritrea, Ethiopia, Fiji, The Gambia, Georgia, Grenada, Guinea-Bissau, Israel, Kenya, Kiribati, Kyrgyzstan, Marshall Islands, Mauritania, Montenegro, Morocco, Nauru, Nigeria, Palau, Papua New Guinea, Russian Federation, Romania, Rwanda, Saint Kitts
and Nevis, São Tomé and Príncipe, Seychelles, Solomon Islands, Somalia, Tajikistan, Togo, Tonga, Turkmenistan, Tuvalu, Uganda, Uzbekistan, and Vanuatu.

The development of the global Indigenous repatriation movement did not appear fully formed on the United Nations agenda but reflects gradual shifts in fundamental legal norms of property and Indigenous rights in the 19th and 20th centuries. This chapter provides an overview of the evolution of some of these legal norms landmarked by significant legislation, litigation, and policy related to the use and control of Indigenous ceremonial objects and repatriation of Indigenous human remains in museum collections.1

The evolution of legal norms

Many of the 19th- and 20th-century legal landmarks along the evolutionary path of the Indigenous repatriation movement occurred in Australia, Canada, New Zealand, and the United States — countries sharing both a colonial expertise in subjugating Indigenous peoples and legal systems largely based on English common law. Sir William Blackstone’s four-volume Commentaries on the Laws of England (1765–1769) is the primary treatise on the 18th-century English common law traditions shared by these countries, with his second volume on the ‘rights of things’ identifying many principles applicable to repatriation. Blackstone distinguishes two types of property: real property that is permanent, fixed, and immoveable; and personal property, such as goods, money, and other moveables (Blackstone 1992 [1766]: 16). Blackstone characterised title of both real and personal property based on occupation as ‘the original and only primitive method of acquiring property at all; but which has since been restrained and abridged, by the positive laws of society, in order to maintain peace and harmony among mankind’ (Blackstone 1992 [1766]: 400). He specifically took issue with the acquisition of real estate based on conquest.

But how far the seising on countries already peopled, and driving out or massacring the innocent and defenceless natives, merely because they differed from their invaders in language, in religion, in customs, government, or in colour; how far such a conduct was consonant to nature, to reason, or to christianity, deserved well to be considered by those, who have rendered their names immortal by thus civilizing mankind.

(Blackstone 1992 [1766]: 7)
Beyond real and personal property, Blackstone also identifies a third class of items that are incapable of being subjects of property, including light, air, wild animals, and – of critical importance to the repatriation movement – the bodies of deceased human beings (Blackstone 1992 [1766]: 14, 429). The unique status of deceased human beings under English law meant that while an heir had a property interest in his or her ancestor’s gravestone or funerary objects, they had none in the body or ashes themselves and could not bring a civil action against any violation or disturbance of the dead (Blackstone 1992 [1766]: 429).

Looting the physical artifacts of a defeated people – particularly monuments, art, sacred objects, and human remains – was common military practice from ancient times. This began to change following the battle of Waterloo in 1815 when the Allies found themselves in control of a vast trove of art that had been plundered by the French forces from the Netherlands, Italy, Prussia, and Spain. Instead of seizing the collections himself, Arthur Wellesley, 1st Duke of Wellington, instead forbade his troops from looting and ordered the art collection in France to be repatriated both as restitution to the various nations of origin and in order to ‘give the people of France a great moral lesson’ (Miles 2008: 334).

Nearly fifty years later, the jurist and political philosopher Franz Lieber, who ironically had fought and been wounded at Waterloo, was asked to formalise the rules for how soldiers should conduct themselves in America’s civil war. General Order No. 100 – The Instructions for the Government Armies of the United States in the Field, also known as the Lieber Code – gave strict instructions that private property, as well as property belonging to churches, hospitals, charitable establishments, education establishments, public schools, universities, academies, and museums of the fine arts should be protected. The appropriation of money, watches, jewelry, clothing, or other valuables of prisoners was considered dishonorable and was prohibited (United States Army 1863). Lieber’s 1863 code did not address the collection by Army medical officers of specimens of ‘morbid’ (pathological) anatomy, along with projectiles and foreign bodies removed from those bodies, as was previously ordered by the US Army Surgeon General (Hammond 1964 [1862]: 12).

The Hague Conventions of 1899 and 1907 expanded the protection of private property during wartime to fifty-four nations, holding that private property could not be confiscated or destroyed, excepting arms, horses, and military papers of prisoners of war (Hague Convention 1899, 1907). The 1907 convention also included provisions requiring that, following maritime engagements, the dead of all belligerents would be protected from pillage and ill treatment. Following the devastation of the Second World War, another Hague Convention expanded wartime protections to cultural heritage – regardless of origin or ownership – including monuments, archaeological sites, buildings, art, manuscripts, books, and scientific collections (Hague Convention 1954). A blanket rule directing all belligerents in military engagements to take all possible measures to search for the dead and prevent their being despoiled was not enacted until 1949 (Geneva Convention 1949: Article 15).

**Early Indigenous repatriation efforts through 1945**

Despite the 19th- and 20th-century evolution in the way the property of subjugated peoples was treated, Indigenous peoples still faced many challenges in repatriating their human remains and ceremonial objects, particularly due to their lack of standing to access the courts. Repatriations during this period were largely isolated occurrences driven primarily by the persistence of Indigenous individuals.

One of the earliest efforts by Indigenous peoples to repatriate human remains from European colonists was initiated in 1830 when a Māori chief appealed for the return of the heads of fourteen Māori in the possession of the skipper of a Scottish schooner that had recently arrived
in Sydney harbour from New Zealand (see Fforde et al., Chapter 19, this volume). Māori of chiefly rank traditionally marked rites of passage and significant events with facial tattoos, and upon their death their heads were preserved and kept by their families or, if taken in battle, by their enemies. With the arrival of Europeans in New Zealand, preserved heads entered into commercial trade, particularly in exchange for firearms, and the spiralling arms escalation that resulted led tribes to acquire additional heads by tattooing the heads of their slaves and prisoners as well as launching military raids on other tribes. In 1830, a crewman on the schooner *Prince of Denmark* acquired fourteen preserved heads in Tauranga that were reportedly taken from men slain in a battle 300 kilometres away at the Bay of Islands. One of the Bay of Islands chiefs was dispatched to Sydney to personally seek redress. On 16 April 1831, the governor of New South Wales issued a government order to stop the import of such heads into Sydney and which directed the crew member and all others in possession of Māori heads to deliver them up to be returned to the relatives of the deceased (McLeay 1831: 2 and see Fforde et al., Chapter 19, this volume). The fourteen heads were apparently returned (‘The human head trade’ 1831: 2), and the chiefs of the Bay of Islands tribes launched a retaliatory raid on the Tauranga tribes and vowed to shoot the *Prince of Denmark* skipper on sight (‘New Zealand’ 1831: 2).

One of the most protracted early efforts by Indigenous peoples to repatriate cultural property was initiated in the 1890s by the Six Nations Confederacy of the Cayuga, Mohawk, Oneida, Onondaga, Seneca, and Tuscarora in the United States and Canada. At issue were a number of wampum belts, woven strips of cylindrical white or purple shell beads, used by the confederacy to memorialise significant agreements and traditionally kept by a designated Onondaga leader for the confederacy as a whole. The American Revolution precipitated a split within the confederacy as groups chose to ally themselves with the American or the British causes. With the American victory, many Loyalist communities resettled from the United States to the Six Nations Reserve in Ontario, Canada, and the confederacy belts were divided between the American and Canadian communities. In 1891, the wampum keeper in New York was persuaded to sell four belts, which were ultimately acquired by John Boyd Thacher, the mayor of Albany, New York (Fenton 1971: 450). When the wampum keeper in Ontario died in 1893, his heirs assumed control of the wampum and began to sell pieces to museums. The two Indigenous communities in the United States and Canada quickly tried to recover the belts, which they believed had been illegally alienated (Fenton 1989: 403).

In New York, the Onondaga Nation filed suit in 1897 to recover the four belts that had been sold by the wampum keeper to John Thacher (‘Thacher’s wampum demanded’ 1897). The following year, anticipating a determination by the court that the tribe lacked legal standing to sue and realising eight other belts were in danger of being dismantled or lost, the Onondaga identified the University of the State of New York as the wampum keeper and, by bill of sale, sold and transferred all interest in the wampum (‘Onondaga wampum belts’ 1899). The State of New York, in turn, enacted legislation in 1899 identifying the university as the wampum keeper with authority to acquire additional wampum to which the Six Nations Confederacy was entitled. Though the university joined the Onondaga’s suit to recover the four belts, the case was ultimately dismissed, with the court ruling that while the wampum keeper had authority to sell the four belts, the Onondaga Nation did not have authority to unilaterally select the university as wampum keeper (*Onondaga Nation v. John Boyd Thacher* 1899).

In Ontario, the confederacy was successful in gaining the return of several belts in 1894, but others continued to be sold by the late wampum keeper’s heirs despite a reward posted by the confederacy for their return. In 1909, the confederacy requested the assistance of the governor general of Canada in securing the return of the belts, but when in 1915 the Indian Department requested affidavits affirming the belts were not individual property and could only be disposed
of with the consent of the confederacy as a whole, confederacy leadership declined to identify the community member who had sold them and the matter was dropped. Eleven wampum belts were eventually acquired by the Heye Museum in New York, now the National Museum of the American Indian (Fenton 1989: 401–407). After nearly fifteen years of administrative and judicial struggle in the United States and Canada, most of the belts sold by the wampum keeper or his heirs in the 1890s remained in museum or private collections.

The question of legal standing of Indigenous peoples was partially resolved in the United States in 1924 with passage of the Indian Citizenship Act. In the midst of a prolonged drought in the 1930s, the Hidatsa Tribe in North Dakota requested the return of a sacred altar from the Heye Museum of the American Indian in New York City. The altar, consisting of four posts supporting two shelves, a buffalo skull, an eagle wing, a black buffalo-hide bag containing two human skulls and a pipe, and associated offerings, was the focal ceremonial object of one of the tribe’s seven matrilineal clans, the Water Busters, and was used in traditional rainmaking ceremonies (Steinbrueck 1908: 2). When the keeper of the Water Buster altar died in 1888 without identifying a successor, the altar was left in the custody of his wife and son who were not clan members and did not have authority to sell the altar. The late keeper’s son Wolf Chief purportedly tried to find a Water Buster clan member to take charge of the altar, but no one stepped up to the charge, and in the meantime the family endured a succession of calamities which were attributed to its possession of the altar (Cooper 2008: 68). When Wolf Chief sold the altar to a Presbyterian minister in 1907, Water Buster clan members were outraged and the minister’s permit to enter the reservation was temporary suspended by the Indian Service, but the sale was eventually affirmed (Cooper 2008: 68). The Water Buster altar was first publicly displayed in Philadelphia in 1913 (‘Sacred Indian shrine’ 1913: 9). Wolf Chief died in 1932, and the Water Buster clan members soon renewed their efforts for the return of the altar, starting with personal overtures to the museum, which, when rebuffed, escalated to requests to the Indian Service, stories in the New York Times and Washington Post, and a meeting with President Franklin D. Roosevelt (see Figure 1.2). The skulls and buffalo skin bag were returned to the Hidatsa in 1938, with CBS, NBC, and Movienews covering the event.

Efforts by the Māori, Six Nations Confederacy, and Hidatsa demonstrate the many obstacles confronting Indigenous repatriation claims in the 19th and first half of the 20th centuries. Indigenous communities were largely denied standing within the dominant legal system, forcing them to resort to alternative approaches in pursuing their repatriation claims. The Māori chief travelled more than 2,200 kilometres from New Zealand to Australia to recover the heads of fourteen of his fellow tribal members. The Six Nations attempted to pass their ownership of the belts in their possession and their repatriation claims to an outside, non-Indigenous party to ensure their legal standing. The Hidatsa, despite having the opportunity to file suit in US courts appealing the rejection of their administrative claims, opted instead to lobby politicians and skillfully use the press to marshal support for their claims. Even using such alternative approaches, Indigenous repatriation claims often took decades to resolve.

Development of a legal framework for Indigenous repatriation after 1945

The situation of Indigenous peoples began to change after the Second World War with the collapse of the colonial system around the globe; the education, particularly legal education, of Indigenous men and women in the ways of their dominant societies; and the incorporation of universal human rights precepts within the foundational elements of the United Nations (Anaya 1996).

On 4 February 1948 the colony of Ceylon marked its independence from British rule with enactment of a new constitution, and five days later the British returned the cranium of Keppetipola to the country’s first prime minister, D.S. Senanayake (Wickramasinghe 1997: PE85).

The year before independence, the colonial governor had received a request for the return of the cranium from the student association of the Vidyalankhara Pirivena, Ceylon’s largest Buddhist monastic college with a history of nationalist political activity (Dhammananda Thero 2015; Fforde 2004: 119–121). Keppetipola was a prominent leader of the unsuccessful 1817–1818 rebellion against British colonial rule who was ultimately tried for treason and beheaded. The governor forwarded the student’s request to the British colonial office, adding that while there was evidence that Dr. Henry Marshall, an army officer who was present at Keppetipola’s execution, had donated the cranium to the Phrenological Society of Edinburgh, the Ceylon government could find no record authorising removal of the cranium from the country. The governor
Indigenous repatriation

proposed that the cranium be returned to Ceylon and placed in the National Museum in Kandy. The colonial office wrote the Edinburgh University Anatomy Museum which had acquired the Phrenological Society collections to determine if Keppetipola’s cranium was there and, if so, to solicit their comments on the students’ request (Webber to Brash, 1 July 1947, in Fforde 2004: 120). The museum replied to the colonial office admitting they did have the cranium. ‘The specimen itself is of no very particular interest except for its place in the Anthropological collection. Presumably there is a political aspect of this request and as Conservator of the Museum I am entirely in your hands’ (Brash to Webber, 3 July 1847, in Fforde 2004: 120). The cranium was transferred to the colonial office in October 1947, along with photographs and a scientific report (Brash to Armitage Smith, 29 October 1947, in Fforde 2004: 120).

Following its formal return in 1948, the Ceylon prime minister transferred the cranium to the care of the country’s Minister of Education, who was responsible for the national museum. Two years later, however, Keppetipola’s great grandson filed suit against the minister in magistrates court alleging he had wrongfully retained the cranium and asserting his own right of inheritance. Ultimately, the suit was dismissed (Rebels Great Grandson 1950: 2). Keppetipola’s cranium was displayed in Kandy in 1951 (Asian Cemetery Research Group 2011), but was finally entombed on 26 November 1954 in an urn under a memorial pillar near the Temple of the Tooth in Kandy. Some descendants have called for the cranium to be removed from the memorial and placed on display with other items related to Keppetipola in the Kandy Museum (Chithra 2004). ‘We must exhume his buried skull and conserve it to help all to view it’, argued one member of Parliament. ‘This will certainly be a great honour bestowed on the dead hero’ (Exhume and Exhibit 2011).

The 1954 return of the skull of Mkwawa to Tanganyika (now Tanzania) exhibits an extraordinarily complex interaction of the evolution of international law, the demise of colonial rule, and two world wars. Mkwawa was a Wahehe tribal leader who led an armed resistance against the colonial occupation of German East Africa. Upon his death in 1898, Mkwawa’s head was reportedly removed and sent to Germany. Following the First World War, control of the former German colony was transferred to Britain and the new governor submitted a request to the British Foreign Office that return of the skull be included as one of the peace conditions:

The recovery of the head and its subsequent interment in Mkwawa’s grave would undoubtedly give the widest satisfaction among the Wahehe, who have been consistently helpful to us during the war, and would probably be appreciated in the country generally. It would also afford tangible proof in the eyes of the natives that German power has been completely broken.

(Horace Byatt, quoted in Bucher 2016)

Article 246 of the Treaty of Versailles specifically directed Germany to hand over Mkwawa’s skull to the British government within six months, but when the deadline arrived the Germans responded that they were unable to fulfill the requirement: they no longer had the skull, it had been stolen and replaced with a substitute, and now they couldn’t even find the substitute.5 Under continued pressure from the British Foreign Secretary, in the late 1920s the German Foreign Minister was reported to have provided the British with a selection of three skulls from German collections that might include Mkwawa (‘Reich sending skull back’ 1930: E4). However, in 1930 the British Foreign Secretary reported to the House of Commons that Germany had been asked twice for the skull but replied that they thought it had been buried in Africa (‘Germany fails to return skull’ 1930: 1). Following a third unrequited request in 1936, the British Foreign Secretary announced he did not intend to pursue the matter further (‘England
drops quest for skull of African chief’ 1936: 11). Following the end of the Second World War, Mkwawa’s grandson Chief Adam Sapi raised the issue again with the British Colonial Office which ordered a search of German museums (‘Africa again asks skull’ 1948: 6). In 1953, the British Governor of Tanganyika personally visited the Übersee-Museum in Bremen to review the 2,000 East African skulls in the museum’s collections. Using craniometrics and information regarding Mkwawa’s death and postmortem treatment of his remains, he identified the skull he believed was required under the Treaty of Versailles, and the next year returned it to Mkwawa’s grandson in a moving and impressive ceremony before thousands of Wahehe tribesmen (Los Angeles Times 1954: 70, and see Figure 1.3). Mkwawa’s skull remains on display in a small Tanzanian museum.

In Australia, a 1967 amendment of the national constitution required Indigenous Australians to be counted in the census for the first time, resulting in a redistribution of electoral seats. Long-standing efforts to repatriate the skeleton of Truganini, purported to be the last so-called ‘full-blood’ Indigenous Tasmanian, quickly escalated. Immediately prior to her death in 1876,
Truganini had asked her physician to promise that no mutilation of her body would take place as had occurred with other Tasmanian Indigenous peoples (*The Mercury* 1876: 2). Her corpse was hastily buried within the high walls of the Hobart gaol so as to secure that protection from body snatchers which is to be found in the watchful care that secures us from the escape of prisoners (*The Mercury* 1876: 2). Truganini’s fears were well founded, however, for within two years of burial her body had been exhumed, the bones denuded of flesh, and the skeleton handed over to the Royal Society for scientific purposes (*The Argus* 1878: 10). The skeleton was put on display at the Tasmanian Museum.

Public efforts to have Truganini’s remains reburied began in the 1930s and involved a broad range of religious, Indigenous, and governmental organisations. One of the earliest advocates was Anglican Archdeacon Henry Brune Atkinson, the son of the minister who had attended to Truganini prior to her death and who, as a child, had been taken care of by the old woman. In 1932, Atkinson revealed that Truganini’s dying wish was also recorded in his father’s diary, ‘Sew me up in a bag, with a stone inside, and throw me into the deepest part of the d’Entrecasteaux Channel.’ When Atkinson’s father asked the reason for the strange request, Truganini replied ‘because when I die I know that the Tasmanian Museum wants my body (*Her last wish* 1932: 8).’ Atkinson and others in the Tasmanian Anglican community continued to press for Truganini’s reburial for the next twenty-five years (‘A barbarous act’ 1932; ‘Last wish of Truganini’ 1947: 7; ‘Dying wish: Aborigine’s last plea was not heeded’ 1949: 3; ‘Truganini wished burial’ 1953: 15; ‘Support for burial plan for Truganini’ 1953: 17; Bethune 1953: 4, 1954; Cronly 1949: 3; McLean 1947: 3, 1953: 4, 1954: 4; ‘Voice link with lost race’ 1953: 5). In 1954, the Bishop of Tasmania brokered an agreement that permanently removed Truganini’s remains from public display with access only allowed to accredited scientific people for study (‘Truganini to have privacy’ 1954: 7).

Even though Truganini’s remains were now locked away in the museum’s strongroom, demands for her reburial continued to swirl around the building. On 29 April 1970, as Australia commemorated the 200th anniversary of James Cook’s arrival, members of the local Indigenous community laid a wreath in Truganini’s honour on the museum steps (‘Fleet fills harbour for Cook Bicentenary’ 1970: 3). Harry Penrith (Burnum Burnum), an Aboriginal first-year law student at the University of Tasmania, wrote a public letter to the museum director requesting that Truganini’s remains be given a dignified re-interment (Richardson 1970: 9, and see Figure 1.4). The next week, the Tasmanian deputy premier and chief secretary acknowledged the remains should be reburied (‘Laid to rest, 92 years late’ 1970: 1). However, reburial did not occur. By 1974, the demands had spread to the rest of Australia, and the newly established National Aboriginal Consultative Committee called for her remains to be returned to Aboriginal people for reburial (‘Reburial wanted’ 1974: 7). Within a month, the chief secretary of the Tasmanian government announced that remains would be reburied on 8 May 1976, the 100th anniversary of Truganini’s death (‘Truganini to be buried at last’ 1974: 1). On 24 January 1975, the Governor of Tasmania enacted legislation transferring control of Truganini’s remains from the museum to the Crown with the charge of having them decently interred, while indemnifying the museum trustees from any action, claim, suit, or demand arising for anything done to the remains while they were in their possession. Following discussions regarding Truganini’s preferences, the legislation was again amended to specify that her remains would be cremated and the ashes scattered in D’Entrecasteaux Channel. Truganini’s remains were cremated in Hobart on 1 May 1976, and were scattered on the following day (‘Truganini returns’ 1976: 1, and see Figure 1.5).

Similar efforts to repatriate Indigenous human remains were beginning elsewhere as well. The birth of the legal movement to protect Native American graves and repatriate human remains from museum and research collections in the United States can be traced to a 1971
Iowa road construction project that encountered a historic cemetery containing the graves of twenty-seven individuals. Under the direction of the state archaeologist, the twenty-six individuals identified as Caucasian were placed in new caskets and reburied. The remaining body, a Native American adult female with unborn child, was taken to the state archaeologist’s office for study. Maria Pearson, the Yankton Sioux wife of one of the highway engineers, was outraged when she learned of the disparate treatment of the Native American and confronted the Iowa state governor, who agreed that the Native American remains should also be reburied (Pearson 2005). Pearson then set out to change the state law governing the treatment of Native American human remains (see Figure 1.6). The 1976 revision made the state archaeologist responsible for reburying all prehistoric human remains at designated state cemeteries following the recovery of physical and cultural information (Iowa State Code 1976).

Up until the late 1970s, Indigenous repatriation efforts were primarily limited to individual or small groups of human remains or ceremonial objects. One of the most comprehensive
Figure 1.5  A wreath cast on the waters of the D’Entrecasteaux Channel, Bruny Island, Tasmania following the scattering of Truganini’s ashes, 2 May 1976

Source: Frame enlargement from The Last Tasmanian, copyright Tom Haydon, courtesy of Ronin Films.

Figure 1.6  Meeting between Maria Pearson and the governor of Iowa to discuss protection of Native American grave sites. Left to right: Governor Robert Ray, Maria Pearson and John Pearson.

Source: Iowa Historical Society, courtesy of Ronald Thompson, son of Maria Pearson.
Cultural property repatriations to an Indigenous nation occurred in Greenland when, following home rule in 1979, the National Museum of Denmark, Copenhagen, signed a repatriation contract with the Greenland National Museum and Archives, Nuuk. In 1981, the National Museum of Denmark repatriated the information in its archives regarding Greenlandic prehistoric monuments. This was followed the next year by the repatriation of 204 19th-century watercolour paintings by Greenlandic artists. Ethnographic and archaeological collections were then repatriated on a regional basis, with items from East Greenland repatriated in 1986, the Thule district in 1990, and West Greenland in 1992 (Haagen 1995). Ultimately, Denmark transferred 35,000 objects to the Greenland National Museum and Archives (Pentz 2004). Ownership of the remains of 1,646 individuals, of both Eskimo and Norse origin, was also transferred to Greenland, though most remain in the possession of the Panum Institute in Copenhagen (Berglund 2003; Thorleifsen and Gabriel 2006). Some human remains were transferred to Greenland, including the six mummies found in 1972 near Qilikitoq, which are on exhibit in Nuuk (Nunatta Katersugaasivia Allagaateqarfialu 2007).

Localised repatriation efforts were beginning to reverberate nationally and internationally. After over a decade in which courts in the Australian State of Victoria consistently ruled that its Archaeological and Aboriginal Relics Preservation Act was ineffective in protecting the rights of Indigenous peoples (Carbines 1984: 16; Innes 1980: 4; Munday 1984a: 13), the State Parliament amended the statute in 1984, making it an offence for any person to possess, display, or have under their control any Aboriginal skeletal remains without the written consent of the State Secretary for Planning and Environment (Victoria 1984). As soon as the amendment was enacted, Jim Berg, executive officer of the Victorian Aboriginal Legal Service and a warden designated with the responsibility for implementing the statute, requested an interlocutory injunction to stop a proposed loan of Aboriginal skeletal remains by the Museum of Victoria to a foreign museum. The injunction was quickly granted, halting the proposed loan as well as directing the museum to take steps to return all other outstanding loans (Berg James Rueben v. Council of the Museum of Victoria 1984). Berg simultaneously served notice on the University of Melbourne of his intent to impound the remains of 804 individuals in its collection, and when the university did not respond, he obtained an interim preservation order from the Victoria Supreme Court (Munday 1984b: 3). The university initially requested permission from the Secretary for Planning and Environment to retain the collection, but eventually agreed to deliver possession and control to the Museum of Victoria (Berg James Rueben v. The University of Melbourne 1984). Berg was outspoken in his demands that the Aboriginal skeletal remains from both institutions, totalling approximately 1,400 individuals, should be returned to their ancestral burial grounds (Pinto 1984: 3).

Victoria’s new statutory provisions and Berg’s implementation of them drew a swift negative response from the Australian archaeological community, including individual letters to the state secretaries, new policies promulgated by professional associations, and opinion pieces and articles in newspapers and journals in Australia and beyond (Meehan 1984). Halfway around the world, Science, the journal of the American Association for the Advancement of Science, portrayed the events in Melbourne in stark terms – ‘extinction threatens Australian anthropology’ – and contrasted the repatriation situation there with that in the United States:

There is a clear parallel between American Indians and Australian Aborigines in terms of the iniquities dealt them throughout history, but the contemporary combination of others’ guilt and their own political clout appears to be handing the Aborigines an opportunity to grasp much more quickly and more completely what they now want: to wrest their heritage from the hands of their colonizers. But whether burying the
whole of their heritage is the best way to preserve it, rather than entering into a collabora
tive scholarly appreciation of it as the American Indians have, is a matter that
requires more dispassionate discussion.  

*(Lewin 1984: 393–394)*

Another article in *Time* magazine (Angier 1984: 36) caught the eye of a US National Park
Service senior executive, who sent a copy to the agency’s senior archaeologist with a handwrit-
ten message in the margin, ‘Our friends in [the Society for American Archaeology] had better
crank up their public relations machine, or they may lose a big political issue in about 5 years’
(McKeown 2012: 86).

Within two months of enactment of the Victoria legislation, the Australian Parliament passed
national legislation that also included repatriation provisions – a global ‘first’. The Aboriginal
and Torres Strait Islanders Heritage (Interim Protection) Act of 1984 was the first national legis-
lation enacted pursuant to the 1967 referendum that authorised the Commonwealth Parliament
to make special laws for people of the Aboriginal race (Reynolds 1984: 3158). Provisions of the
Act dealing with the preservation and protection of significant sites proved to be controversial,
drawing fire from mining and rural industries, particularly in Western Australia and the North-
ern Territory (Braithwaite 1984: 2293). However, provisions dealing with the possession, cus-
tody, or control of Aboriginal remains were passed with little comment, despite the concurrent
lobbying efforts of the archaeological community over the Victoria legislation. Section 20 of the
Act directed any person who discovers Aboriginal remains to report the discovery to the Min-
ister for Aboriginal Affairs in Canberra who, upon determining the accuracy of the report, must
take reasonable steps to consult with any Aboriginal group with an interest in the remains to
determine proper actions. Section 21 of the Act directed the minister to either return Aboriginal
remains to the Aboriginal individual or group entitled to and willing to accept possession, cus-
tody, and control of the remains in accordance with Aboriginal tradition, or otherwise deal with
the remains in accordance with any reasonable direction of the Aboriginal individual or group.

The late 1980s was a period of accelerating repatriation activity around the world, including
both new legislative initiatives and the resolution of long-standing repatriation requests.

While some of the remains returned by the Museum of Victoria pursuant to the amended
state statute were reburied in Melbourne in 1985 (Faulkhead and Berg 2010), the majority of
the collection was not transferred until 1989 when the Commonwealth exercised its authority
under the national statute to identify six recipient Aboriginal communities in northern Victoria
and southern New South Wales (O’Neil 1989: 3).

The Six Nations Confederacy wampum belts had remained in the vault of the New York
State Museum and the collections of the Museum of the American Indian since the early 20th
century. In 1967, a New York State Assembly proposal to revise or eliminate all state laws more
than fifty years old used the 1899 ordinance establishing the university as wampum keeper
as a case in point. With tribal representatives demonstrating before the state capitol, the New
York State Assembly passed legislation in 1971 to return five wampum belts to the Onondaga,
though not without provisions specifying how the belts would be cared for, which tribal repre-
sentatives rejected as paternalistic. During the mid–1980s Six Nations Confederacy delegations
were meeting with representatives of both the New York State Museum and the Museum of
the American Indian to recover the wampum. In 1988 the eleven wampum belts held by the
Museum of the American Indian were transferred to the traditional chiefs of the Six Nations
Confederacy on the Grand River Reserve, Ontario (Fenton 1989: 393–397). The next year,
amid ceremonies and feasting on their New York reservation, twelve wampum belts held by
the State of New York, including four that had been donated by John Thacher’s widow in the
1920s, were transferred to the Onondaga Nation with conditions of transfer including that the belts must be stored in a secure fireproof vault under the supervision of the wampum keeper whenever they are not in use and that the belts must never be destroyed, dismantled, or restrung in a way that would change their meaning (Hill 2001a, 2001b; Sullivan 1992; and see Figure 1.7).

More state legislatures were also beginning to acknowledge Indigenous rights to ancestral human remains. By 1989, more than half of the United States had enacted legislation specifically protective of Indigenous human remains, eleven states required the reburial of newly discovered Native American skeletal remains and associated artifacts, and one state (Nebraska) required the reburial of Native American skeletal remains and associated artifacts from existing scientific or educational collections (Price 1991).

After three years of consideration by the Congress, in 1989 the United States enacted federal legislation requiring the Smithsonian Institution to inventory the more than 18,000 Indian and Native Hawaiian human remains and funerary objects in its possession or control and return them upon request of a descendant or culturally affiliated Indian tribe or Native Hawaiian organisation. The initial purpose of the bill was to establish a new Smithsonian Museum to house Native American collections from the Museum of the American Indian in New York. Prior to passage of the bill, however, representatives of several prominent Native American organisations told congressional staffs they would oppose establishment of the museum if repatriation provisions were not included in the legislation (see Figure 1.8). At a meeting in August 1989 in Santa Fe, New Mexico, the secretary of the Smithsonian finally accepted repatriation provisions (McKeown 2012: 71–76). The Santa Fe agreement was quickly added to the

Figure 1.7 Repatriation of wampum belts to the Six Nations Confederacy, Grand River Reserve, Ontario, 6 May 1988. Left to right: Chief Bernard Parker, Chief Arnold General, Chief Allan McNaughton, Chief Jake Thomas, Chief Harvey Longboat.

Source: Woodland Cultural Centre.
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bill by Representative Ben Nighthorse Campbell, the only Native American in Congress at the time, that required the Smithsonian to prepare an item-by-item inventory of all Indian and Native Hawaiian human remains in its collection and consult with all culturally affiliated Indian tribes and Native Hawaiian organisations regarding their return. The amended bill passed the House and Senate without objection and was signed into law on 28 November 1989 (McKeeown 2012: 76–78). Since 1989, the National Museum of Natural History and the National Museum of the American Indian have returned the remains of 6,685 Native American and Native Hawaiian individuals and 248,651 funerary objects (Smithsonian Institution 2016).

Parallel US legislation extending repatriation requirements to all federal agencies and museums receiving federal funding took another year to pass the Congress. In early 1990, the majority report of a year-long national dialogue on museum/Native American relations concluded that the wishes of culturally affiliated Native American groups should be followed regarding disposition of human remains, and recommended federal legislation to accomplish that goal. Two archaeologists and one Smithsonian physical anthropologist on the panel dissented (National Dialogue 1990). The Congressional Budget Office estimated US federal agencies and museums that receive federal funds held the remains of 200,000 Native American individuals (Reischauer 1990: 21). When representatives of museum, archaeological, and Native American organisations

Figure 1.8 Smithsonian Secretary Robert McCormick Adams signs a memorandum of understanding transferring the collection of the Museum of the American Indian, Heye Foundation, to the Smithsonian Institution at a ceremony on 8 May 1989. Looking on, from left to right: Suzan Harjo, member of the Museum of the American Indian (MAI) board of trustees; Roland Force, MAI director; Senator Daniel K. Inouye (D-HI), sponsor of the bill to establish the National Museum of the American Indian; Dick Baker, member of the Lakota Sioux Red Feather Society; and Congressman Ben Nighthorse Campbell (D-CO), sponsor of the bill to establish Smithsonian repatriation procedures.

Source: Used with permission of the Smithsonian Institution Archives, SIA #89.8343.11.
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contacted congressional staffers to advocate specific changes to the various repatriation bills, they were told they needed to negotiate among themselves and return with consensus language, which they eventually did (McKeown 2012). The final bill requires federal agencies and museums to prepare summaries of their Native American collections and more detailed inventories of Native American human remains and associated funerary objects and to repatriate these cultural items upon request to culturally affiliated Indian tribes and Native Hawaiian organizations. Federal agencies are also required to stop activities when Native American human remains and other items are discovered on federal lands. Lastly, the bill established criminal penalties for illegal trafficking of Native American cultural items. The Native American Graves Protection and Repatriation Act (NAGPRA) was passed by the House and Senate without objection and was signed into law on 16 November 1990 (McKeown 2012). Since 1990, US federal agencies and museums receiving federal funds have identified for return or repatriation under NAGPRA the remains of 66,077 Native American individuals and 1.67 million funerary objects (National Park Service 2018).

United Nations Declaration on the Rights of Indigenous Peoples

The idea of an international declaration affirming the rights of Indigenous peoples started with the 1971 appointment of José R. Martínez Cobo as special rapporteur by the United Nations Economic and Social Council (United Nations 1971). Martínez Cobo’s mandate was to carry out a complete and comprehensive study of the problem of discrimination against Indigenous peoples and over the next decade he compiled materials from Indigenous populations in thirty-seven countries on five continents (Martínez Cobo 1981). The resulting report covered a wide range of issues, including the repatriation of sacred objects in museum collections and the protection of burials sites (Martínez Cobo 1982).

In 1982, the United Nations Working Group on Indigenous Populations was established to carry on Martínez Cobo’s work reviewing developments pertaining to the promotion and protection of human rights and fundamental freedoms of Indigenous peoples and to give attention to the evolution of international standards concerning Indigenous rights (United Nations 1981). A fund was established in 1985 to assist representatives of Indigenous communities and organizations to participate in the deliberations of the Working Group. The Working Group completed a first draft of a Declaration on the Rights of Indigenous Peoples in 1993. Article 13 of the 1993 draft declaration enumerated various rights of Indigenous peoples related to their religious traditions, customs, and ceremonies, including the right to use and control their ceremonial objects and the right to the repatriation of human remains (United Nations 1993). The draft directed countries to take effective measures to ensure Indigenous sacred places, including burials sites, are preserved, respected, and protected, but did not address the use and control of ceremonial objects or the repatriation of human remains.

The draft declaration was referred to the Commission on Human Rights which established another Working Group to examine its terms. This Working Group met on eleven occasions to examine and fine-tune the draft declaration and its provisions. Article 13 of the draft declaration was discussed at length by the Working Group at its meeting from 28 January to 8 February, 2002 (United Nations 2002). A 1999 resolution issued by the World Archaeological Congress endorsing the 1993 language was considered. The Movimento Indígeno Tupaj Amaru offered alternative language replacing the term ‘repatriation’ with ‘reparation and restitution’, and requiring that country actions only be carried with the consent of Indigenous peoples. A summary of other comments from various countries included a recommendation to include ‘associated funerary objects’ in the repatriation provisions. At the Working Group’s meeting of
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15–26 September 2003, the fourteen accredited organisations of Indigenous peoples unanimously endorsed a version of Article 13 retaining the term ‘repatriation’ and not including the repatriation of associated funerary objects (United Nations 2004). Following Work Group meetings of 5–16 December 2005 and 30 January–3 February 2006, Chairperson-Rapporteur Luis-Enrique Chávez offered an additional change to Article 13 requiring countries to enable the access to and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent, and effective mechanisms developed in conjunction with Indigenous peoples concerned (United Nations 2006).

The Declaration on Rights of Indigenous Peoples was adopted by the United Nations Human Rights Council in 2006 and by the General Assembly on 13 September 2007.1 One hundred forty-four countries voted in favour of the declaration; of the four that opposed it in 2007 – Australia, Canada, New Zealand, and the United States – all subsequently endorsed it, as have three countries that initially abstained: Samoa, Colombia, and Ukraine.

While United Nations declarations are generally not legally binding instruments under international law, they do ‘represent the dynamic development of international legal norms and reflect the commitment of states to move in certain directions, abiding by certain principles’ (United Nations 2018). Such is the case with Article 12 of the Declaration on the Rights of Indigenous Peoples, which codifies nearly two centuries of development in the fundamental legal norms of property and Indigenous rights. The declaration sets an important standard for evaluating requests from the over 370 million Indigenous peoples to use and control their ceremonial objects and repatriate their human remains. Of equal significance is the declaration’s direction for countries to establish fair, transparent, and effective mechanisms to enable access to and/or repatriation of ceremonial objects and human remains (see McKeown 2008). Taken together, these two facets of Article 12 will likely become valuable tools in eliminating human rights violations and assist Indigenous peoples in combating discrimination and marginalisation.

Widespread acceptance of the declaration represents a significant legal milestone in the legal evolution of the Indigenous repatriation movement, but it is clearly not the end of the process. The repatriation provisions of the declaration have provided a foundation for the ratification of bilateral agreements between various countries regarding the repatriation of Indigenous human remains and cultural items. However, forty-two countries have still not endorsed its provisions, and many of those that have endorsed it still need to develop the kind of fair, transparent, and effective mechanisms required to enable access to and/or repatriation of ceremonial objects and human remains by Indigenous peoples. While most Indigenous peoples remain frustrated with the slow pace of repatriation, history demonstrates a steady rise of the global legal movement for Indigenous repatriation.

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Notes

1 A review of a similar evolution of fundamental legal norms regarding the protection of burial sites is beyond the scope of this chapter.
3 The shrine and associated offerings, possibly intentionally miscataloged by George Heye himself, remained in the museum’s collections for another fifty years (Carpenter 2005: 98).
4 Rājapakśa Vimukthi Palasaya ma Kadaisana samudaya samudaya Kethiye. The name is variously translated as Keppitipola Nilama (colonial office correspondence); Monerawela Keppitipola Dissawa (reports of 1950 litigation); and Monarawila Veera Keppitipola Dissawa (recent Sri Lanka newspaper accounts and Wikipedia).

5 ‘There is a suspicion that Germany had lied about the disappearance of the negro’s skull and has wantonly evaded the treaty in this respect. If so it is possible, though not probably, that another war will be fought over the mumified head of Mkwawa’ (‘Of a certain skull’ 1920: 8).

6 Commonwealth of Australia Constitution Act Amendment to Section 127, p. 24.

7 Atkinson subsequently confirmed that his father had recorded Truganini’s request at the time in his diary (Truganini’s Request in Diary 1949: 12).


10 No materials were included from Africa or Antarctica.

11 Article 13 was renumbered as Article 12 in the final declaration.

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*Los Angeles Times*. 1954. 10 October, p. 70.


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Voice link with lost race. 1953. The Newcastle Sun, 19 August, p. 5.
Introduction

In this chapter, we want to privilege dialogue. Rather than attempt to synthesise our experiences into a unified voice, our words illustrate how, for Nika, being part of the Kaay’ał Laanaas Xaay-daGa combines with her curatorial career to allow her to see Haida repatriation efforts in distinct and productive ways. Likewise, Cara’s professorial career within museum studies combines with her ethnographic approach to repatriation; she studies repatriation as located in a time, place, and set of culture values. Co-existing, our contributions think about the history, practice, influence, and future of Haida repatriation efforts – something that has brought us together for ten years and will continue to do so well into the future.

More specifically, we wanted to experiment with a new way of writing about museums within repatriation discussions: not only as colonial institutions that return collections but equally as community and Indigenous institutions that receive, steward, and help create cultural treasures, whether those cultural treasures are objects, knowledge, or people. We focus on the Haida Gwaii Museum as one such museum. We think about its powerful local influence, shaped by the needs and passions of the Haida Nation, but also its influence, interactions, and counterparts beyond Haida Gwaii.

In each section, we follow the pathways set by Haida history; we begin with the beings and events of Haida Gwaii before moving seaward, toward the continent. The introduction proceeds with context for each of us and our work. Section I considers the settings into which Indigenous museums are born. Nika writes of the establishment of the Haida Gwaii Museum, its growth into its current form, and the more subtle ways repatriation has been part of its history and identity even prior to the creation of the Haida Repatriation Committee. Cara reflects on the broader landscape of Indigenous museums and the ways the values of repatriation open up opportunities for new kinds of museum models. In particular, she pursues a model based on Haida cycles of reincarnation to sit alongside the evolution of western museology. Section II explores the kinds of way-finding necessary for these new museums. Nika’s contributions emphasise the humanising work of repatriation. This humanising is necessary for the people whose bodies are being repatriated, for community members taking on repatriation work, and for museum staff engaged in repatriation work. Cara continues this conversation, drawing
attention to the tensions in museum literature that span national and international approaches to repatriation with those accounts that speak to the humanising and localising effects and emotions of repatriation among all parties involved.

Section III opens conversations about reconciliation – an essential aspect of life in Canada at present. Nika’s expressions of reconciliation centre on this as an act happening within and among the Haida Nation and as a process that is as dependent on the self as it is on a relationship. Cara pursues the role of museums in reconciliation and offers the idea that the calls to museums to act in ways that will help Canada reconcile better reflect Indigenous museums’ conceptualisations of ‘repatriation’ in its fullest breadth – not limited to the return of Ancestors and objects but inclusive of language, pride, sovereignty, and knowledge. In Section IV, we look to the future. Nika draws on Haida practices of ‘putting a string on’ someone as an act that is about a promise for the future. Cara considers the ways museums will continually create communities of repatriation.

Introducing Nika: Yahguudang.gang is a way of life\(^1\)

As museum professionals, and as human beings, we carry the responsibility to effect societal change by mainstreaming Canada’s dark history with Indigenous peoples while actively working to set things right. In the Haida museum realm, the path towards conciliation has been shaped by Yahguudang.gang – the act of paying respect.

The Haida Nation sees this work, which includes repatriation, as ‘based upon mutual respect, co-operation and trust’ (Haida Nation Repatriation Proclamation 2000). Yahguudang.gang is how hundreds of our Ancestors have been brought home. It is why heirlooms held in global collections are visited by Haida delegations and brought back to life as we use them for their original intentions: dancing a mask, playing a drum, dancing Coppers in to witness and record the business at hand. It is how the Haida Gwaii Museum came into being. It is what our own collection of treasures is built upon.

Yahguudang.gang has brought a new depth to the Haida Nation’s healing, and our ability to heal with others. It provides opportunity for western museums to become voluntary agents of change, rather than physical evidence of Canada’s biological and cultural genocides. It can result in long-standing, mutually beneficial relationships between nations and institutions and cherished friendships between people on the ground.

Yahguudang.gang challenges us to stick around, even when we think our work is done, because colonisation is still alive and well. So what are we going to do about it? Decolonisation is not quick, easy or pretty; it is complicated, powerful and transformative. It is more than repatriation – it is a way of life (see also Shannon et al. 2017: 89–90).

Introducing Cara: repatriation bridges communities and museums

Acts of repatriation directly affect people in at least two places – museums and returning communities. I have long been drawn to explorations of repatriation that move across and between spheres, creating connective tissue rather than surgical cuts. First to mind is always Connie Hart Yellowman’s (1995) recollection of repatriation, where she writes of cradling Cheyenne Ancestral Remains at the Smithsonian Institution and holding her family members in the aftermath of the Oklahoma City bombings. Métis historian and self-proclaimed artist-warrior Sherry Farrell-Racette (2008) grapples with her privilege to visit museum collections in Europe, her responsibility and ability to bring these treasures home through photographs and her art practice but also the dissatisfaction latent in the absence of the objects themselves. The recent edited volume
We Are Coming Home includes chapters from Blackfoot traditionalists who led the repatriation of medicine bundles alongside museum staff from the Glenbow and Royal Alberta Museum (Conaty 2015). Although each author in the book was close to the events, their tellings show meaningfully different understandings of the history and even the value of repatriating medicine bundles. Other edited volumes bring together chapters from museums and communities, demonstrating how museums and repatriating groups actively shape how repatriation requests are made, granted, and fulfilled (Fforde et al. 2002; Turnbull and Pickering 2010). At a 2011 World Archaeological Congress Inter-Congress focused on tensions between museums and Indigenous peoples held in Indianapolis, Indiana, Te Papa Museum’s Repatriation manager, Te Herekiekie Herewini, situated repatriation efforts within Māori cycles of war and peace, explaining Māori selling of heads to colonists as a violent act against one’s Māori enemies and the repatriation of those heads from museums as part of their duty to restore peace (Herewini 2011). His words powerfully centred Māori experiences of time, history, and family, and imagined a way to talk about museums as subsumed within Māori history rather than the other way round.

My own work with and about the Haida Repatriation Committee’s efforts seeks to create a greater understanding of what repatriation feels like within Indigenous communities, how it is experienced, practiced, imagined, and created (Krmpotich 2010, 2014; Krmpotich and Peers 2013). My role has often been to translate these experiences for museum audiences: for museum professionals, museum anthropologists, and for museum studies, anthropology and material culture students. This museum-oriented audience, of course, includes Indigenous professionals, academic peers, and students. Any easy division that wholly separates Indigenous communities and museums denies the complex, lengthy, and evolving relationship between the two. This chapter is an opportunity to encourage a way of writing about repatriation that considers the multiple trajectories that lead people to repatriation and how repatriation shapes the work and lives of Indigenous and non-Indigenous museum staff alike.

My experiences with repatriation come largely from my research and eventual friendship with the Haida Repatriation Committee, but are further shaped by my scholastic and professional backgrounds in museum anthropology and ethnographic museum collections. My academic and professional training began in Canada, under the collaborative principles of the Canadian Museums Association and Assembly of First Nation’s ‘Task Force Report’ (1992) on museum and Indigenous relations. More recently, my appreciation for Haida understandings of repatriation and relationships to material culture has been distinguished even further through current research with Anishinaabeg and Cree seniors living in an urban setting. I am increasingly able to understand Haida repatriation not just in distinction to museum approaches to repatriation but also to other Aboriginal value systems regarding material heritage, family histories, loss, and cultural survivance.

**Section I: the birth of Indigenous museums**

**Nika: Saahlinda Naay, Saving Things House**

The Haida Gwaii Museum is one of the earliest museums in Canadian history to be created with the intention of ‘making things right’ – two worlds coming together for the betterment of all. I have been a curator at Saahlinda Naay since 2000. There is no published ‘official’ history of the museum; however, there is strong institutional memory among staff, Hereditary Leaders, Elders, and other community members. The museum’s history further overlaps with Haida oral history and the significant places, Supernatural beings, and human beings in our nation’s story. Telling the story of the Haida Gwaii Museum requires drawing on all of these knowledges.
A vision of both Haida citizens and Canadians residing on Haida Gwaii, the museum opened in 1976 in Kay Llnagaay, Sea Lion Town, an ancient village dating back well over 4,000 years (based on archaeological surveys). Through Haida oral histories, we know it spans back to the time of the Supernaturals and that it is the originating town of my lineage, the Kaay’ahl Laanaas. This is where we came out of the ocean.

Since almost all Haida cultural treasures left the Islands during the height of colonisation, we did not have much of a collection to begin with. In support of creating the museum, several families, both Haida and settler, donated some family heirlooms. The Royal British Columbia Museum, under the lead of then curator Peter Macnair, showed their support by returning several monumental poles that were taken from Haida Gwaii in the early 1900s that wound up in their museum. This quiet act of repatriation – one of the earliest in Canada – was not required by law, nor was it influenced by the Canadian Museums Association and Assembly of First Nations’ Task Force Report, which came about more than 15 years later. This act was simply one of humanity.

The Haida Gwaii Museum has since grown to include a considerable collection of ‘ethnological’, ‘archaeological’, and ‘archival’ treasures. Most arrived by repatriation or donation, some by purchase, others by long-term loan. We also present new works, as we are a living culture.

In 2007, our museum tripled in size with the creation of the Haida Heritage Centre at Kay Llnagaay. Conceptualised and driven by the community of Skidegate, the Haida Heritage Centre is a 50,000-square-foot complex housing several cultural and educational spaces and organisations in addition to the Haida Gwaii Museum. It took over seven years to create the centre. Throughout the galleries and exhibits, every experience, word, object, and image has been developed with the community, so that we can say what we want to say, how we want to say it.

Mainly comprising several stylised longhouses linked together – reminiscent of an ancient village – the centre sits where land meets beach, looking out over the ocean, situated between ancient and modern Haida society. Amongst it all is Saahling.a Naay, Mortuary House, a grave house built to house Ancestral Remains unearthed during construction of the centre. Saahlinda Naay also serves as a holding place for Ancestral Remains awaiting re-interment including those recently repatriated, and those brought in by the Council of the Haida Nation’s archaeology department.

In the early 1990s, the repatriation of Ancestral Remains became a primary focus of our people. From this focus, Yahguudang.gang was formalised and the Haida Repatriation Committee was born. Working through the Haida Gwaii Museum in the south and the Haida Heritage and Repatriation Society in the north, our committee is authorised to undertake repatriation on behalf of our Nation. To date, over 500 of our Ancestors have been brought home from museums and private individuals across North America and one from the United Kingdom. Our Ancestors’ wellbeing has been our priority and, under the direction of our Elders, we travel to museums to do the work of preparing them for their return trip home. While at museums, we take the time to visit with and learn from our treasures and other containers of knowledge, such as archives. We are also privileged to learn from our Nation’s knowledge holders who can speak further to these parts of our lives. We bring the diaspora of our people’s lives home through imagery, audio recordings, collection notes, and the recreation of pieces – and through the physical, emotional, and spiritual connections that forever bind us. A few times, the actual pieces have come home. More will, soon.

The Haida Gwaii Museum and the Haida Heritage Centre are not institutions in and of themselves; rather, they are part of the institution that makes up contemporary Haida art and culture, which includes Yahguudang.gang and its ceremonies, protocols, language, and art. At the museum, we provide space, support, and opportunity for (and participate in) repatriation
Jisgang Nika Collison and Cara Krmpotich

activities but also ceremony, healing, politics, community celebrations, weddings and funerals, research and education, repatriation clan and national meetings, artistic expression, economy, and capacity building. We are simply part of, and contribute to, our Haida way of life.

Cara: the birth of Saahlinda Naay across North America

The origin of the Haida Gwaii Museum within acts of repatriation is not singular in the broader history of museums. The National Museum of the American Indian Act that founded the National Museum of the American Indian (NMAI) is the legal tool of repatriation for the Smithsonian Institution. It is also no coincidence that the creation of the NMAI paralleled the creation of the United States’ Native American Graves Protection and Repatriation Act (NAG-PRA). Watching the National Museum of the American Indian’s webcast of the repatriation symposium ‘Going Home: 25 Years of Repatriation Under the NMAI Act,’ it was strikingly clear that many of the people advocating for NAGPRA during the 1980s – and repatriation more generally – were also advocating for the creation of a national museum of and for Native Americans (see also Dobkins 1992: 84; McKeown 2012: 136). Prominent activists and scholars like Susan Shown Harjo and Vine Deloria Jr. advocated for both repatriation and a new kind of museum. Being ‘for’ repatriation did not require a person to be anti-museum. Being for repatriation seemed to open up new possibilities for museums; the Haida Gwaii Museum and the Haida Repatriation Committee (HRC) live these new possibilities and have done so now for decades.

Within the HRC, people like Nika Collison are passionate about repatriation alongside curation. Whether sitting on boards or working as staff, HRC members have shaped the vision of multiple museums, including the Haida Gwaii Museum and Haida Heritage Centre at Kay Llnagaay and the Bill Reid Gallery in Vancouver. Several HRC members have worked in other institutions, such as Lucy Bell from the Haida Heritage and Repatriation Society in Old Massett, who interned in the Royal British Columbia Museum and U’mista Cultural Centre and is now Head, First Nations Repatriation, at the Royal British Columbia Museum. Along with Lucy and Nika, many have also contributed to the creation of exhibitions, publications, and public programming at major institutions, such as the Vancouver Art Gallery; the Smithsonian National Museum of the American Indian, Washington, D.C.; the American Museum of Natural History, New York; and the Pitt Rivers Museum, Oxford, UK. In addition to working with museums, HRC members, including Vince Collison and Andy Wilson, contributed to important news media, and film and television documentaries, further communicating the story and values of Haida repatriation into the public sphere.

Repatriation efforts can question the raisons d’être for established museums that, for generations, have trusted in the benevolence of their mission (to educate, inspire, and showcase natural and cultural elements of our planet). Yet at the same time, repatriation efforts provide an alternative set of values upon which to build and trust in cultural institutions. The U’Mista Cultural Centre, like the Haida Gwaii Museum and NMAI, was born out of one of the earliest and most prominent repatriations in Canada. It was a repatriation that required the creation of a community museum: the return of confiscated potlatch regalia from the collections of the Royal Ontario Museum and what is now the Canadian Museum of History to the Kwak’waka’wakw nation. Critiques have been levied fairly against the returning museums for making the re-housing of repatriated items within a museum a stipulation of return; such an insistence on museological values and institutional standards can undermine Aboriginal sovereignty, self-determination, and values regarding material heritage. However, in acts akin to autoethnography (see Pierce Erikson 2004), Kwak’waka’wakw clans created two community museums to satisfy two sets of Kwak’waka’wakw values and needs: the U’Mista Cultural
Centre in Alert Bay, BC, and the Museum at Cape Mudge, BC, now called the Nuyumbalees Cultural Centre. The development of these two centres garnered significant attention from anthropologists and museum anthropology (Clifford 1991; Jacknis 1996; Knight 2017; Mauzé 2003; Saunders 1997), but staff from these institutions were just as vocal and active in their own representation (Olin and U’Mista Cultural Society 1983; Sanborn 2005, 2009; Webster 1992, 1995). Among U’Mista, Nuyumbalees, the Haida Gwaii Museum and Haida Repatriation Committee, ‘repatriation’ has never been limited to the physical return of objects, just as these museums are not primarily about physical preservation in perpetuity. Volunteers and staff of these organisations are ardent about nurturing and bringing back artefacts, language, ceremonies, governance, knowledge, skills, and family members to their home communities (Knight 2013; Krmpotich 2014).

This holistic sense of ‘bringing back’ lies under the surface of Fuller and Fabricius’ (1992) survey of the establishment of Indigenous cultural centres or ‘tribal museums’ in North America. While U’Mista is the only one identified in their article as being born out of repatriation (Fuller and Fabricius 1992: 227), the factors that led to the creation of Indigenous cultural centres are not isolated from the story of repatriation. The creation of tribal museums serves as an act of sovereignty and self-determination, as well as a proactive attempt to retain archaeological finds on Aboriginal lands (required by federal, state, and provincial laws to be curated in controlled facilities). Tribal museums respond to an urgency and necessity to self-curate, self-determine, and self-represent cultural histories (compare Doxtator 1996). Even the economics of cultural tourism raised by Fuller and Fabricius have counterparts in the political economy and labour market of NAGPRA written about by Colwell-Chanthaphonh (2012). While repatriation is often defined as the return of Ancestral Remains or artefacts from museums to communities, it is important to recognise the commitment of Indigenous museums and cultural centres to more expansive forms of return within their communities involving cultural knowledge, language, governance, independence, pride, inspiration, and honour.

Museums and cultural centres, such as U’mista, Nuyambelees and the Haida Gwaii Museum are part of the ‘indigenization’ of Canadian museums (Phillips 2011) and the re-shaping of museum practice more broadly. All three organisations enact models of stewardship or guardianship more so than ownership. At various times in their histories, they have had strong directors, curators and/or boards who vocalised culturally meaningful approaches to ‘preservation’ and care of collections, and who sought to integrate the buildings and collections into the heart of cultural activities, including potlatching, feasting, politics, art and craft production, land and resource stewardship, language activities, and economic diversification (for examples, see Collison 2014; Haida Laas 2008; Ramsay and Jones 2010; Steedman and Collison 2011; U’mista et al. 1998). Museums at every level – municipal, regional, and national – are currently seeking ways of being relevant to their audiences, similar to the ways the Haida Gwaii Museum and its peer institutions have been practicing for years. As a result of its efforts to remain relevant through its collections, narratives, programs, and partnerships, the Haida Gwaii Museum is at once a community, regional, and national (i.e. for the Haida Nation) museum.

There is another possibility for imagining the Haida Gwaii Museum, based not within museological classifications but within the cycles of reincarnation Haidas know to occur among their families. Just as thinking of Māori cycles of war and peace re-positions the centre of repatriation on Aotearoa New Zealand to focus on Māori tribal and familial relations, conceptualising Haida repatriation efforts within cycles of reincarnation helps start the conversation on Haida terms. HRC leaders Lucy Bell and Vince Collison (2006) have framed repatriation as a ‘rebirth’, and indeed an anticipated outcome of the wellbeing of repatriated Ancestors is the possibility of their reincarnation.
At a metaphorical level, we might also consider the range of contemporary Haida treasures made in response to museum collections as a kind of reincarnation. ‘The Great Box Project’ organised by the Pitt Rivers Museum, Haida Gwaii Museum, and Haida artists Jaalen Edenshaw and Gwaai Edenshaw grew out of a ‘knowledge repatriation’ collaboration between the Pitt Rivers Museum (PRM), Haida Repatriation Committee and Haida Gwaii Museum (Krpmotich and Peers 2013). During a 2009 visit to PRM, the brothers met a particular and exceptional bentwood box for the first time. In 2014, PRM created exact, scaled images of the box’s carved and painted sides, and the artists created an exact cedar bentwood box with which to recreate this masterpiece. The plain box and artists travelled from Haida Gwaii to Oxford, UK, and over the course of a month worked between the old and new box, completing one of four intricate sides. The remainder of the box was finished on Haida Gwaii, is used in community workshops with students, and is meant to be in use rather than encased in a vitrine. Like reincarnated Ancestors, the new box seems to be born with memories yet is its own self, ready to influence the world.

Earlier, Nika described the development of the Haida Heritage Centre complex around the museum as reminiscent of an ancient Haida village. I find the possibility that the site may be more than reminiscent compelling. Can the process of reincarnation help us understand what is happening in Indigenous museums – institutions of memory, knowledge, skill, ceremony, politics, and family that condense and expand time? Marianne Boelscher’s (1988) ethnography of Haida political discourse uses the metaphor of the telescope to explain how the use of Haida clan property (such as names, songs, regalia, and crest designs) across moments in time can both collapse and expand history. The distant past is never quite so distant as history becomes attached to the inherited, familial property that is present, participating, and witnessing at important social and political occasions. Clan property accumulates a clan’s achievements, condensing individual feats into collectively held treasures. Using the name Saahlinda Naay, the museum becomes connected to other Saahlinda Naay throughout Haida history at the same time it contributes to the understanding and historicisation of Saahlinda Naay by its actions in the present. The museum, as Saahlinda Naay, inherits and accumulates the potential and possibilities of a social institution for saving things of value to Haida clans. The museum is still able to express this role in its individual way – remembering its social responsibilities and choosing how to act upon these.

Section II: Way-finding

Nika: ‘Haida’ means human being

Around the same time we began to focus on our Ancestors, the Canadian Museums Association and Assembly of First Nations’ Task Force Report (1992) spurred Canadian museums to provide Indigenous Nations access to, and increasing determination over, their material and intellectual cultures and their relatives. An important outside influence now existed, but more than forty years of patience and relationship building with museums – by individuals, our museum, and our Nation in general – created the foundation that has enabled the two ‘sides’ to progress together so well. NAGPRA plays an important role in the United States, and for us to some degree. The first ‘cross-border’ repatriation of a Haida Ancestor in 2002 was spurred by NAGPRA. The Oakland Museum of California let us know they had a skull from Haida Gwaii. Legally, they were not required to work with us, as we are not a federally recognised U.S. tribe, but they were actively working on repatriation and just wanted to see our relative come home.

We have since brought home over 200 Ancestors from three more U.S. institutions. When we first contacted them, two required this work be facilitated through our relatives in Alaska, aligning the process with NAGPRA’s prescriptions. However, the Ancestors were taken from
Haida Gwaii; we reasoned museums should work directly with the people from whose territory they were taken. The museums agreed.

Yahguudang.gang is why this work is so successful. Yahguudang.gang entails all of us paying respect to our Ancestors and each other, and in doing so, being worthy of respect ourselves. The wisdom of the Hereditary Leaders who named our work, along with our greater community who directs it, has given us the ability to bring our Ancestors home in the ways we need to. Haida and museum staff come together as human beings trying to understand each other, to right some wrongs, to heal a bit, to move forward. We continue a mutually beneficial work relationship and make friends who are still friends, like Cara and me.

We want people to want to give our relatives back. We want people to want to see our treasures back home. We want people to want to make things right and want to find a way forward, together (see also Shannon et al. 2017: 90).

It has been barely 250 years since Europeans first entered our waters and changed the course of our future. The arrival was anticipated, as BAlé’la, a highly regarded Supernatural being, spoke through a sGaaga, shaman, prophesising the coming of the Yaats XaaydaGa, Iron People, and the events – both prosperous and devastating – to follow.

The first accepted documentation of Haida and European contact occurred in 1774 when the Spanish sailing ship Santiago ventured into Haida waters (Fisher 1992: 1–2). Over the next forty years more than 200 ships would visit Haida Gwaii, including Captain George Dixon in 1787, who named Haida Gwaii the Queen Charlotte Islands after his ship and queen. In 2010, we respectfully repatriated the name and reinstated ‘Haida Gwaii,’ meaning Islands of the People, as the ‘gazetted’ term for our home.

While interactions were initially economy based, by the late 1800s colonial regimes had taken a huge toll on our people. Epidemics, introduced while the vaccines were withheld, caused over 95 per cent of our people to die. The Church and the settler nations oppressed and eventually outlawed our way of life through the Indian Act and Residential School system. During this time, hundreds of graves were desecrated and our Ancestors’ remains stolen, while children as young as four were sent off to school, often not returning until their late teenage years. Most material culture left the Islands through force, theft, or sale. It is important to consider that material culture, created for social function as opposed to the tourist trade, was largely sold under duress. Colonial law and social and economic marginalisation required our people to find ways of surviving in this new world.

Desecration of graves and pot-digging occurred through the 1980s, as did settler-sanctioned museum and amateur ‘collecting.’ The latter half of the 1900s was a time for a reawakening. The first monumental pole to be ceremoniously raised on Haida Gwaii in the 20th century was carved by Robert Davidson. Telling a version of the Bear Mother story, it was erected in Old Massett in 1969. The Skidegate Dogfish Pole, carved by Bill Reid, was raised in 1978 – the first in our village in almost 100 years. Putting these poles up required the re-enactment of culture by way of potlatching. These two poles were pivotal in the revitalisation of a Haida way of life.

While the Haida Gwaii Museum was built on our own terms in 1976, by the 1980s the museum professionals hired from off-island to run Saahlinda Naay had turned it into a colonial institution. While some great work had been done, controversial archaeological digs had been conducted and there were some questionable practices inside the museum, which was rarely open to the public (Nathalie Macfarlane, e-communication with Collison, 14 December 2016).

A new director, Nathalie Macfarlane, was brought on in 1989. On her first day of work, the last ancient pole to stand in Skidegate – the Staastas Beaver Pole – was being removed by staff from the Museum of Vancouver. It had fallen during a storm (Nathalie Macfarlane, e-communication with Collison, 14 December 2016). Raised in the 1880s, the Beaver Pole
had spent the previous eleven years in the company of Bill Reid’s Dogfish Pole. Representatives agreed to let the pole’s shattered remains go in return for funds to carve a new one. Prior to this event, the Eagle that once perched atop of this pole had also fallen. My uncle Mike McGuire, a descendent of the pole’s lineage, had brought it to our museum. My chinaay grandfather Billy Stevens restored the eagle, even carving the lines and cracks of time into the cold-cure he used to glue it back together.

Circumstance prevented completion of the replacement pole. In 2000, Council traced the ancient pole to a private home, fully restored, sans eagle. Council found the funds to bring it home, and all of a sudden our museum housed the last ancient pole to stand in Skidegate, happily reunited with its eagle. Before raising it, we secured the permission of the chief of the pole’s lineage. Taking control. Upholding our responsibilities.

Today, it would be rare to find a Haida in support of taking down an ancient pole, but it did not seem too strange to bring down the Dogfish Pole. While still sound in structure, concerns around winter’s relentless storms saw the pole brought down in 2014. When it is again raised, this time inside our museum, Skidegate’s ‘last’ and ‘first’ poles will once more stand side by side, living out their third incarnation in SaaHlinda Naay, Saving Things House. The poles’ incarnations – first as trees, then as a crest poles, and now as memory tools in the museum – all coexist. Each phase is important within Haida society, but all the phases are present at any given moment in the poles.

With the arrival of Nathalie Macfarlane, a director who wanted to hear and support our Islands’ needs and vision, locals began visiting the museum again but noticed some objects were missing. This prompted the museum staff and board to seek the help of the Canadian government, who requested an investigation by the Royal Canadian Mounted Police (RCMP) (Nathalie Macfarlane, e-communication with Collison, 14 December 2016). At the same time, Nathalie was working with the Old Massett Village Council to bring home Ancestors taken during another controversial archaeological dig that took place in the late 1970s. In 1993, the RCMP confiscated and returned most of the items missing from our museum, though we will never know what was not found. My cousin Vince Collison was interning at our museum. As he and Nathalie began opening boxes, bones began to tumble out. We had not known our people had been stolen too. A forensic anthropologist put them back together.

Nathalie was concerned, because our Ancestors’ bones were back home but lying in museum storage. Aunty GwaaGanad, Diane Brown, told Nathalie not to worry, that the work would begin when the community was ready (Nathalie Macfarlane, e-communication with Collison, 14 December 2016). The Ancestral Remains excavated and taken from the north were re-interred by Old Massett, but it was not until the late 1990s that the people of Skidegate felt ready to take on this work. We were inspired by Old Massett’s 1998 repatriation of Ancestors from the Royal British Columbia Museum – the first repatriation of Ancestral Remains from a museum, led by Lucy Bell – and began to ready ourselves. In 1999, the Ancestors’ remains were finally re-interred along with other relatives recently brought home from another institution. We buried them – mainly partial skeletons – in our graveyard, because the Elders feared they would be stolen again if returned to their original villages.

Cara: humanising settler and colonial museums

The 1990s were important times of way-finding in North American museums holding Indigenous material heritage. Institutions receiving federal funding in the United States began to live through the operationalisation of NAGPRA. The Task Force Report generated by the Canadian Museums Association and Assembly of First Nations (1992) challenged Canadian museums to engage in repatriation discussions and decisions, to train and hire Indigenous staff, and to involve
Aboriginal peoples as collaborators and stakeholders in the work of museums, including exhibitions, programming, and collections management. The Task Force was prompted by the Lubicon Lake Cree–led boycott of an exhibition at the Glenbow Museum, fuelled by what they saw as incommensurable actions: the production of an exhibition celebrating Indigenous heritage in Canada using sponsorship money from an oil company operating on contested Indigenous lands. Relations among museums and Indigenous communities have always been in flux, evolving and being re-shaped by the actions, dialogue, demands, and protests of each. Nika’s account of interactions between the Royal British Columbia Museum and the Haida Gwaii Museum attests to efforts prior to the Task Force to work more collaboratively. The Task Force, however, remains a pivotal moment where national-level conversations produced a set of ethical values about museums’ responsibilities to Indigenous peoples.

As a policy rather than a law, the Task Force Report contained no stipulations about how such changes should be accomplished, or what the end result would look like. A recurring component in case studies presented from settler museums is a dual humanising effort: there is a humanising of the Indigenous peoples whose heritage and stories form the content of exhibitions, but there is also a humanising of museum work where mundane, even ‘unprofessional’ tasks become the extraordinary efforts required for change. Margaret Hanna (1999) provides an early glimpse from the Royal Saskatchewan Museum of the kinds of way-finding happening among museum staff. The anecdote that sticks with my students is her story about driving across the province to share a cup of coffee with a collaborator, similar to the way curator Beth Carter has described her frequent stew-cooking for exhibition meetings with Blackfoot as they created Nitsitapisiinni at Glenbow (Carter e-communication with Krmpotich, 17 October 2016; see Conaty and Carter 2005 for further insight into the collaborative process).

These small acts of hosting-turned-friendship seem essential in collaboration. Museum staff often experience repatriation in ways requiring efforts and emotions outside the best practices taught in museum programs. In their own ways, museum staff and community repatriators alike can find that repatriation activities begin outside the sphere of cultural and institutional protocols, but become part of daily routines and practice. Cultural and institutional protocols guide the work of repatriation, but can also be re-shaped, re-appropriating and adapting the hybridity of repatriation into local practices and systems. A generation of Haida children have grown up with repatriation preparations, fundraisers, and feasts as a constant feature of life on Haida Gwaii. When visiting the NMAI’s off-site storage in 2013, I saw the Skidegate Repatriation and Cultural Committee’s butterfly emblem affixed to the shelving unit holding their treasures. The films Stolen Spirits of Haida Gwaii (McMahon 2004) and Everything Was Carved (Butler 2010) capture the ways Yahgudangang has affected attitudes and relationships among Field Museum, Chicago, and Pitt Rivers Museum staff to the collections they care for and the communities who cherish them. These visual cues are evidence of the ways Haida values have reached deep inside numerous museums. As staff move and take on new employment, I suspect many more institutions into which the Haida have yet to step foot have been influenced by the values of the HRC.

On Haida Gwaii, the history of repatriation is frequently embedded within a history of family and family wellbeing. This is reminiscent of Brown and Peers’s (2006: 149) suggestion that colonisation was and is felt at the level of the family in Blackfoot territory, even as it was and is determined at the level of the state. This is not to say laws like NAGPRA or the NMAI Act, international tools like the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), policies like the Task Force or Australia’s Previous Possessions, New Obligations (Museums Australia 1993), and the more recent Continuous Cultures, Ongoing Responsibilities (Museums Australia 2005) are not felt within communities or within museums, but rather that they are felt within local contexts and enter a history already in place.
Imagining repatriation as an act of familial responsibility and care humanises all its associated processes, with consequences both for Haida and for museum staff. Nika’s contributions highlight the ways her nation has felt the burdens, pressures, and joys that come with repatriation, and elsewhere I have offered that Haida successes with repatriation have changed the ways Haida narrate their personal, familial, and national histories (Krmpotich 2014). Here, I want to consider museum personnel in these moments of immense humanity. Field Museum staff in Stolen Spirits are visibly moved, responding with intense and evolving emotions during the repatriation of Haida Ancestral Remains. Pitt Rivers Museum and British Museum staff record their tremendous range of emotional and professional responses to hosting the Haida Repatriation Committee in the United Kingdom (Krmpotich and Peers 2013; see especially Doyal’s reflections 139, 141–142, 210–216). As the work of decolonisation and the creation of post-colonial museums is humanised, and indeed if museums are indigenising, it behooves museums to consider the kinds of people and practices that can take on Elder-like roles, providing the cultural, intellectual, and spiritual or emotional support that has been essential to Indigenous repatriation efforts. Can settler museums create communities of repatriation responsive to their local contexts that re-shape the ways museum staff can narrate their professional, personal, and institutional histories?

Section III: Reconciliation

Nika: Tll Yahda, making things right

Being both Haida and director-curator of the Haida Gwaii Museum, I have enjoyed some unique opportunities that stem from making my work my life – and my life my work. I am privileged to work alongside my Nation to uphold a Haida way of knowing and being, to work with museums on an international scale, providing Haida perspectives on history, present-day life, and our intent for the future.

Born in 1971, I grew up during a time of great revitalisation: witnessing and participating in pole raisings; paddling massive canoes for hundreds of miles; bringing out Haida law, ceremony, and language; seeing weaving rise again in the ranks of fine art – all the ‘firsts’. I did not know these were such pivotal, monumental moments until I began working in Yahguudang.gang and learned our shared history with Canada – a history not taught in schools and rarely discussed at home when I was growing up.

The revitalisation of Haida art strengthened our nation on all fronts. My cousin Clayton Gladstone, an artist and scholar, reflects: ‘It brought the rest back out, that’s how important the art is’ (Collison 2014: 93). Today, our children grow up knowing the raising of poles and travelling in canoes as part of life. They have slept in longhouses and can live off the land. They are adorned with fine regalia as we put our chiefs forward. They begin singing and dancing in the womb; they are conscious of our relationship and responsibility to the Supernaturals, to Haida Gwaii, and to each other. They help fundraise and travel to museums to witness their history and bring their Ancestors home. They carry them, wrapped in the button blankets they have sewn, contained in the boxes they have painted, to the graveyard for final burial.

They visit our ancient treasures. With each piece, we learn ‘new’ old information. From utilitarian to ceremonial, these works demonstrate the refined understanding our Ancestors had of art and architecture; engineering and science; sociology and philosophy; and of co-existing with the Supernatural, Haida Gwaii, and each other. There is wisdom in that historic knowledge that we apply today to help address and solve modern problems and needs. An example is a t’aagGuu halibut hook, part of a major repatriation by the Reif family of Vancouver, in 1999. From the
Elders, I learned why these hooks are made of two types of wood; that early barbs were made from the penis bones of bear or sea lion; how the tackle was rigged and worked; that there are songs sung to call the halibut, things to say to the halibut, to give thanks to the halibut. The Elders told of technologies that allowed us to fish halibut from shore, before there were canoes. These are things that might not have been spoken of otherwise, things that have not been written down, but are possible because the t’aaGuu is with us, and we are with it. Things that exist only in the collective minds and spirit of our people.

With returned treasures come Unveiling ceremonies, where pieces are re-introduced into the community. Many ancient pieces can be traced to their originating village, lineage, or maker. Affiliates ceremoniously present the treasures, speaking to their significance and history. They, and others associated with the returned pieces, are consulted on how these pieces might, or might not, be presented in the museum or used in future ceremony.

In bringing home our Ancestors, we usually send large delegations to do the work. The mix is intentional, to properly address the work to be done and to ensure a broad spectrum of our people experience this work so they can go on to inspire others. Chiefs and Matriarchs, Elders and fluent speakers, singers and ceremonial leaders, artists and cultural workers, youth and a sprinkle of others all play a role.

The act of repatriation has been significant in the revival of our culture and in healing. The work is extremely difficult. Relationship-building takes patience, determination, and truth; working through and beyond colonisation, the anger, the fear. We have to find that place where we are not afraid of each other, or what the other might do. The emotional impact of working with our Ancestors and with museums is confusing and not linear: anger, excitement, grief, joy, horror, laughter, awe and sometimes, nothing at all. Emotional numbing.

Retrieving our relatives’ bones from boxes and drawers in museums is not ‘traditional’, yet it has become so in the past twenty years. Elders have drawn on ancient traditions and protocols to guide our work. Some traditions are practiced ‘as-is’, while others are adapted to function within modern circumstances. As directed by our Elders, we must go retrieve our Ancestors; they cannot travel home alone. There are medicines we need and ceremonies that must take place; this is how we prepare ourselves and our Ancestors. Haida must be spoken, prayers given, and songs sung. Elders have us wrap our relatives in natural cloth, and cushion them in cedar chips for their journey home. We were concerned with what we should do with the babies. We do not believe our Ancestors’ spirits are in their bones, but our Ancestors respond to how we treat them. We placed the babies’ remains with adult females, as an expression of love and so they would not be alone. The Ancestors must be fed through the fire. We must feast with museum staff to make the work legal. While at museums, we use our treasures in ceremony to honour and respect them, to give them back the life they were made for. When home, our relatives must have burial boxes and a blanket or woven mat to be wrapped in. Someone must sit with them through the night before they are buried. There will be a funeral service and feast and eventually an End of Mourning ceremony. There are more fire ceremonies and feeding of our Ancestors.

The healing of Yahguudang.gang is felt deeply. While it cannot be measured, it is visible in the way we live our lives – the way we talk, interact, and the choices we make. The healing is not only ours. The process also includes staff from the museums we work with. We invite them to share in almost every step, except preparing our Ancestors for their journey home.

When we work closely together, the playing field is levelled. Museum policies and practices no longer override our beliefs and practices. Museum staff begin to understand us on our terms, not just their terms. They also come to appreciate that Haida scholars are on par with Western academics. Many of us have developed lifelong friendships with museum staff, re-connecting at various moments to support each other personally and professionally as life
carries on. Repatriation has changed our history, but it also changes the ways Western museum staff see themselves, their own settler histories, and their museums’ histories. When they support our repatriation efforts, it helps museum staff address or heal from the shame of colonialism. The bigger shame, then, becomes not working toward repatriation.

**Cara: making things right**

Can repatriation ‘make things right’? Within repatriation discourse, repatriation is frequently posited as having the capacity to ‘right historic wrongs’. Russell Thornton (2002) has written evocatively that so long as museums hold human remains and sacred objects against the wishes of related communities, the offence persists. In this way, the wrong is not historic; it is present. ‘Healing’ is not possible if the injury is still occurring.

The Haida idea of ‘making things right’ seems attuned with an idea that it is a small world and we live close together, in coexistence. Whether a potlatch or repatriation, these events do not close the past but amend it. By ‘making things right’, a potlatch or repatriation opens a way of living together now and into the future. One of the powerful moments I witnessed on Haida Gwaii was the first public acknowledgement on Haida Gwaii of the smallpox epidemics. The repatriation of people’s Ancestors – ‘making things right’ through their return – helped make it possible to talk about the devastation of smallpox on Haida families and the Haida Nation. There is a range of stories I believe Haidas can and do talk about because of the way repatriation helped make things right.

Haida Repatriation Committee members frequently speak of the ways the repatriation process has amended their relationships with staff at the returning museums. Likewise, museum staff who have engaged in intensive collaborative projects and repatriation efforts seem to have a ‘change of mind and soul’, as described by Aldona Jonaitis as a result of working with the U’Mista Cultural Centre, its Director/Curator Gloria Cranmer Webster, and Alert Bay Elders on the exhibition *Chiefly Feasts* (Jonaitis 1991).

Crucially, museums may be places where the public feels a change of mind and soul is possible. Museums have been identified in Canada’s Truth and Reconciliation Commission’s (TRC) final report and Call to Action as sites to help the country reconcile following a century of residential schooling that, in its worst forms, led to the destruction of individuals, families, and a cultural genocide against Aboriginal peoples. The report focuses on museums as places of education, capable of ensuring all Canadians know this facet of our national history. Arguably, reconciliation will require a change of mind and soul that comes from education but also empathy. The creation of empathy is increasingly expressed as a priority for museums committed to social change.

Less discussed in the TRC’s report is the role of museum collections in supporting residential school attendees, their descendants, and communities. One story of repatriation recognised in the TRC report and gaining national recognition through newspaper coverage and keynote presentations at national conferences is the partnership of residential school survivors, Elders, and Chiefs with University of Victoria professor Andrea Walsh to locate and repatriate drawings and paintings done by children in residential schools to the artists – now adults – or their families (Truth and Reconciliation Commission of Canada (TRC) 2015: vol. 6, 184–186). My own experience working with women sent to residential schools is that they have little material evidence of their childhoods. They wonder what the staff did with their clothes that they arrived at the school in. There are few photographs, home videos, ribbons or trophies, drawings, favourite toys – or those that do exist are in the archives and collections of institutions, not with their families. Walsh’s efforts span the country, looking for traces of people’s childhood.
In repatriation ceremonies, the drawings have been carried in lovingly, as individual children (Walsh 2015). In some cases, people have re-placed their drawings in the care of the returning institution, preferring to keep a digital reprint and looking for the drawing to be kept safe by the museum, gallery, or archive.

For settler and Indigenous staff alike at museums, archives, galleries, cultural centres, and Native Friendship centres, and for the broad publics for whom these institutions exist, this is a time to re-think what we have in these collections, where things have come from, and whether those things are in the best home. It is a time to look at the collections and ask: what traces of residential schooling might be there? What traces of Aboriginal childhood and family life might be there? What kinds of stories are made possible, knowable, and tellable through these museum collections?

Museum ‘best practices’ should help museum staff adapt to unfamiliar terrain, processes, and concepts. Too often, however, museum best practices fail to ask the question, ‘best for whom?’ Best practices have long implied ‘best’ for the staff. As museums continue to embrace a publics-focused purpose, participate in processes of reconciliation, and grapple with global issues such as climate change, poverty eradication, and food security, the question of ‘best for whom?’ becomes critical. Nika has described the ways Haida protocols enabled the Haida Repatriation Committee to solve problems and create new traditions for repatriation that held true to Haida values and honoured Haida society. Protocols helped committee members adapt to unfamiliar places, processes, and concepts. Whether we call them ‘protocols’ or ‘best practices’, our collective challenge is to use these as an adaptive, generative, and creative tool rather than as a means of replicating past practice. Reflecting upon Blackfoot influences on museums, Briony Onicul (2013: 85–88) acknowledges the ways curatorial practice is making space for cultural protocols. Her research further acknowledges that while this has nurtured productive partnerships between the museum and Blackfoot, it can equally raise new dilemmas and put value systems into active conflict (Onicul 2013: 88; see also Poirier 2011). A deep understanding and respect for the importance of protocols, however, reduces the risk of tokenistic engagement and enhances the integrity of partnerships (Onicul 2013: 89).

Section IV: The future

Nika: putting a string on it

‘I wonder if we’re repatriating ourselves?’ pondered Haida Repatriation Committee member, Jenny Cross, as we prepared our relatives for their journey home from the Field Museum.

We believe in reincarnation, and we believe that everything is connected to everything else. Over twenty years ago, a young boy was in the Pitt Rivers Museum. He would not leave the Star House pole, taken from Old Massett in the late 1800s. He was so adamant that the top was missing that the staff referenced old records. Photos showed that indeed, a length of pole had been cut off the top before it was installed. I wonder who this boy used to be?

There is a practice in our culture called ‘putting a string on’ someone. For example, during the times of arranged marriages, the family of one young child might endow a great deal to the family of another, effectively ‘putting a string’ on them, ensuring the two would one day move forward in life together.

I like to think that our Ancestors put a string on their treasures and on themselves, binding us to something that transcends the preservation of Haida history, culture, and identity. Binding two worlds so that we would come together in the future, when the time was right, to heal and to redefine our relationships with each other and with the world, so we can move forward together.
Cara: creating communities of repatriation

A powerful idea has been developing in South African museology and public history: that communities do not pre-exist in ways that museums can reach out and find them, but rather that through museum activities, communities are constituted (Murray and Witz 2014; Rasoool 2006). The Haida Repatriation Committee (HRC) formed because of Haidas’ need to interact with museums off-island and the various repatriation protocols and policies practiced therein. As a repatriation community, they were able to influence those museums through their requests, advocacy, cultural education, and interventions, and physical presence in museum spaces. As much as museums needed a community like the HRC to exist, the HRC was able to reach into those museums and influence their collections, spaces, and staff. The Haida Gwaii Museum helped shape the HRC too, nurturing it into existence, providing a platform for it to tell its story, and providing spaces and support for the HRC to conduct its work.

Likewise, the Haida Gwaii Museum contributes to the constitution of a Haida community whose members self-identify through clan, village, and national identities, and the constitution of a Haida Gwaii community with both Haida and settler members vested in a project to ‘make things right’.

Western museums have been both protagonists and antagonists in stories of repatriation, but less frequently is their ability to help constitute repatriation communities imagined. In the development of this chapter, Nika and I discussed the ways hybridity can instil fear or trepidation both in communities and in museums. Conscious of how this label has done harm in the past by undermining the value of people, cultural practices, and cultural treasures, we puzzled over what it might take to create greater comfort with hybridity. By acknowledging the ways (positive, negative, and neutral) museums form and constitute communities of repatriation, and the ways communities of repatriation shape and re-define museums, perhaps the threat of hybridity can be reduced.

Concluding thoughts

Writing together furthers our relationship and for both of us is an expression of yahguudang, respect. We read and consider closely each other’s words. Questions are posed, our ideas grow in response to each other, and we confront the moments we fail to communicate, as well as when we inspire each other.

For both of us, writing together is emotional and intellectual. For Nika, the communication of who she is, her experiences and her motivation, involves a revisiting of a journey from Supernatural times to colonisation to way-finding and reconciliation. For Cara, the journey she revisits is shorter in years but reflects her own desires for way-finding and reconciliation in our immediate lives. Writing our journeys and thoughts down presents an opportunity to remember and feel those moments again. Writing together presents an opportunity to think about those journeys as historically and culturally located, able to sit in conversation with journeys in other times and other places. We actively seek ways for our knowledges to be in dialogue and to shape each other.

Within this book on return, reconciliation, and renewal, it was important to us to show how Saahlinda Naay, the Haida Gwaii Museum, through its support of Haida repatriation efforts, is integral to these processes. The process of writing together reinforces the importance of conciliation and the potential for new (in addition to renewed) relationships, ideas, protocols, and values to emerge from museums and repatriation.
Acknowledgments

We acknowledge and are grateful to live and work within the territories of the Haida, Musqueam, Squamish, Tself-Waututh, Huron-Wendat, Seneca, and Mississaugas of the Credit River First Nations. We thank the Haida Gwaii Museum for its support of both of us as researchers, especially Nika, with special thanks to former director Nathalie Macfarlane for her willingness to lead by listening to community needs and valuing community knowledge. The Haida Repatriation Committee has also supported both of us immensely in our learning, practicing, and teaching of repatriation and community-driven museology. We thank the HRC’s leaders, Elders, and volunteers for changing so many lives. Haawa, thank you, to Timothy McKeown, Cressida Fforde, and Honor Keeler for their editorial guidance, encouragement, and thoughtful critique.

Dalang ‘waadluuxan Ga hll kil ‘laa. Thank you to all for being here with us (all of you I can speak well of).

Haawa id Kuunissii. Thank you Ancestors.

Notes

1 These introductory comments originally appeared in Collison’s contributions to the multi-authored article ‘Ritual Processes of Repatriation: A Discussion’ (Shannon et al. 2017), which included a special section dedicated to the topic of repatriation and ritual.

2 The Haida Heritage Centre at Kay Llnagaay’s founding partners are the Skidegate Band Council, Haida Gwaii Museum, and Gwaii Haanas/Parks Canada.

3 While the Haida Nation follows a traditional system of governance that includes Hereditary Leaders, lineage systems, laws and protocols, in 1974 the Haida formed a national, elected government, the Council of the Haida Nation, whose principle mandate is Haida Gwaii and her surrounding waters (Haida Nation: Constitution 2017 A.8.S1) and all that this encompasses, including Haida Rights and Title; self determination; perpetuating Haida art, language, heritage, and culture; and creating and maintaining a sustainable economy. The Council of the Haida Nation’s directive for found Ancestral Remains is to re-inter them where discovered. If it is determined this would not be the best course of action (i.e. the area is prone to further erosion or development or susceptible to illegal digging and theft of remains), then they are brought in to Saahling.a Naay for safekeeping. The Haida Gwaii Museum is also our Nation’s repository for archaeological findings from any survey conducted on Haida Gwaii.

4 While Haida live in communities across Haida Gwaii and mainland British Columbia, the two main populated ‘Haida towns’ on the islands of Haida Gwaii are Skidegate in the south and Old Massett in the north.

5 Outside North America, instances of museums being built to support repatriation can also be found. Hamilakis (2011: 626) argues that the origins of the new Acropolis Museum in Athens are ‘linked to the cause for restitution of the Parthenon marbles’. Gabriel (2009) also recounts the Greenlandic creation of museums as a demonstration to Denmark that they were capable of receiving and curating repatriated national material heritage. It is important to acknowledge Gabriel’s (2009: 34–35) caution that the museum models of Greenland and Denmark were ‘identical’ and that the repatriation requests from Greenland were grounded in shared museological and educational values with Denmark. Although still an act of decolonisation, the repatriation process did not entail conflicting views about the appropriate uses and disposition of objects and human remains.

6 Information and video about the Great Box Project is available at Pitt Rivers Museum website (www.prm.ox.ac.uk/haidabox.html).

7 Haida territory spans the United States and Canada. In the United States, Alaskan Haida are federally recognised, but this federal recognition stops at the border. In our repatriation journey, a number of American museums extended the moral principle of NAGPRA to the Haida Repatriation Committee, working beyond the minimum legal requirements to help us reunite with our Ancestors. For more information about NAGPRA, see the US government website (www.nps.gov/nagpra/FAQ/INDEX.HTM#Claimants).

8 Europeans were dubbed ‘Iron People’ because of the great amounts of iron our Ancestors acquired from them in trade. This oral history was shared by Abraham of Those Born-at-Q’ul’dAsgo with John Swanton (1905: 311–314), and was also shared by Chief Git’Kun, John Williams, with Nika Collison.
As director, Macfarlane summarised the conditions she encountered and steps taken to return Haida treasures (including Ancestral Remains and archaeologically recovered artifacts) between 1989–1993. This unpublished report, titled *The Recovery of Haida Artifacts and Human Remains from Culver City, California to the Queen Charlotte Islands* [Haida Gwaii] Museum in Skidegate, Haida Gwaii (Macfarlane 1993), is part of the Museum’s operational records, along with the forensic report determining how many Ancestors were returned. During her research with the Haida Repatriation Committee, Cara Krmpotich used these reports alongside interviews with HRC and community members, and includes a brief history of the events in *The Force of Family* (Krmpotich 2014: 50–51).

Most repatriated Ancestral Remains were stolen from graves; only a minute percentage were turned into institutions by well-meaning people who had found them while out on the land.

Curator Jennifer Shannon expressed her view that NAGPRA is felt even after Ancestral Remains were returned from her museum in the way she and her co-workers uphold spiritual protocols when stewarding and handling collections. Shannon expressed these ideas during a panel at the American Anthropological Association meetings in Denver, Colorado, in 2015. The session was hosted at the Denver Museum of Nature and Science, and organised by Learning NAGPRA, a group currently researching the long-term implications of NAGPRA for universities, museums and repositories, and tribal organisations (see www.learningnagpra.indiana.edu/home.php).

The Truth and Reconciliation Commission’s (TRC) six-volume final report, ‘Canada’s Residential Schools’, is available online (http://nctr.ca/reports.php). For content directly related to museums, archives, and public education, see Truth and Reconciliation Commission of Canada (TRC) (2015), volume 6, chapter 4, and on museums particularly, see pages 132–138.

**References**


Saahlinda Naay – Saving Things House


Introduction

Hawaiians place high value on all that is ancestral, especially the sanctity of human remains, funerary possessions and places of interment. Values and practices of ‘ohana (family), mālama (care), kuleana (responsibility) and kūpale (protection) are paramount to an interdependent relationship in which the living and deceased look after one another. International repatriation of iwi kūpuna (Ancestral Remains) and moepū (funerary possessions) is a dutiful expression of these cultural traditions. Over the past thirty years, efforts by Native Hawaiians to return iwi kūpuna and moepū from domestic and foreign institutions were undertaken to continue restoration of the ancestral foundation, to return mana (spiritual essence, energy) to the homeland and living descendants and to support the rebuilding and empowerment of all that is Hawaiian. This chapter seeks to provide insight into these repatriation experiences, beginning with a discussion of various sources of authority relied upon to conduct repatriation in the absence of express legal authority. Next, the experiences and impacts of select international repatriation cases will be shared, involving three museums, one each in Switzerland, England and Germany. Finally, some of the strategic approaches that were undertaken to achieve thirteen international repatriation cases are discussed along with valuable lessons learned along the way. The chapter concludes with the impact that repatriation has had to empower Hawaiians to help restore our human dignity.

A Native Hawaiian organisation named Hui Mālama I Nā Kūpuna O Hawai‘i Nei (Group Caring for the Ancestors of Hawai‘i, hereinafter Hui Mālama or HM), established in 1988 by Edward and Pualani Kanahele of Hilo, Hawai‘i, was trained in contemporary and traditional cultural and spiritual practices regarding the care of iwi kūpuna and moepū. The repatriation cases discussed in this chapter were conducted in principal by this organisation.¹ Hui Mālama was formally recognised in the United States’ Native American Graves Protection and Repatriation Act (NAGPRA) as having standing to assert repatriation claims in institutions that receive federal funds. This allowed us to conduct just over 100 national repatriation cases. The international repatriation cases are the focus of this chapter and Table 3.1 provides an inventory of these cases.
Foundations for repatriation

Repatriations within the jurisdiction of the United States were conducted pursuant to the legal authority of the National Museum of the American Indian Act (NMAI Act 1989) and the Native American Graves Protection and Repatriation Act (NAGPRA), which applied to the Smithsonian’s National Museum of Natural History and any federal agency or institution that received federal funding. Upfront, repatriations beyond the boundaries of the United States seemed dependent upon the laws and policies of a particular jurisdiction, and not all had laws allowing for the return of Indigenous remains. For Hui Mālama, given the priority placed on Ancestral Remains and their possessions and the imperative need for their return in support of the well-being of the family, reliance on foreign laws and policies for repatriation was unacceptable. Based upon the cultural lessons taught by kumu (teachers; knowledge sources) Edward and Pualani Kanahele, Hui Mālama came to understand that the only proper foundation for repatriation claims were not laws but rather Hawaiian cultural values including ‘ohana (family), mālama (care), kuleana (responsibility) and kūpale (protection). This is based upon the self-truth that treatment of human remains and funerary possessions is principally a family matter. All other asserted interests are ineffective because they exist outside the family circle. While science is an important consideration, it is not an absolute right and should not be allowed to be imposed over the needs of the ‘ohana. Moreover, thievery must be addressed. Unlawful acquisition cannot give rise to continued lawful possession. Instead, it is the will of the family vis-à-vis deceased family members that is controlling and clearly and unequivocally demonstrated by the act of ceremonial interment. For Hawaiians, this act creates a permanent commitment and bond to the ‘āina (land), the spiritual realm of Papahānaumoku. By extension, any action inconsistent with permanent interment raises the issue of requisite family authorisation. Absent free, prior and informed consent, all acquisitions of ancestral Hawaiian skeletal remains and funerary possessions are illicit and must be made pono (righteous) through repatriation and reburial.
Hui Mālama asserted claims for Ancestral Remains in foreign jurisdiction based primarily on our kuleana or cultural duty as living descendants to provide proper care and that we were the only party that held such responsibilities to the ancestors. Museums and private parties place themselves in the position to take from the ancestors. On the other hand, we seek to give the ancestors back their place in their 'ohana (family) and into the loving bosom of Papahānaumoku. We further asserted that there is simply no room at the family table for the museum’s asserted rights to continue possession absent consent. We considered this approach an effective expression of our humanity. That we seek to restore our ancestral family reflects kindly upon us; that museums seek to keep our family apart reflects poorly on them. There is no statute of limitations on our ability to assert aloha (love) for those whose bones were disturbed and who yearn to return to Hawai‘i. We advocate for repatriation out of a duty of care owed to disturbed iwi kūpuna and moepū as an expression of the interdependent relationship between the living and the deceased. In caring for those who came before us, we sought their support to look after us and our families as we undertook to restore them to theirs.

In addition, we asserted the belief in a universal human right of dignity for ourselves and our ancestors. We believed that every Indigenous person should have the ability to be free of undue influence upon their honor and their integrity, and this standard extends into the grave. We are fellow occupants of the planet Earth and as your neighbors, we insist that you as a museum not loot our ancestral burial sites or continue to house Ancestral Remains acquired through looting. When Hawai‘i was an independent sovereign kingdom, cultural values were codified into law to protect family members and their final burial places. On 24 August 1860, King Kamehameha IV and the Nobles and Representatives of the Hawaiian Islands enacted ‘An Act for the Protection of Places of Sepulture’, which provided in part that

> [i]f any person, not having the legal right to do so, shall wilfully dig up, disinter, remove or convey away any human body from any burial place, or shall knowingly aid in such disinterment, removal, or conveying away, every such offender and every person accessory thereto, either before or after the fact, shall be punished by imprisonment at hard labor for not more than two years, or by fine not exceeding one thousand dollars.5

Where documentation existed indicating collection of Ancestral Remains and funerary possessions after August 1860, we would assert the argument that, absent consent, removal of ‘any human body from any burial place’ was in violation of the law and therefore an illicit acquisition for which the remains must be returned. We further argued that authorisation to export the remains out of the Kingdom was required and also inquired whether the museum had proof that there was authorisation by the host country for the import of the remains. Absent both these express authorisations, and given the illicit acquisition, the ability for the museum to continue possession was defeated and the only remedy was to return the remains. This Kingdom law to protect places of sepulture continued in effect for several years following the unlawful overthrow of our country in 1893 by the United States.

In more recent times, we began to assert Article 12 of the 2007 United Nations Declaration on the Rights of Indigenous Peoples, which provides:

1 Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religions and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains. [emphasis added]