

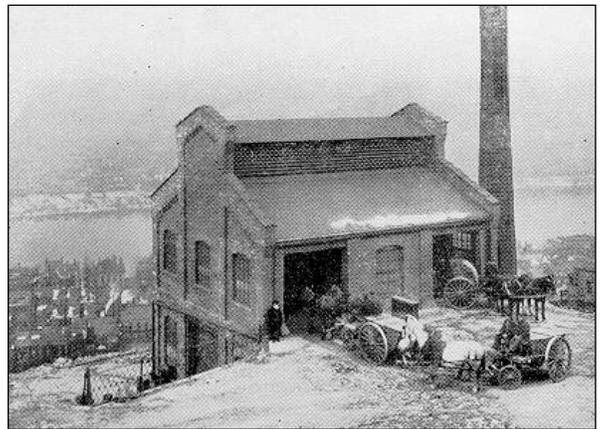
Old Pueblo Archaeology

What Do We Do with Our Ancestors? Treating the Dead of Today and of the Past

By Allen Dart, RPA

The July 26, 2002, 10 p.m. newscast on Tucson's TV Channel 4 led with a story titled "Brain Removal Before Surgery" about Josefina Vallejo, a 76-year-old Tucson woman who had recently died. This story chronicled how Mrs. Vallejo's brain had been removed during an autopsy but had not been put back into her body before she was buried, and how her relatives hadn't learned of this until after she was buried. The anchorman characterized the story as one that "pits science against spirituality."

Mrs. Vallejo had died the previous month after falling outside her home. The sun had severely burned her skin, eventually leading to infection. Mrs. Vallejo's doctor had asked the medical examiner to look for a specific cause of death so an autopsy was performed, during which the woman's brain was removed.



Wheeling City Crematory.

Continued on page 2

Photograph courtesy of Ohio County Public Library, Wheeling, WV.

The Arizona State Museum

Darlene F. Lizarraga, Arizona State Museum, University of Arizona

Arizona State Museum (ASM) is the oldest and largest anthropology museum in the Southwest. Established in 1893 as Arizona's Territorial Museum, ASM is the official repository for the state's archaeological collections, the official permitting agency for archaeological activities on public lands, and employs many of the world's leading experts in Southwest anthropology and related fields.



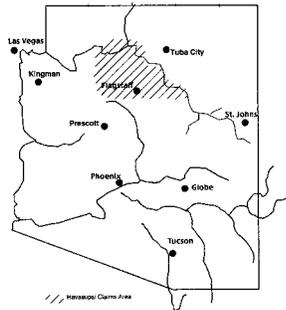
Located on the campus of the University of Arizona (UA) in Tucson, ASM is also a very active research and teaching unit with educational programs for students of all ages and all levels.

The museum has had many homes on the campus of the University of Arizona. It has moved from a room in Old Main (1891-1904), to a shared space with the UA library in the Douglass Building (1905-1914), to Agriculture Hall (1915-1929), to quarters in the lower regions of Arizona Stadium (1930-1935),

The new "Wall of Pots" in ASM-North Building.

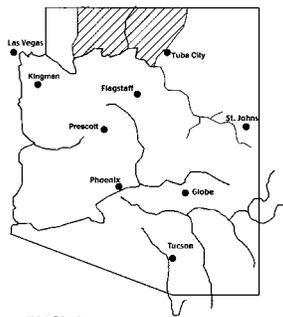
Photo courtesy of the Arizona State Museum, University of Arizona, Tucson.

Continued on page 9



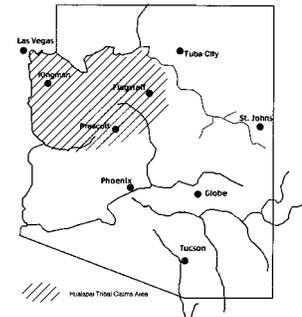
The Havasupai claim area shown here is based upon a map provided by the Havasupai Tribe in July 2000.

Havasupai
Repatriation Claim Area



Kaibab-Paiute Area
This map is based upon a map provided to the Arizona State Museum in 1992.

Kaibab-Paiute
Repatriation Claim Area



This claim area is based upon a map provided by the Hualapai Tribe in 1995, modifying a map provided in 1990.

Hualapai
Repatriation Claim Area

The grief of Mrs. Vallejo's son Henry Vallejo turned to anger after he learned that her brain had not been included with other organs for burial. "She's already been buried, but she's been buried without a brain," he said. "When God put you on this earth . . . our religion is that you go with everything that God has put [in] you . . . I think there should be a law, where the family is notified. The worst part is when her family is traumatized when . . . they get the information on what has happened . . . and it's too late."

Father Salvador Cazares, a Catholic priest interviewed by Channel 4 News, commented "The transplant of organs, the taking out of organs, or even the cremation, most of the Hispanic community does not accept."

Channel 4 News asked viewers, "Should the medical examiner's office tell a family if organs have been removed prior to burial of a loved one?" One viewer replied, "Autopsy means removal of organs for purpose of testing. This could mean all internal organs as well as the brain; all vitally important to determine the exact cause of death. Don't people read, ask questions of their doctors when an unfamiliar procedure is mentioned?" But other responding viewers took an opposing perspective. "The family has every right to know if organs have been removed," said one, adding, "If a person cannot donate organs unless his or her family is aware of the donation after death, then what gives the M.E.O. the right to remove anything without their consent as well?" Another said, "Yes, I do think the family should be advised. Jewish law says you have to be buried whole; that means including your brain." A third was more outspoken: "Hell yes, there should be some kind of law requiring to do that . . . That's unethical and immoral, and should be illegal."

Was the treatment of Mrs. Vallejo's body really a case of pitting science against spirituality as characterized by Channel 4 News? I have shown a video clip of this July 2002 news story in a number of presentations (sponsored by the Arizona Humanities Council, see box on page 8) about what we in American society, as well as others around the world, do with the remains of our ancestors. When I ask audience members whether they feel the situation with Mrs. Vallejo was a question of science vs. spirituality I often get the response that it may be more a question of legality vs. spirituality – an autopsy was required because Mrs. Vallejo's doctor

had requested the medical examiner to determine cause of death.

But still, my audiences ask, couldn't all parts of the woman's body have been returned to the family for burial? Is this what we as a society do with our ancestors?

A Brief History of Cremation

The news story included remarks of a priest and a viewer who both suggested that certain segments of society do not accept cremation because it goes against their modern religious beliefs. But if we take a look at what people have done with their ancestors throughout history we find that the modern practice of burying the dead, which most of us are used to, was not always the most common practice and, as I show below, is not even the most common practice today in some segments of society.

In the Old World, cremation first appeared on the Greek peninsula during the Bronze Age. Around 800 B.C. the ancient Greeks believed that burning the body purified the soul and released it from its earthly form. By 600 B.C. Greek ideas and customs, including the practice of cremation, had spread to the Roman Empire and became widely practiced by the Romans. However, all of that changed when the Roman emperor Constantine was converted to Christianity. He deemed cremation "pagan," with the result that by A.D. 400 most of Europe had embraced Christianity and ground burial had almost completely replaced cremation.

In the American Southwest between about A.D. 600 and 1100 Puebloan peoples generally buried their dead, usually flexing the deceased person's body into a fetal position and interring it with the head or face oriented eastward. During that same period the Hohokam, another southwestern culture contemporary with Ancestral Puebloans, generally cremated their dead. However, after A.D. 1100 some Puebloan people began migrating into the Hohokam culture area and mingling with the Hohokam, and there is evidence that many Hohokam adopted Puebloan burial practices. Though cremation continued among the Hohokam until that culture disappeared in the fifteenth century, inhumation burials became more common as time wore on.



In western European-derived cultures cremation began a return to popularity in the nineteenth century. In 1869 a resolution was passed at the International Medical Conference in Florence, Italy, urging all nationals present to promote cremation as “an aid to public health and to save the land for the living.” This movement spread throughout Europe, America, and Australia. In 1873 professor Bruno Brunetti developed a cremation chamber that was displayed at the Vienna Exposition. The following year Sir Henry Thompson, Queen Victoria’s surgeon, founded the Cremation Society of England over concern for public health issues. In 1878 the first crematories in Europe were built in England and Germany.

In America the first documented cremation among non-Indian people occurred in 1792. It wasn’t until 1876, though, after Dr. Julius LeMoyné built the first crematory in Pennsylvania, that more consistent practice of cremation began in the U.S. In 1884 the second American crematory opened, also in Pennsylvania. Between 1881 and 1885 several cremation societies were organized in the U.S., and as the number of crematories increased so did the number of cremations.

By 1913 there were 52 crematories in North America and more than 10,000 cremations took place that year. Also during 1913 Dr. Hugo Ericksen founded the Cremation Association of America, which later became the Cremation Association of North America, or “CANA.” CANA is now an international organization whose members believe that “cremation is preparation for Memorialization” (see www.cremationassociation.org).

CANA reports that by 1994 roughly 1 out of 5 people in the U.S. were cremated after death, and that over 470,000 cremations took place in that year alone. By 2003 the U.S. cremation rate was up to 28 percent.

Cremation Today – Not the Same Everywhere

Though the 2003 U.S. cremation rate was 28 percent, rates of cremation vary by region. According to CANA statistics the American heartland’s cremation rates in 1994 were as low as 4 percent in the East South Central region (Alabama, Kentucky, Mississippi, Tennessee) to a high of 17 percent in East North Central states (Illinois, Indiana, Michigan, Ohio, Wisconsin), and the rates had increased to about 6 percent and 31 percent, respectively, by 2003. In the Mid-Atlantic region (New Jersey, New York, Pennsylvania) the 1994 cremation rate of about 16 percent had shot up to 24 percent by 2003. In New England (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont) the rate was nearly 24 percent in 1994 and jumped to 33 percent in 2003.

CANA figures show that in Arizona and other Mountain states (Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming) the cremation rate was slightly more than 35 percent in 1994 but already over 50 percent by 2003. CANA projects the Mountain states cremation rate will rise to at least 55 percent by 2010.

And in the Pacific states (Alaska, California, Hawaii, Oregon, Washington) the 1994 cremation rate of 43 percent already was up to nearly 52 percent by 2003, so the Pacific region rate is expected to reach at least 65 percent by 2010.

The U.S. cremation rates are certain to rise significantly if past trends for treatment of the dead continue. But Canada is already ahead of us, having overtaken the U.S. in percentage of deaths cremated by 1963. By 1998 our neighbor to the north’s cremation rate was 42 percent compared to 24 percent that year in the U.S., and by 2003 Canada’s cremation rate was 51.7 percent vs. the U.S. 28.4 percent rate – a 1.82 to 1 ratio. By now Canada’s cremation rate may be double that of the U.S.

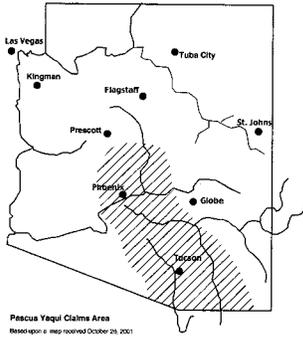
Beyond North America, CANA records show that by 2002 the Japanese cremation rate was 98 percent of all deaths, Hong Kong’s rate was more than 80 percent, Great Britain’s over 70 percent, and Sweden’s nearly 70 percent. In contrast, Ireland, Italy, and the few African countries for which CANA has data all showed cremation rates under 7 percent that year.

The Importance of Culture

In saying that cremation is not acceptable to some people, the priest interviewed for the July 2002 Channel 4 News story was presumably referring to people of Catholic faith. The international statistics appear to bear him out – in Ireland and Italy, two of the countries with the lowest modern cremation rates, the predominant religion is Catholicism. This gives some credence to the idea that the greater acceptance of cremation in certain geographic regions can be attributed to differences in religious beliefs and practices, which have their roots in the ethnic and cultural origins of a population.

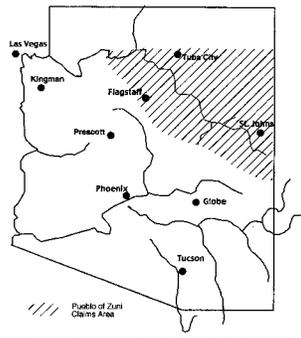
The CANA figures indicate that by 2003 Arizona ranked fourth in the country in our percentage of deaths cremated, with a cremation rate of nearly 57 percent. Except for Utah (whose cremation rate that year was barely above 20 percent), the other Mountain and Pacific states also had 2003 cremation percentages ranging from 38 percent (Wyoming) to 65 percent (Nevada), compared to the U.S. national average of about 28 percent.

In 2002, Tucson’s Arizona Daily Star ran an article about a survey in 2000 by the Nashville-based Glenmary Research Center, showing the percentage of people in each state who adhered to one of 149 religious denominations. The Star news story listed the 10 “Most-Faithful” and the 10 “Least-Faithful” states and said that among all states and the District of Columbia, Arizona ranked 42nd in the percentages of people in each state who adhere to one of the denominations surveyed. My comparison of the newspaper article’s percentages with CANA cremation percentages (page 4) shows that 8 of the 10 states with the highest cremation percentages (mostly Mountain and Western states) are also in



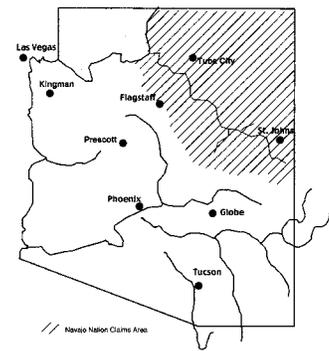
Pascua Yaqui Claims Area
Reprinted as map received October 26, 2001

*PascuaYaqui
Repatriation Claim Area*



Pueblo of Zuni Claims Area
This map is taken from information provided by Councilman Anthony Otto Lugo in a telephone conversation on July 14, 2000. Government maps indicated that the Pueblo of Zuni increased its claims outside their traditional land use areas. He indicated that the claims area should encompass Ft. Huachuca and Route 1 to the north, the Gila River to the east and the San Pedro River to the south. This information has been supported by information from A Zuni Area by T. J. Maguire and E. Richard Hart, University of Colorado Press, 1982. The area around the Zuni Lake area encompasses the area south of the Gila River between the San Francisco Peaks on the west and the Santa Mountains on the east, and being a primary source of the Colorado and the Colorado River.

*Pueblo of Zuni
Repatriation Claim Area*



Navajo Nation Claims Area
This map is based on a map of the Navajo Nation provided to ASM in August 2000.

*Navajo
Repatriation Claim Area*

the group of 10 “Least-Faithful” states, that is, these states are lowest in the percentage of denomination adherents. Is Arizona’s place in these compared percentage groups just a coincidence? I think it shows that people’s religious beliefs, which are important to their cultural identity, strongly influence how they put their dead to rest.

U.S. Deaths Cremated (2003) vs. Religious Adherence (2000)
Table compiled by Allen Dart

| State | Pct. cremated 2003 | Cremations rank 2003 | Denomination adherents rank 2000 | Pct. denomination adherents 2000 |
|--------------|--------------------|----------------------|----------------------------------|----------------------------------|
| U.S. average | 28.41 | | | |
| Nevada | 65.37 ▲ | 1 | 49 ▼ | 34.20 |
| Hawaii | 64.36 ▲ | 2 | 46 ▼ | 36.20 |
| Washington | 61.63 ▲ | 3 | 50 ▼ | 33.00 |
| Oregon | 60.69 ▲ | 4 | 51 ▼ | 31.30 |
| Arizona | 56.65 ▲ | 5 | 42 ▼ | 40.00 |
| Alaska | 55.28 ▲ | 6 | 48 ▼ | 34.30 |
| Montana | 54.62 ▲ | 7 | | |
| Colorado | 52.90 ▲ | 8 | 43 ▼ | 39.50 |
| Maine | 49.55 ▲ | 9 | 45 ▼ | 36.30 |
| Florida | 49.39 ▲ | 10 | | |

What Do We Do When a Deceased Is Generations Removed from the Present?

How do our own beliefs and burial practices influence what we in modern society do upon discovering remains of people who died before the present generation? An example of treatment of remains that are only a few generations removed from the present occurred in New Mexico in the 1990s, when the buried remains of many soldiers who had been killed in the 1862 Civil War battle of Glorieta Pass, were found prior to a development project just east of Santa Fe. Their remains were exhumed and returned to their home states for honorary burials.

Another discovery of historical human remains just south of the international border provides an example of how the skeletal remains of someone who died nearly three centuries ago have been treated. This discovery involved a highly significant figure in the history of northern Mexico and southern Arizona, the Jesuit missionary Father Eusebio Francisco Kino, the priest who brought Catholicism and Spanish culture into southern Arizona. Father Kino died in 1711. After his remains were found in Magdalena, Sonora, by archaeologists in the last century, his bones were exposed where they lay and are still enshrined for all to see.

These two discoveries of historical human remains mostly involved deceased persons who were identifiable, so it was not that difficult to establish who among the living, or what political entity, could claim the dead and decide what to do with their remains. But when remains of persons who died many generations ago, perhaps many hundreds or even thousands of years ago, are discovered, who gets to decide what to do with them?

Extremely Ancient Human Remains

One of the most prominent examples of a contested claim to very ancient human remains burst into the national news 11 years ago following an archaeological discovery in the state of Washington. This was the so-called “Kennewick Man” discovery along the Columbia River in July 1996.



*Cremation Urn.
Photo courtesy of Evergreen Mortuary,
Cemetery & Crematory, Tucson.*



*Battle of Glorieta Pass: A Shattered Dream by Roy Andersen.
Image courtesy of National Park Service,
Pecos National Historical Park, NM.*

A month after the skull was discovered and numerous other bones were retrieved, the first anthropologist to study the Kennewick remains, Dr. James Chatters, announced that the skeleton was approximately 9,000 years old and displayed “Caucasoid” rather than traditional Native American physical features.

Almost immediately after Chatters’s conclusions went public, controversy developed regarding who was responsible for determining what would be done with the remains. Claims were made by Indian tribes, local officials, and scientists. The U. S. Army Corps of Engineers, which was the federal agency responsible for the land where the remains were recovered, took possession of the skeleton. The corps cited its obligations under a law now commonly known as “NAGPRA.” But its actions to resolve the situation under its interpretation of NAGPRA were challenged in federal court by several scientists.

So what is this “NAGPRA”? The initials stand for the Native American Graves Protection and Repatriation Act, Public Law 101-601, enacted November 16, 1990, to provide for protection of Native American graves and other purposes. Among its many provisions NAGPRA says ownership or control of Native American human remains and associated cultural items excavated or discovered on federal or tribal lands shall be given to:

- the lineal descendants of the deceased Native American in question;
- or the Native American organization on whose land the objects/remains were discovered;
- or the tribe that has the closest recognized cultural affiliation with the remains or objects.

If a direct lineal descendant of the person whose remains were discovered cannot be identified, the remains may be claimed based on cultural affiliation. A cultural affiliation claim may be made either when objects are discovered on federal land recognized as the aboriginal land of a tribe, or when one tribe demonstrates a stronger cultural relationship to the remains than another tribe whose lands the remains are on (e.g., ancient Puebloan remains found on the Navajo Reservation). Under NAGPRA, cultural affiliation can be shown by a preponderance of the evidence, based upon geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion.

The Corps of Engineers originally decided what to do with the Kennewick remains because NAGPRA contains a clause concerning inadvertent discovery of Native American remains and objects on federally controlled land. Most importantly with regard to the Kennewick find, NAGPRA requires repatriation, that is, that discovered Native American human remains be provided to the dead person’s descendants, or to the Native American organization on whose land the remains were found, or to the tribe with the closest recognized cultural affiliation. When Native American human remains or associated funerary objects are discovered in the relevant jurisdictions, and are determined to be culturally affiliated with a particular Indian tribe, under NAGPRA the federal agency in charge must honor the request of the legally claiming Native Americans and must “expeditiously” return such remains and associated funerary objects. The law’s provision on this topic reads, “If the lineal descendant, Indian tribe, or Native Hawaiian organization requests the return of culturally affiliated Native American cultural items, the federal agency or museum shall expeditiously return such items unless such items are indispensable for completion of a specific scientific study, the outcome of which would be of major benefit to the United States.” However, if such a study is requested the law indicates scientific study shall be allowed and that the items are to be repatriated no later than 90 days after the study is completed.

This “major benefit” argument delayed repatriation and kept the Kennewick skeletal remains tied up in court for over a decade after they were discovered. Because the approximately 9,000-year-old Kennewick Man skeleton is one of the most ancient ones ever recovered in the Americas, and initial observations suggested his remains were not ethnically Native American, some scientists argued that this discovery was of profound importance because further scientific study might indicate that the first Americans came to this continent in multiple waves of migration, possibly originating in different parts of Eurasia. However, many other scientists questioned the idea that the Kennewick remains are Caucasian, and so did many Native Americans.

A coalition of Native American tribes in the Northwest did not want any scientific studies allowed on Kennewick Man,



NAGPRA only applies to discoveries of human remains on federal or tribal land, not on private land, but tribal consultations are required if there is any federal involvement in a proposed project on private land, such as when a property owner seeks a permit from the Corps of Engineers to modify a federally controlled waterway.

Mother Goose & Grimm



© GRIMMY, INC. KING FEATURES SYNDICATE

so before other scientists could study the skeleton and report their results this coalition of tribes claimed the remains under the terms of NAGPRA. In response, former Secretary of the Interior Bruce Babbitt concluded that Kennewick Man was culturally affiliated with the coalition of modern claiming tribes, so Babbitt and the Department ruled that remains should be repatriated to them. Babbitt based his decision on the geography, linguistics, and oral traditions provisions for determining cultural affiliation under NAGPRA.

In contrast, the Society for American Archaeology reviewed the evidence cited by Babbitt and argued otherwise. The SAA said that archaeological, biological, linguistic, anthropological, historical, and geological evidence provide strong argument that a relationship of shared group identity had not been and realistically probably could not be reasonably traced back 9,000 years. A group of eight scientists disputed the Interior Department's repatriation decision, asking the U.S. District Court in Oregon to prevent the Corps of Engineers from giving the Kennewick remains to the coalition of Indian tribes.

In August 2002 the federal court ruled in favor of the plaintiff scientists, finding that it could find no demonstrated relationship between the Kennewick remains and modern tribes. The judge wrote, "The Kennewick remains are so old, and information as to his era so limited, that it is impossible to say whether the Kennewick Man is related to the present-day Tribal Claimants." For this and other reasons the court rescinded the government's decision to give the remains to tribes under NAGPRA and said the scientific studies requested by the plaintiffs should be allowed.

There were several more appeals, filings of "friend of the court briefs" by several organizations, and arguments between Native Americans and scientists in the years following that first court ruling. Writing in a professional anthropology publication, one outspoken Arizona archaeologist who was not directly involved in the Kennewick repatriation suit stated why he felt scientific study of the Kennewick remains should be allowed:

Short of breaking the law, archaeologists have few or no options in respect of collaborations with Native Americans... Such collaborations can be rewarding, disastrous, or somewhere in between, depending upon the particulars of a given situation. The outcome will be determined by a complex nexus of factors including the goals of the research, the extent to which the archaeologist is willing to compromise those goals, the extent to which s/he is flexible and/or diplomatic, his/her notions of the relationship between archaeology and science, the extent to which s/he regards archaeology as 'science-like' (i.e., grounded in materialism); the belief systems of the individual Native Americans involved (which are, no doubt, are as wide ranging as those of any other group), how politicized they are, their views of science, their views of archaeology, the extent to which they consider oral tradition to be a reliable guide to a course of action, how flexible and/or diplomatic they are etc.

In short, difficult to generalize.

...I despise NAGPRA and am profoundly embarrassed by the roles played by [certain anthropological organizations] in promoting it. The reason, however, has nothing specifically to do with Indians. It is yet another (and very minor) example of the kind of simple-minded, essentialist, typological thinking about human biological and cultural variation that is all-pervasive in American society from the Census on up - a consequence of monumental, colossal, mind-numbing ignorance about the nature of human variation, excusable perhaps on the part of ordinary people, but unforgivable on the part of educated ones.

Ethnicity, like race, is simply not 'real'. The fact that people think it's real, bounded, discrete, and that it persists unchanged for centuries or even millennia (e.g., Kennewick) lies at the very core of social pathologies like racism and ethnic conflict. It is our obligation as scientists to do everything in our power to get rid of these pernicious, typological, essentialist social constructions. Only education will do this. Some archaeologists understand the scientific basis for human variation, but it would appear that others are utterly ignorant of it (or, worse, willing to ignore what they know to be true). We will never get rid of racism or ethnic conflict so long as people don't understand what 'race' and 'ethnicity' are. It is our obligation to tell them.



The archaeologist's view in favor of scientific study of the remains was countered by some who believed that no scientific studies of human remains should be allowed, that ancient unearthened remains should be reburied and left alone. Going to the extreme for this opposing view was the following statement from a religious leader with the Confederated Tribes of the Umatilla Indian Reservation, a group that was part of the tribal coalition that had asked for repatriation of the Kennewick remains:

Scientists and others want to study this individual. They believe that he should be further desecrated for the sake of science, and for their own personal gain. The people of my tribe, and four other affected tribes, strongly believe that the individual must be re-buried as soon as possible

Like any inadvertent discovery of ancestral human remains, this is a very sensitive issue for me and my tribe. Our religious beliefs, culture, and our adopted policies and procedures tell us that this individual must be re-buried as soon as possible. Our elders have taught us that once a body goes into the ground, it is meant to stay there until the end of time

Under the Native American Graves Protection and Repatriation Act, tribes are allowed to file a claim to have ancestral human remains reburied. My tribe has filed a claim for this individual and when it is approved, we will rebury him and put him back to rest

If this individual is truly over 9,000 years old, that only substantiates our belief that he is Native American. From our oral histories, we know that our people have been part of this land since the beginning of time. We do not believe that our people migrated here from another continent, as the scientists do.

We also do not agree with the notion that this individual is Caucasian. Scientists say that because the individual's head measurement does not match ours, he is not Native American. We believe that humans and animals change over time to adapt to their environment. And, our elders have told us that Indian people did not always look the way we look today.

Some scientists say that if this individual is not studied further, we, as Indians, will be destroying evidence of our own history. We already know our history. It is passed on to us through our elders and through our religious practices.

Ultimately the scientists won their case and were allowed to perform studies on the Kennewick remains.

What Do We Do with Ancient Human Remains Discovered in Arizona?

In 1990 the Arizona Legislature passed two laws, A.R.S. §41-844 and A.R.S. §41-865, to protect human burials and associated items on State of Arizona-controlled land and private land, respectively. These laws (see text-box summary of one) parallel the federal NAGPRA legislation and were passed because state lawmakers saw a need to treat human remains and associated items, sacred objects, and objects important to Native Americans with respect and dignity. Under these laws, what is done with human remains or objects found with them is decided through consultation with the people most closely related to the deceased individuals or related to the groups that made and used the special objects.

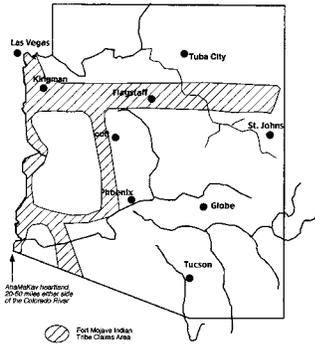
The Arizona laws state that discovered human remains and associated objects may be left in place, or removed and maintained in the collections of a museum, or reburied elsewhere. The state laws affect how construction projects and other uses of land are done, and the circumstances under which some objects may be bought or sold. Violations of Arizona burial laws are considered criminal offenses punishable by fines, imprisonment, or forfeiture of equipment used in the violations.

The state laws pertain primarily to discoveries involving ancient Native American burials, so the Arizona State Museum sought input from all tribes who claim ancestral sites in Arizona so the Museum could implement rules for claim and repatriation of human remains and grave objects under A.R.S. §41-844 and -865. Most of the tribes responded by indicating on maps of Arizona what each tribe considers its ancestral territory. The resulting repatriation claims area maps that the Arizona State Museum now has on file are

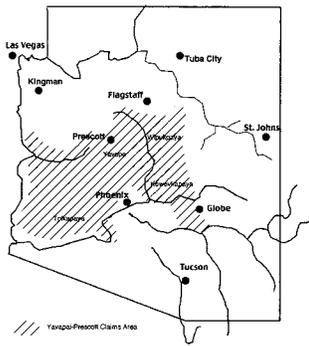
State Law A.R.S. §41-865: Title: Disturbing human remains or funerary objects; rules; violation; classification; definitions

This law applies to private lands in Arizona. It requires landowners or their agents to notify the Arizona State Museum when materials that might be human remains are found. The Museum then has up to ten days, or more if permitted by the landowner, to consult with any groups that might be culturally related to the remains and to implement the group's decision about what to do with the materials. Groups to be consulted include Native American tribes and any other organized cultural groups that can reasonably represent the group to which the deceased belonged. For example, in Tucson, a group called Los Descendientes del Presidio de Tucson has demonstrated valid claims to remains of people who were associated with Tucson's Spanish-Mexican presidio.

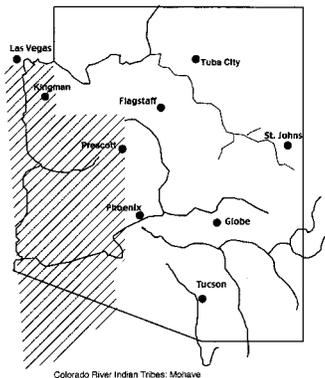
A person who intentionally possesses, sells or transfers any human remains or funerary objects that are excavated or removed in violation of the Arizona burials-on-private lands law is guilty of a class 5 felony. On conviction the person forfeits to the Arizona state museum all human remains, funerary objects and other artifacts removed in connection with the violation and all proceeds from the sale of these remains, objects or artifacts.



Fort Mohave Indian Tribe Claims Area
This is based on information received in September 2000. The Mohave claim cultural affiliation with the Ah-Supai peoples, across "Yavapai" and "Tavapai" as recognized elsewhere. Their claim area includes the Ah-Supai territory, Fort Mohave claim to the Colorado River, and the Colorado River. They also claim cultural affiliation with "TUCSON" - received from the sources from Northern California to San Jose and from Santa Barbara CA to Guaymas in Coahuila.



Yavapai-Prescott Claims Area
This claim area is taken from a map provided by the Yavapai-Prescott Tribe in July 2000, revising maps provided in 1995 and 1991. The Yavapai-Prescott claim Patavai-Yavapai and Sinagua cultural affiliation.



Colorado River Indian Tribes: Mohave
The Colorado River Indian Tribes provided a map dated June 27, 2000, indicating the above Mohave claim area.

Fort Mohave (Ahamaḱav) Repatriation Claim Area

Yavapai-Prescott Repatriation Claim Area

Mohave Repatriation Claim Area

presented here. The Hopi Tribe claims all of Arizona and beyond as ancestral territory because Hopi clans trace their origins to many different places in Arizona and beyond.

The various ancestral tribal territories overlap one another so Arizona tribes might seriously ask "What Do We Do with Our Ancestors?" Should each tribe hold that its claim for a discovered burial takes precedence over another tribe's when their two ancestral tribal territories overlap? Or might all tribes want to adopt a philosophy that's promoted by one of the trading posts on the Hopi Reservation, "Don't worry - Be Hopi"?

In fact, the Arizona tribes have worked out potential problems of overlapping claims areas by agreeing that when a discovery of human remains is made, one tribe shall assume the role of "lead claimant" for that discovery. Under this arrangement, if more than one tribe claims as ancestral an area where a discovery of human remains is made, the lead claimant tribe has authority to determine what shall be done with the discovered remains, and to accept the remains for repatriation. However, if the lead claimant for any reason decides not to accept the remains for repatriation, the other tribes having ancestral claims on the discovery site have not relinquished their claims and so have the right to assert claims to the discovered remains or grave objects.

In Arizona, several tribes have set protocols for how to treat ancient human remains that are disturbed by land-altering actions, including archaeological excavations. Most tribes seem to agree there is a middle ground that accommodates both traditional beliefs and scientific study regarding human remains.

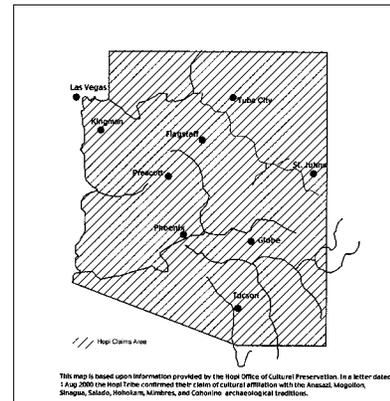
Some tribes allow archaeologists to record ancient burials in detail, including with photos, whereas others allow some studies but forbid photos to be taken.

Some tribes, such as the Tohono O'odham, perform blessing rituals where archaeological human remains are discovered when they are given the opportunity to do so, and conduct formal reburial ceremonies once the remains are repatriated.

Most or all Arizona tribes agree that no destructive studies

of human remains should be allowed, and that disturbed human remains should be properly reburied under the care of those who can demonstrate a cultural affiliation.

In summary, Arizona's tribes have worked out a middle ground. Is there a middle ground on which at least some people with different beliefs about what we do with our ancestors might agree? Many archaeologists and other scientists feel that the compromises worked out with NAGPRA and the state burial laws are reasonable. Others do not. What do you think?



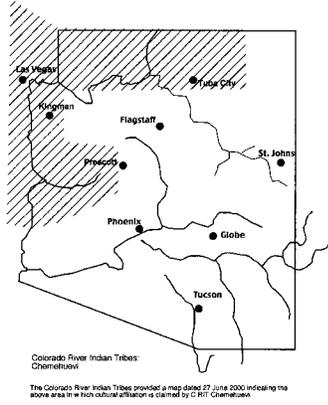
Hopi Claims Area
This map is based upon information provided by the Hopi Office of Cultural Preservation. In a letter dated 7 Aug 2000 the Hopi Tribe confirmed their claim of cultural affiliation with the Anasazi, Mogollon, Sinagua, Salado, Hohokam, Navaho, and Coahuila archaeological traditions.

Hopi Repatriation Claim Area

Acknowledgments. The author wishes to acknowledge and thank John Madsen, Repatriation Coordinator at the Arizona State Museum, University of Arizona, for providing the tribal claims area maps included here; and the several Native Americans and archaeologists who provided information to explain some of the viewpoints discussed herein.

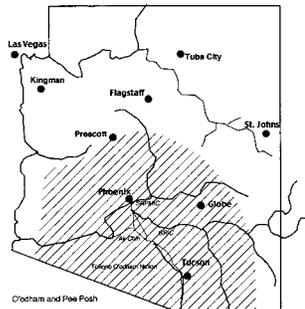
About the Author

Allen Dart, a Registered Professional Archaeologist (RPA), is Old Pueblo Archaeology Center's executive director. Through the Arizona Humanities Council (AHC) Speakers Bureau Allen offers a presentation on this topic, available to nonprofit organizations that include public libraries, museums, historical sites, historical and archaeological societies, parks, tribal entities, high schools (for assemblies), community colleges, community centers and agencies. For more information contact the AHC at 602-257-0335 ext. 23 or enunn@azhumanities.org.



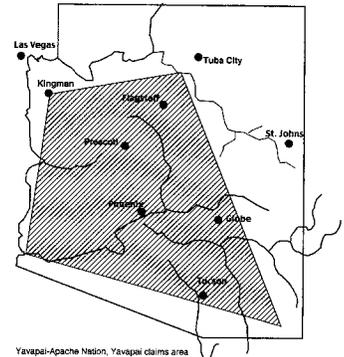
Colorado River Indian Tribes:
Chemehuevi
The Colorado River Indian Tribes provided a map dated 27 June 2000 indicating the above area in which traditional affiliation is claimed by CRIT Chemehuevi.

*Chemehuevi
Repatriation Claim Area*



O'odham and Pee Posh
Salt River Pima-Markopa Indian Community (SRPIMC), Gila River Indian Community (GRIC), Ak-Chin Indian Community (AK-CHIN), Tohono O'odham Nation (T.O.N.) claims areas
This map is based upon all the information that the individual traditions could be located, as well as all land claim boundaries, and all other information obtained during individual consultations. These tribes are identified in Pima, Pee Posh, Hohokam, and Salado traditions and are listed in their traditional, for purposes of consultation efficiency, the four tribes usually divide their area geographically. Cases north of Phoenix and east of the White Tank mountains (Pee Posh) and along the Gila River are handled by SRPIMC. Those south of Baseline Road, north of Phoenix, and east of the Casa Grande to Markopa Highway are handled by GRIC. All Chiricahua cases east of the T.O.N. Indian, and west of the Casa Grande to Markopa Highway. The T.O.N. Indian administration cases south of Phoenix on the Santa Cruz, southwest of the White Tank Mountains, east to the San Simon river valley, and west to the Colorado River Valley. Projects that intersect more than one of these areas or that are near the boundary of multiple tribes' areas normally should consult those multiple tribes.

*O'odham & Pee Posh
Repatriation Claim Area*



Yavapai-Apache Nation, Yavapai claims area
The Yavapai of the Yavapai-Apache Nation, Camp Verde AZ, wish to be consulted on all prehistoric archaeological resources and sites in the area indicated above, as well as all historic ethnological resources and burials that are of American Indian origin in the same area. This is based upon a memo dated 26 March 2001 to the Arizona State Museum, and on a consultation between Katherine Marquez of the Yavapai-Apache Nation and the Coordinator, ASM, on 30 April 2001.

*Yavapai-Apache & Yavapai
Repatriation Claim Area*

The Arizona State Museum, continued from cover page

to a brand new building in 1936. Outgrowing its main building, the museum inherited a second facility in 1977. Both now on the National Register of Historic Places, the museum's two buildings are the first to welcome students and visitors as they enter UA's Main Gate at University Boulevard and Park Avenue.

For more than a century, ASM has accumulated vast and varied collections that are recognized as a world-wide resource for research and teaching. Hundreds of thousands of artifacts from numerous excavations shed light on the prehistoric Hohokam, Mogollon, and Ancestral Puebloan cultures. More than 25,000 catalogued ethnographic objects document the life-ways of historical and living native peoples of the region. The museum's library, archives and impressive photographic collections hold extraordinary treasures of unique research materials, primary documents and significant photo documentation garnered by pioneers of Southwest anthropology as well as other leading figures in related disciplines. Indeed many aspects of the museum's ever-growing collections are unparalleled by any other comparable museum. At some 20,000+ whole vessels (and growing daily), ASM's Southwest Indian pottery collection is the largest and most comprehensive in the world.

The collections, coupled with the museum's collective body of research conducted over the past century, tell the story of about 13,000 years of human history and interaction in the unique arid environments of the Greater Southwest.

A significant portion of the museum's research came from the fieldwork of its directors, each one a giant in the discipline. In the twentieth century ASM had only three directors: Byron Cummings (1915-1938), Emil Haury (1938-1964), and Raymond H. Thompson (1964-1998).

George J. Gumerman, considered the first director of the twenty-first century (1998-2002), led ASM into its second century of service by emphasizing public outreach. Through a full calendar of public events and programs, and in conjunction with volunteer and membership programs, ASM continues to introduce the museum's vast and varied resources to the University of Arizona, the Tucson metropolitan area, the state, and beyond.

The museum's current director, Hartman H. Lomawaima (associate director 1994-August 2002; interim director August 2002-February 2004; and director since February 2004), is Hopi from the village of Sipalovi on Second Mesa. He holds a master's degree in education from Harvard University and has extensive, nationwide experience in museum administration. Since taking the helm, Hartman has led the museum's participation in the downtown redevelopment plans at Rio Nuevo – a site that has supported human occupation for more than 3,000 years and is considered the birthplace of Tucson. ASM's expanded facilities are set to open in downtown Tucson in May 2011.

For current exhibitions and public programs, call 520-621-6302 or log on to www.statemuseum.arizona.edu.



*The Arizona State Museum-North Building.
Photo courtesy of the Arizona State Museum, University of Arizona, Tucson.*



Traditional Technology Workshops

TRADITIONAL POTTERY MAKING LEVEL 1 WORKSHOP WITH JOHN GUERIN

This series of seven Sunday afternoon pottery-making class sessions offered by artist John Guerin includes historical background of Native American pottery making in the Southwest and a clay-gathering field trip. The Level 1 class demonstrates pottery making techniques the instructor has learned from modern Native American potters, using gourd scrapers, mineral paints, and yucca brushes instead of modern potters' wheels and paint. The course introduces some history of southwestern Ancestral and Modern Puebloan, Mogollon, and Hohokam pottery-making, includes a field trip in which participants dig their own clay, and demonstrates initial steps in forming, shaping and smoothing, and completion of bowls, jars, canteens, ladles, and rattles of both smooth and corrugated pottery, by scraping, sanding, polishing, slipping and painting. The paddle-and-anvil hand-building method is also demonstrated.

Sundays October 7-November 18, 2007, 2 to 5 p.m.

Location: Old Pueblo Archaeology Center, 5100 W. Ina Road, Building 8, Tucson-Marana.

Fee \$69 (\$55.20 for Old Pueblo Archaeology Center and Pueblo Grande Museum Auxiliary members); includes all materials except clay, which participants will collect during class field trip.

Advance reservations required: 520-798-1201 or info@oldpueblo.org.

ARROWHEAD-MAKING AND FLINTKNAPPING WORKSHOP

Flintknapper Sam Greenleaf teaches Old Pueblo's hands-on, 3-hour workshop on how to make arrowheads and spear-points out of stone to better understand how ancient people made and used stone artifacts. The class is designed to help modern people understand how prehistoric Native Americans made and used artifacts, and is not intended to train students how to make artwork for sale. Each 3-hour class is limited to 8 registrants age 16 and older.

Saturday, October 13, 2007, noon to 3 p.m.

Saturday, November 17, 2007, noon to 3 p.m.

Saturday, December 15, 2007, noon to 3 p.m.

Location: Old Pueblo Archaeology Center, 5100 W. Ina Road, Building 8, Tucson-Marana.

Fee \$25 (\$20 for Old Pueblo Archaeology Center and Pueblo Grande Museum Auxiliary members)

Advance reservations required: 520-798-1201 or info@oldpueblo.org

Old Pueblo's "Traditional Pottery Making" and "Arrowhead Making" workshops are designed to help modern people understand how prehistoric people may have made artifacts. They are not intended to train students how to make artwork for sale.

Old Pueblo Archaeology Center's Educational Tours

"Historic Kentucky Camp and Boston Gulch Hydraulic Mining Operations" fundraising tour with archaeologists Allen Dart and William B. Gillespie, departing from Tucson International Airport Park & Save lot (near TIA entrance, SE corner of Tucson Blvd. & Corona Dr.).

Saturday, October 13, 2007, 8:30 a.m. to 5 p.m. Fee \$99 per person; \$79.20 for Old Pueblo Archaeology Center and Pueblo Grande Museum Auxiliary members

Visit the historic Kentucky Camp near Gardner Canyon with Coronado National Forest archaeologist Bill Gillespie, who has done extensive research on the historical mining operations in this area. As a bonus the tour date coincides with Kentucky Camp's annual open house so the Friends of Kentucky Camp will be offering guided tours, demonstrations, and history. Bring a lunch and water.

Advance reservations required: 520-798-1201 or info@oldpueblo.org

"Traditional and Modern Hopi Culture" fundraising tour of Hopi villages with Emory Sekaquaptewa starting at Hopi Cultural Center, Second Mesa, Arizona.

Wednesday, September 12 through Sunday September 16, 2007. Cost: \$795 per person; \$25 discount for Old Pueblo Archaeology Center and Pueblo Grande Museum Auxiliary members

Tribal elder Emory Sekaquaptewa leads Old Pueblo's tour to traditional and modern Hopi culture sites, sharing his exceptional personal insights on how modernization is affecting a Native American culture with a rich traditional history. The tour normally offers one traditional Hopi dinner at a private home, and viewing of traditional Hopi community dances if dances are scheduled and open to outsiders on any of the tour dates. Visited places include a petroglyph site and villages of Walpi, Hano, Sichomovi, Sipaulovi, Oraibi, and Hotevilla; and modern Hopi High School, Health Center, tribal court, and administrative complex. Participants provide their own transportation; carpools are encouraged.

Advance reservations required: 520-798-1201 or info@oldpueblo.org

Pima Community College Study Tours with Allen Dart

Pima Community College's Community Education division offers noncredit study tours via passenger van with Old Pueblo Archaeology Center's Executive Director, archaeologist Allen Dart. Advance reservations are required. To register for these tours call Tucson's Pima Community College at 520-206-6468. For information about each tour's subject matter contact Allen Dart at Old Pueblo Archaeology Center, Tucson telephone 520-798-1201 or adart@oldpueblo.org. See insert for details!



Old Pueblo Archaeology Center's
 "Third Thursdays"
 Thursday, September 20, 2007

7:30-9 p.m. Free.
 "The Arizona State Museum: Its History and Programs" with Dr. Steve Harvath, at Old Pueblo Archaeology Center, 5100 W. Ina Rd., Bldg. 8, in the Marana Town Limits, Arizona.

Dr. Harvath will reveal the colorful history of one of the world's oldest and largest anthropology museums that is right here in Arizona. Established in 1893 as Arizona's Territorial Museum, the "ASM" is the official repository for the state's archaeological collections, the official permitting agency for archaeological activities on public lands, and the employer of many of the world's leading experts in southwestern anthropology and related fields.

Printed copies of the Old Pueblo Archaeology bulletin normally include only two ink colors to save on publication costs but our digital versions of the bulletin issues usually include full-color photos. For example of a recent full-color issue check out Old Pueblo's www.oldpueblo.org/assets/prioropab.pdf web page. If you would like to receive the full-color version of Old Pueblo Archaeology for your membership or subscription please contact Old Pueblo Archaeology Center at 520-798-1201 or info@oldpueblo.org to let us know the email address to which you want your bulletins sent.

Old Pueblo's Board of Directors

September 2007

Officers

Clark I. Bright, President, Stanford B. Bernheim, Vice President, Eric J. Kaldahl, Ph.D., RPA, Secretary, Joan Hood, CPA, Treasurer, Emory Sekaquaptewa, J.D., Immediate Past President

Directors

Bill H. Enriquez
 Samuel Greenleaf
 Donald R. Holliday
 Marrilon Mallon
 Buck McCain

Amalia A. M. Reyes
 Karen M. Russo
 Paul Virgin
 Wendell E. Zipse

Advisory Committee

Andrea Aamodt, Tony Burrell, JoAnn Cowgill, Carolyn O'Bagy Davis, Jeffrey S. Dean, Ph.D., Edward Encinas, Gayle Harrison Hartmann, Deborah Jacob, Jeff Jacob, Joseph T. Joaquin, Dawn Lashley, John Lashley, Steven T. Mann, Clayton N. Niles, Felicia Nuñez, Marc B. Severson, James W. Trimbell

Check out the free presentations by Old Pueblo Archaeology Center's Executive Director Allen Dart, RPA. These free presentations include: "ARCHAEOLOGY AND CULTURES OF ARIZONA," "SET IN STONE BUT NOT IN MEANING: SOUTHWESTERN INDIAN ROCK ART", "ARTS AND CULTURE OF ANCIENT SOUTHERN ARIZONA HOKAM INDIANS," "ANCIENT NATIVE POTTERS OF SOUTHERN ARIZONA," and "WHAT DO WE DO WITH OUR ANCESTORS?" sponsored by the Arizona Humanities Council--See details in enclosed insert.

Time to renew?

If you received this issue in one of our mass-mailings, an 8-digit number in your address label indicates the year, month, and day your Old Pueblo Archaeology subscription will expire. If your label month is the same as or earlier than the month of this bulletin issue you need to renew your subscription or membership in order to receive more issues.

The Old Pueblo Archaeology Center Membership Program

Archaeology Opportunities Annual Membership & Subscription Rates

- | | | | |
|---------------------------------------|---------|-------------------------------------|--|
| <input type="checkbox"/> Individual | \$40 | <input type="checkbox"/> Friend | \$25: receives <i>Old Pueblo Archaeology</i> and discounts on publications and classes but not free participation in excavation opportunities. |
| <input type="checkbox"/> Household | \$80 | <input type="checkbox"/> Subscriber | \$10: receives one year (4 issues) of <i>Old Pueblo Archaeology</i> but no other discounts or excavation opportunities. |
| <input type="checkbox"/> Sustaining | \$100 | | |
| <input type="checkbox"/> Contributing | \$200 | | |
| <input type="checkbox"/> Supporting | \$500 | | |
| <input type="checkbox"/> Sponsoring | \$1,000 | | |
| <input type="checkbox"/> Corporation | \$1,000 | | |

Membership categories above provide annual subscription to *Old Pueblo Archaeology* and opportunities to excavate in Old Pueblo's public research programs at no additional cost.

More importantly, your membership fees support Old Pueblo Archaeology Center's educational programs.

Old Pueblo Archaeology

Bulletin of Old Pueblo Archaeology Center

Located at 5100 West Ina Road, Buildings 6, 7, & 8 in Marana, Arizona

Mailing Address: PO Box 40577, Tucson, AZ 85717-0577

520-798-1201 www.oldpueblo.org

DATED MATERIAL --

PLEASE DELIVER PROMPTLY

RETURN SERVICE REQUESTED

September 2007 *Old Pueblo Archaeology*

Art for Archaeology III

Join us Friday, October 19, 2007 at the

Mountain Oyster Club

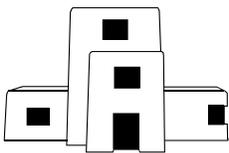
Reservations Only



“The Hunting Story” painting by Buck McCain.

Old Pueblo Archaeology Center
PO Box 40577
Tucson AZ 85717-0577

NONPROFIT
ORGANIZATION
US POSTAGE
PAID
TUCSON AZ
PERMIT NO 1150



*Your membership helps support
Old Pueblo's children's programs.*

Editor: Courtney Rose

Upcoming Activities of Old Pueblo Archaeology Center & Some Other Organizations*

For details please contact Old Pueblo at 798-1201 or info@oldpueblo.org or visit our web site www.oldpueblo.org.

| | |
|---|--|
| September 8, 2007. "What Do We Do with Our Ancestors?" free presentation at Yavapai-Apache Nation Tribal Headquarters, Camp Verde* | December 4, 2007. "Casa Grande Ruins and Middle Gila Valley Archaeology and History" (ST147) Pima Community College study tour with Allen Dart* |
| September 12-16, 2007. "Traditional and Modern Hopi Culture" fundraising tour of Hopi villages with Emory Sekaquaptewa | December 15, 2007. Arrowhead-making and flintknapping workshop at Old Pueblo Archaeology Center with Sam Greenleaf |
| September 20, 2007. "Third Thursdays" program at Old Pueblo: "The Arizona State Museum: Its History and Programs" with Dr. Steve Harvath | December 18, 2007. "Tucson-Marana Rock Art and Archaeology" (ST149) Pima Community College study tour with Allen Dart* |
| October 7-November 18, 2007 (Sundays). Traditional Pottery Making Level 1 Workshop with John Guerin | December 20, 2007. "Third Thursdays" program at Old Pueblo |
| October 13, 2007. "Historic Kentucky Camp and the Boston Gulch Hydraulic Mining Operations" fundraising tour with archaeologists Allen Dart and William B. Gillespie | January 8, 2008. "Ventana Cave and Tohono O'odham Nation Archaeology and Culture" (ST146) Pima Community College study tour with Allen Dart* |
| October 13, 2007. Arrowhead-making and flintknapping workshop at Old Pueblo Archaeology Center with Sam Greenleaf | January 15, 2008. "What Do We Do with Our Ancestors?" free presentation at Clemenceau School Museum, Cottonwood, Arizona* |
| October 18, 2007. "Third Thursdays" program at Old Pueblo | January 17, 2008. "Third Thursdays" program at Old Pueblo |
| October 19, 2007. "Art for Archaeology III" fundraiser for Old Pueblo Archaeology Center at The Mountain Oyster Club, Tucson | January 22, 2008. "Casa Grande Ruins and Middle Gila Valley Archaeology and History" (ST147) Pima Community College study tour with Allen Dart* |
| October 25, 2007. "Arts and Culture of Ancient Southern Arizona Hohokam Indians" free presentation at Sonoita Creek State Natural Area, Patagonia* | January 24, 2008. "Set in Stone but Not in Meaning: Southwestern Indian Rock Art" free presentation at Sonoita Creek State Natural Area, Patagonia* |
| November 2, 9, & 16, 2007. "Ancient Southern Arizona Native American Arts" noncredit class at OASIS Center, Macy's Dept. Store El Con Mall, Tucson | February 5, 2008. "Ventana Cave and Tohono O'odham Nation Archaeology and Culture" (ST146) Pima Community College study tour with Allen Dart* |
| November 3, 2007. "Ventana Cave Interpretive Center-Old Pueblo Education Programs Fundraising Tour" with Allen Dart | February 19, 2008. "Tucson-Marana Rock Art and Archaeology" (ST149) Pima Community College study tour with Allen Dart* |
| Saturday November 10, 2007. "Baby Jesus Ridge Petroglyphs & Catalina-Area Archaeology" fundraising tour with archaeologist Sharon F. Urban | February 21, 2008. "Third Thursdays" program at Old Pueblo |
| November 13, 2007. "Ventana Cave and Tohono O'odham Nation Archaeology and Culture" (ST146) Pima Community College study tour with Allen Dart* | February 26, 2008. "Ventana Cave and Tohono O'odham Nation Archaeology and Culture" (ST146) Pima Community College study tour with Allen Dart* |
| November 15, 2007. "Third Thursdays" program at Old Pueblo | February 28, 2008 "What Do We Do with Our Ancestors?" free presentation at Sonoita Creek State Natural Area, Patagonia* |
| November 17, 2007. Arrowhead-making and flintknapping workshop at Old Pueblo Archaeology Center with Sam Greenleaf | March 1, 2008. "Ventana Cave and Tohono O'odham Nation Archaeology Month Tour" with archaeologist Allen Dart |
| November 29, 2007. "Archaeology and Cultures of Arizona" free presentation at Sonoita Creek State Natural Area, Patagonia* | March 13, 2008. "Ancient Native American Pottery of Southern Arizona" free presentation at Sonoita Creek State Natural Area, Patagonia* |

* Asterisked programs are sponsored by other organizations besides Old Pueblo Archaeology Center.