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International Museum Repatriation Issues in the News

Margaret M Bruchac

The CMA editor shares this piece with new hyperlinks from the May 2011 CMA column.

Since the passage of the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 (Public Law 101-601; 25 U.S.C. 3001 et seq., 16 November 1990), increased attention has been drawn to the ownership of indigenous collections in museums. Repatriation claims that in past decades might have been resolved behind closed doors have been forced into the open. In recent months, several high-profile international repatriation cases involving university museums have appeared in the national news.

In November of 2010, national media reported on a NAGPRA dispute between the University of Pennsylvania and the Tlingit Nation of Hoonah, Alaska. This collection was originally amassed by Louis Shotridge, a Tlingit Indian serving as an assistant curator at the University Museum from 1915 to 1932 who sought to preserve ceremonial artifacts (in the years before Alaska statehood). U Penn had volunteered partial repatriation, but the National NAGPRA Review Committee supported the assertions of tribal claimants that Shotridge had no right to sell tribal patrimony, and that the Museum had no legal rights of possession (Avril 2010). Negotiations between U Penn and the Tlingit are ongoing.

The Associated Press reported on a long-standing dispute between the government of Peru and Yale University over artifacts taken from the Inca site of Machu Picchu by archaeologist Hiram Bingham during the 1910s (Eisner 2009). In 2007, Yale had agreed to return title and offered to fund a travelling exhibition, but the parties disagreed over the number of artifacts to be returned (AP 2010). In early 2011, Yale and the Universidad Nacional de San Antonio Abad del Cusco (UNSAAC) resolved their disagreement by establishing the UNSAAC-Yale International Center for the Study of Machu Picchu and Inca Culture in Cusco, Peru. The Memorandum of Understanding codified Machu Picchu and Cusco not as solely Incan patrimonial places, but as places significant to “the Cultural Patrimony of Humanity” and made it clear that the collections would remain accessible for research and education (Yale 2011).

In 2009, the Bowers Museum in Santa Ana, CA and the Houston Museum of Natural Science displayed a remarkable collection of mummified human remains on loan from the Xinjiang Uighur Autonomous Region in Western China. These ancestors do not resemble Asian peoples; they appear to be of Persian or European ancestry (Weinberg 2009). In 2011, just days before this popular “Secrets of the Silk Road” exhibition was due to open at the University of Pennsylvania Museum, Chinese officials insisted that the mummies and artifacts be removed, and that photographs and reproductions be substituted (Washington Post March 2, 2011). It was widely speculated that the ethnicity of the mummies was a topic of concern, but by February 12, Chinese officials had granted permission for their display.

Each of these cases profiles differing perceptions of identity, property and heritage, and highlights the inextricable relations between ownership and sovereignty, and the power that indigenous peoples can exert in modern museum contexts. Beyond NAGPRA, indigenous groups can also now point to the United Nations Declaration on the Rights of Indigenous Peoples (UN General Assembly Resolution 61/295, 13 September 2007) to support assertions of cultural ownership. It is likely that museum exhibitions will continue to be an interesting locale for contesting and claiming indigenous heritage.

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