

NATIVE BRUIN



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UC Places Higher Value on Research than Human Rights

By Lucius Martin

Tears fell down from eyes as I listened wholeheartedly to Elders representing several local Southern California Indian communities discuss their impatience and anger at the University of California system for its attitude toward repatriation (returning of culturally affiliated materials to American Indian communities). They were disgusted that this institution had not acknowledged or attempted to mend the deep wounds that it has created over the past century in the name of science and research. I listened to the Elders' recent remembrances of UC researchers, grave robbers, and pot hunters traveling to their reservation, scrambling up and down their mountains and in their valleys, taking all that was of any interest or value to them back to be shelved and stored at their universities. At this emotional and trying community meeting I heard firsthand of the resulting disharmony and pain caused by lack of accessibility and voice in matters of repatriation within California. The Elders were frustrated over the University of California's lack of compliance with NAGPRA. The University of California places a higher value on research than human rights.

What is NAGPRA?

The Senate and House of Representatives enacted 43 CFR Part 10 (or Public Law 101-601) on 16 November 1990. This act came to be known as NAGPRA, the acronym for the Native American Graves Protection and Repatriation Act. NAGPRA asserts the rights of Indian tribes, lineal descendants, Native Hawaiian organizations, and Alaska Native Villages/Corporations to the repatriation of Native American human remains, funerary objects, sacred objects, and also items of cultural patrimony. The law places the responsibility for compliance on federal agencies, institutions, and museums that receive federal funding as well as ensuring that all agencies and departments of the United States complete inventories of human remains and associated memorial offerings and summaries of the Native American material artifacts that may be unassociated memorial offerings, sacred objects, or items of cultural patrimony in their collections.

NAGPRA basically asserts the American Indian indigenous communities' right to know where their ancestors and their belongings are stored, and the law ensures that they will be returned home.

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Indigenous Peoples Peace Initiative Year 4 Reed, Day Two Crocodile

Emerging from a three-day traditional gathering of indigenous nations and pueblos in Izkalotlan, Aztlan, a legation of Indigenous Peoples initiated the global Indigenous Peoples Peace Initiative intended to restore the principles of *yectlamatcayetoliztli* (peace) as a humanitarian mandate for future generations. The proclamation was made from the Nahuacalli, Embassy of the Indigenous Peoples located in Phoenix, Arizona.

"We must disarm the global regime of nationalism of the state. The psychologies of hatred and competition under which the government states of the world would have us sacrifice our humanity and our children to senseless wars will no longer be tolerated. As Indigenous Peoples of the world, we further challenge the government states of the United Nations system to criminalize the destructive impact of warfare upon the ecosystems of the Earth itself, by defining appropriate international legal protocols regarding the conduct of warfare such as the Geneva Convention," said Tupac Enrique Acosta, member of the Xicano Nahuatl Nation.

To implement the Indigenous Peoples Peace Initiative, representatives of the diverse and distinct indigenous nations attending the launch of the global campaign, moved out from the Nahuacalli Embassy in the Four Directions, with assignments to convoke the traditional spiritual leadership from around the world to engage in the restoration of peace and dignity. The first objective of the Indigenous Peoples Peace Initiative (IPPI) is to convey to all humanity that the calls to war by the government states will not apply to indigenous peoples globally, and will not be answered. Instead, the indigenous nations of the continent Itzachilatlan, (the Americas) propose that indigenous confederations from around the world rise to reclaim the destiny of future generations by invoking spiritual and moral authority as the protectors of Mother Earth. The indigenous peoples of this hemisphere have maintained such a spiritual, cultural, and political confederacy since time immemorial. This confederacy is known as the Confederation of the Eagle and the Condor.

In terms of communications, the IPPI has implemented a hyperspace linkup, and will be delivering a message to the United Nations representatives of the Permanent Forum on Indigenous Issues under the Economic and Social Council 15 May in New York. The Nahuacalli in Phoenix, Arizona will serve as a clearinghouse for the first phase of the Indigenous Peoples Peace Initiative.

Referring to the Xiuhpohualli, the count of years of Izkalotlan, Aztlan which correlates to other counts



The psychologies of hatred and competition under which the government states of the world would have us sacrifice our humanity and our children to senseless wars will no longer be tolerated.



of calendar systems among the Maya and Nahua Nations, the legation travels now to fulfill an ancestral mandate called the prophecy of the Sixth Sun given on 13 August 1521 in Mexico. "It is the dawn of the Sun of Justice. The first rays of light from the East have been seen, they have been felt," said one youth who has made a lifelong commitment to the goals of the initiative. "Now is the time to go forward in a sacred manner. A new world is about to be born." 🐸

ROUND 2: Return of ALLARM and the Mascots

By Eric Sanchez

In April 2002, the California State Assembly took a vote to decide the fate of Assembly Bill 2115, which would have outlawed the use of certain names and images demeaning to American Indians. I remember listening intently to the roll call on the computer, and I was intrigued by some of the reasons that the assembly members gave for their vote. Some voted "yes" because they believed that to demean and offend a whole group of people solely for entertainment purposes is morally wrong. They found that the excuse of heritage and school pride was not enough to warrant stepping over an existing people. Other assembly members voted "no" for the exact opposite reasons and for others that defy explanation. One member commented that outlawing the use of one class of names would start a cascading effect that could lead to outlawing colors and animal names. Perhaps most disheartening was that a large percentage of assembly members elected not to vote at all. That is the democratic process, I suppose. These elected representatives can simply ignore the fact that the majority of American Indians do not support using racial mascots. According to an article in *Indian Country Today*, 7 August 2001, 81 percent of respondents indicated that they found the use of Indian mascots, paraphernalia, and songs by schools offensive.

In any case, AB 2115 failed to pass, mostly through abstentions rather than actual no votes. This was a blow to all the groups and people who helped to organize around the bill in the hopes that California could lead the nation in banning American Indian mascots. However, a new movement has grown

from the ashes of the old, and a new bill is preparing once again to move up the ladder of the bureaucratic process. This bill is known as "The Jerry Ballesteros Act," which was introduced on Friday, 21 February 2003 and it is now called AB 858. This bill seeks to do almost the same thing as the first bill, though the scope would be limited to elementary and secondary public schools in California. It is being sponsored once again by Councilwoman Jackie Goldberg, with

much assistance from the Alliance Against Racial Mascots. The American Indian community of California needs to take a stand in support of this legislation. We need to build support by writing letters to our local assembly people demonstrating our resolve to see this bill through. More information can be found at the ALLARM website, <http://www.allarm.org/>. ☛

Stopping Racial Stereotyping of Native Peoples: Assembly Bill 858 (Goldberg)

By Natalie Stites

The Alliance Against Racial Mascots (ALLARM) is the sponsor of AB 858, authored by Assemblywoman Jackie Goldberg, to abolish the use of "Indian mascots" in K-12 schools. Native American community, tribal, civil rights, and religious organizations do not support continued use of "Indian" mascots, and state law is needed to move local communities to respond to the concerns of Native students and their families. According to state law and the State Constitution, racial preferences are not allowed and schools have an affirmative obligation to combat racism and bias.

In California, this legislation will help move all of us towards better education about Native American tribes and people, better learning environments for all students, stronger support for Native American children and students, and an appreciation for all religious beliefs and cultural ways. With so few images of Native Americans in popular culture, we must ensure that public schools do not support stereotypical caricatures that strongly impact non-Native perceptions of Native peoples and cultures, contributing to misunderstanding between Native peoples and other communities.

AB 858 is supported by many organizations, including the California Indian Nations Gaming Association, American Civil Liberties Union, National Conference for Community and Justice, UCLA American Indian Student Association, and others. Please go to www.allarm.org for more information about this legislation and other efforts to stop cultural exploitation and promote religious and racial understanding. Contact ALLARM at (213) 250-8787, extension 221 for more information.

Native American Women's Reproductive Rights

By Chrissie Castro

Yankton Sioux Charyn Asetoyer is outraged that Native American women are being denied their basic reproductive health care rights. In the past 20 years, the Indian Health Service (IHS) has provided a national total of only 25 abortion procedures to Native American women who were victims of rape, incest, or life-endangering pregnancy, according to IHS statistics.

Meanwhile, Native American women reported rape at a rate three and a half times the national average, according to the Native American Women's Health Education Resource Center (NAWHERC). "Twenty five in 20 years is obviously a contradiction of the number of violent crimes committed against indigenous women," said Asetoyer, the president of NAWHERC, an advocacy group that seeks to place reproductive Native American care on the national health care agenda. "When a woman is turned down for rape, incest and life endangerment, a law is being broken. IHS needs to be held accountable."

IHS Maternal and Child Health Coordinator, Judith Thierry, DO, denied that those statistics were accurate, though she admitted they were provided by the IHS. Thierry explained that a request for the number of abortions administered by the IHS over the past twenty years was made through Senator Tom Daschle (D-S.D.). The IHS was then required by law to provide the answer, though its numbers were inaccurate.

When asked why accurate figures weren't readily available in IHS yearly reports, as are other IHS-administered services, Thierry said, "All patient care is documented, but not necessarily aggregated," and then said, "That's all I can say," before she referred me to an IHS public relations officer.

Lack of Access Precludes the Right To Choice

The inaccessibility of abortions to Native American women is in part due to the 1976 Hyde Amendment, which excluded abortion from the comprehensive health care services provided by the federal government except in cases where the mother's life was endangered. This was seen as a congressional attempt to undermine the 1973 *Roe v. Wade* decision through regulation of IHS services. In 1996, the Hyde Amendment expanded its exemption to include rape and incest cases.

Lack of access was, and is, not only financial, but geographical. Eighty-eight percent of counties in the United States do not contain an abortion service provider. "The possible reasons for this low number of provided abortions are endless," Andrea Zubiante,

American Indian Studies M.A. candidate specializing in health care, said. "Most of these women are in tight-knit reservation communities where everybody knows each other. Some women might just be too ashamed or embarrassed to come forward about a rape or case of incest." Other possible reasons include a lack of education about reproductive health and rights. "Many reservation educators are sons and daughters of missionaries," she added. "That has a direct impact on the type of information that is being disseminated." Asetoyer agreed with the impact of religious orientation, but said it was the doctors who were often from Catholic traditions that were opposed to abortion.

Coerced Sterilization

Tension between the government and Native American people can be explained by policies of cultural destruction and assimilation—the most controversial being allegations of coerced sterilization in the 1960s and 1970s. At that time, a number of Native American women came forward to report that they were misled, uninformed, or otherwise convinced or coerced by IHS physicians and nurses to be permanently sterilized by tubal ligation or hysterectomy.

Allegations become so prominent that the United States General Accounting Office (GAO) performed an investigation in four of the twelve IHS service areas. They found that between 1972 and 1976, 3,406 women had been sterilized in these four areas alone. "For Native people, [sterilization] must be seen in the context of national identity. If an Indian woman is a member of a 3,000-member nation, sterilization has serious consequences for the survival of [her] people as a whole," wrote University of Nebraska graduate student Sally Torpy, who investigated the allegations for her master's thesis.

Disappointing to victims and activists, the investigation failed to scour case histories, monitor patient-to-physician relationships, or interview the women who made the allegations. The implications of the practices of the IHS during this period caused outrage among Indian communities, and many accused the United States of a systematic genocidal policy that was based on the idea of eugenics, the scientific theory that promoted the proliferation of genes from a "superior" race, while limiting reproduction of the "unfit" races.

The feelings of Native American women at the time were captured by activist Constance Redbird Pinkerton-Uri, who was integral to bringing the allega-

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Women's Reproductive Rights (cont'd)

tions of coerced sterilization to the public. "A 200 million population could support voluntary sterilization and survive, but for Native Americans it cannot be a preferred method of birth control," she said. "While other minorities might have a gene pool in Africa or Asia, Native Americans do not; when we are gone, that's it."

What Does This Have To Do with Abortion?

Abortion, then, must be understood for Native American women in its social and historical context. Asetoyer, and other Native health care activists, for example, believe that the government's assimilative and genocidal policies never ended. "The IHS has always violated our reproductive health. There's documented history of a lot of human rights violations. And I think the goal of the IHS is still to assert population control in our communities," she said.

NAWHERC is working with the National Abortion Federation, the Women's Center for Reproductive Rights, the American Civil Liberties Union, the American Indian Law Alliance, and others to develop solutions to this problem. She said it's possible that a pro-choice lawmaker will sponsor a bill to force the IHS to comply with the Hyde Amendment. But to expect change, there first has to be public awareness and IHS concession.

"It's just important that in this day and age we highlight and acknowledge that women in this country are still having their reproductive health severely violated," Asetoyer said. ☞

For the full story on Native women's reproductive rights, including lack of access to care, coerced sterilization, genocide and future action, see La Gente de Aztlan or FEM Newsmagazine, Spring 2003.

Tohono O'odham Border Tour, April 2003

By Eric Sanchez

My name is Eric Sanchez, and I am the vice-president of the American Indian Student Association (AISA). I am writing this to discuss the AISA-MEChA Tohono O'odham border tour, which took place on the weekend of 11-13 April 2003. The trip was designed to highlight several key issues currently taking place on the Tohono O'odham reservation. We sought to focus on the effects of Operation Gatekeeper on the reservation, the federal intrusion as a result of increased immigration, and the barriers that have prevented the free flow of Tohono O'odham people on their own land.

The Tohono O'odham Nation is a federally recognized American Indian nation with inherent sovereign rights over the land, people, and institutions within the confines of the present reservation. The Tohono O'odham are located in southern Arizona and northern Mexico, and the border between Mexico and the United States cuts through a portion of the reservation. The Tohono O'odham people have been on their lands since time immemorial, and as such, their nation predates the United States and its system of laws.

During the long expansion of the United States, many nations and peoples were separated and dislocated. While much of this occurred as a result of war, there were also other ways that the United States acquired land. The Gadsden Purchase in 1854 involved Mexico selling lands south of the Gila River to the United States. A new and arbitrary international border was created, which split the lands of the Tohono O'odham. There was no consideration of the Tohono O'odham people, who recognized no such border on their lands.

For more than one hundred years the Tohono O'odham people on both the American and Mexican sections were able to travel freely across the border to visit their family members, make ceremonial visits to sacred sites, and receive services and health care. With the militarization of the border and Operation Gatekeeper in the 1990s, that dynamic was altered tremendously. Operation Gatekeeper instituted new barricades, walls, and federal personnel to monitor the border and prevent immigrants from coming to the United States. A flood of federal agents entered the Tohono O'odham Nation, one of the eastern sites of frequent border crossings. These agents monitored immigrant crossings, but they also prevented the Tohono O'odham on the Mexican part of their lands from going to the section in the United States. The majority of the new safeguards were established in California, through which most of the immigrants had been traveling. However, they now had to turn eastward in order to get across the border in an easier fashion.

The American Indian Student Association at UCLA has always been an organization centered on activism and promoting American Indian issues and topics here on campus. Often, when we speak about issues on campus, we are detached from the realities of what is going on in the community at large. We can have our sovereignty forums, our workshops, even our powwow, safely within the confines of the university. But this is a chance to go out and do something important and have a meaningful impact on an indigenous nation that is relatively close to us, and to continue the activist legacy that began with the takeover of Alcatraz Island in the 1960s. This legacy is important to us and we want to continue it for the seven generations to follow.

In sum, we support Native sovereignty, we support the "Make it Right" legislation, and we support decency and human rights along the border. ☞

SSLuGs

By Jason Brightstar Lewis

If you haven't heard about the SSLuGs ... watch out!! These empowered young students are soon going to be running the LA Indian scene and you will want to know who they are.

The Student Service and Leadership Group, otherwise known as the SSLuGs, was formed at the end of fall 2002 to promote leadership and service among students in the Los Angeles community.

In the short time that they have been meeting they have already presented at the UCLA Youth Conference, and have come together numerous times in support of Native leadership. To learn more about each other and the Southern California community, the SSLuGs have participated in two meetings with the Collegiate Intertribal Alliance and attended a variety of meetings at Cal State Long Beach, UC Irvine, UCLA, and the Satwiwa Cultural Center. The SSLuGs are working towards developing objectives that integrate peer support, community leadership, and knowledge about the college-going process.

SSLuG members share a wealth of experience taken from their participation in UCLA's AIR project, Intertribal Student Councils, and Native youth conferences such as UNITY. Members are from the Los Angeles community and represent the American Indian Clubhouse, the Southern California Indian Center (SCIC), and Torres Martinez Tribal TANF (LA TMTT).

So far our outstanding SSLuGs include: Daniel Brown and Sam Brown from the SCIC; Tabitha Sanchez and Brian Rixner from the American Indian Clubhouse; and Alden Jackson, Eileen Rodriguez, and Irene Rodriguez from LA TMTT.

The SSLuGs presented for the first time at the 4th annual UCLA American Indian Youth Conference. Their initial focus was to address issues faced at other conferences where the urban Indian voice is often secondary to non-urban struggles. They wanted to open up a dialogue with other young Natives from urban and rez backgrounds that would break down the stereotypes and discriminatory views often associated with urban Indians and vice versa. ☞

We look forward to the presence of the SSLuGs' voice as it grows here in Los Angeles.

An Empowered Alumni Association: Please Join Us!

At the 2002 Alumni Powwow Reception, the UCLA American Indian Alumni Association (UCLA-AIAA) took a position calling for the elimination of the "Indian Village" summer camp program at the UCLA Alumni Lake Arrowhead Resort. As a result, the UCLA Alumni Association scaled back the program for summer 2002 and discontinued it starting in 2003 ... a victory for the UCLA-AIAA!

In February 2003, the UCLA-AIAA co-sponsored the "American Indian Issues in the California Press" tribal media symposium, along with the new UCLA Native Nations Law and Policy Center and the Harvard Project on American Indian Economic Development. We look forward to strengthening ties among alumni, campus organizations, students, and the community.

The UCLA-AIAA is working to support Native alumni and students. During a retreat in October 2002, the UCLA-AIAA board drafted a long-term plan to achieve success and prosperity in the coming years, which included valuable input from students, directors, officers, members, staff, and faculty. Native Bruins, we welcome your participation to shape and implement this vision for service, so please join us!

Current AIAA directors are: Rhonda Albey (Ph.D. '82), Karen Allen (MBA '00), Elissa Fleak ('99), Eric Jojola ('01), Jason Lewis ('00), Keevin Lewis ('80), Jacob Goff ('99), Molly Springer ('99), and Natalie Stites ('99). The Association would especially like to thank Rhonda and Keevin for their steadfast dedication and service to the Association over the last decade, and into the future.

Please contact us to learn more about our exciting plans for moving forward over the next year, in areas such as outreach, scholarships, advocacy, and a membership drive.

In Spirit,
UCLA-AIAA Board of Directors

American Indian Recruitment

“Everybody needs AIR!” is our unwavering motto for the year and for everybody involved with UCLA American Indian Student Association’s American Indian Recruitment project (AIR). Yet not everybody views it the same as we do — particularly those non-Native administrators who sometimes overlook the most basic lessons of life. After years of being the fore-runners of educational support services for Los Angeles’ American Indian youth, California is facing a budget crisis that challenges our motto and has a chokehold on our plans for AIR next year.

During the last five years AIR has consistently provided services such as tutoring, peer advising, and cultural workshops to LA’s Indian Centers. As a result, venues such as the Southern California Indian Center, the American Indian Clubhouse, and the LA offices of Torres Martinez Tribal TANF have been creating an active college-going environment. These centers provide a positive learning space that has helped bring together young Indian people from preschool to postsecondary education systems, and are where community members have grown together in understanding and identifying with the urban Indian experience.

Now, with broken budgets on stolen land, we have to ask ourselves: where is the commitment to education for our youth? Since the beginning of colonization, our people have been educated to become laborers, or to be assimilated into the capitalist model. Rewind to the time of boarding schools and relocation when the same type of education came with complete separation from traditional lands. And now, when Los Angeles, as a result of relocation, represents the largest community of American Indian youth in the nation, we are finally making history.

UCLA’s American Indian students have been committed to establishing truth, justice, and the Indian way for our future leaders. While we may not be the first to achieve this sort of success, we would like to be the first to continue our programming beyond the short-lived history of so many others that have been in these trenches before; regardless of budget cuts and other bureaucratic obstacles that broadly define the histories of American Indian outreach efforts.

Looking at our struggle from the point of view of a funder or administrator, maybe it is time for a cut. The freshmen admit number of American Indians to UCLA for next fall is at an all time low: 33 American Indians accepted at UCLA, down 58 percent since California’s Proposition 209 took effect in 1998. That is four fewer than fall 2002 and the lowest number of admits since 1997. This trend seems a little suspicious, considering that the cost of attending UCLA next year is likely to double, undeniably whittling away at the chances for those 33 admitted students to actually attend. And now, there is no money for outreach.

From our point of view, the University of California is in a crisis era, and not one related to budget cuts. It’s on the verge of mimicking the dark history of US policy towards indigenous peoples. We’re interpreting it as the termination era. With admit numbers in the low thirties, one could hardly justify funding for an American Indian Studies class, or classes that aren’t talking about Natives in the past tense.

Ever since UCLA became the first and only UC without a Native person designated for outreach to Natives, the students have been working to pick up the slack and to ensure that we are not a people of the past. AIR is recognized throughout Los Angeles and Southern California for its work with American Indian youth. Furthermore, the project itself provides relevant job and volunteer opportunities for more than 20 people — a high number considering our population.

With all this to consider, we are outreaching and asking for mass financial support. The American Indian Student Association (AISA) is working to find outside funding that will not only sustain the project for next year, but for years to come. This effort is happening at a critical time, with powwow planning, election preparations, and summer coordination for both AIR and Retention of American Indians Now (RAIN).

If you have any ideas or can provide support, please contact AISA and the AIR project, because it is true: EVERYBODY NEEDS AIR! 🍌

NATIVE STUDENTS AND OUTREACH

Youth Conference

By Jose Miguel Leon

The population of UCLA's American Indian community doubled at the fourth annual American Indian Youth Conference and Basketball Tournament, held on the last weekend of March, when 176 youth and chaperones came to the UCLA campus to participate in the conference. Basketball teams filled the courts of UCLA's Pauley Pavilion, while crowds cheered loudly in the stands. The dribbling of basketballs and the squeaking of basketball shoes created a symphony of sounds. Students had come from as far away as New Mexico and as near as Culver City.

Basketball was not the only thing on the minds of the American Indian students. The conference events included a full day of workshops and speakers. The topics ranged from an HIV-awareness workshop to Native Californian cultural issues. The workshops were chosen to entertain and engage the youth, and the students responded by packing the majority of the workshops and actively participating in discussions. The expectation was that the stu-

dents would walk away with more knowledge and begin to think critically of the world around them. Another goal of the workshops was to make the students aware that college is an option in their futures.

I was invited to participate in organizing the 2003 American Indian Youth Conference. At first I gladly took on my responsibilities; then stress, exhaustion, and pressure set in. During the week leading up to the conference the organizing committee could be found tying up loose ends at 2:00 a.m. When the students began to arrive, the American Indian Student Association (AISA) found enough energy to work fourteen-hour days, and as a result of keeping the youth entertained and focused, our stress, exhaustion, and pressure seemed to melt away. The students' energy and intensity seemed to rub off on the AISA members. All the hard work, time, and energy put into the youth conference paid off. ☛

American Indian Issues in the California Press

A symposium on American Indian issues in the California press was held on 20-21 February at UCLA and was hosted by the UCLA Native Nations Law and Policy Center and the Harvard Project on American Indian Economic Development.

The symposium was a meeting of tribal leaders, policy makers, scholars, and media professionals in California. The purpose of the symposium was to identify common patterns of media coverage of American Indian issues, to discuss their implications for tribal communities, to explore new ways to articulate a Native voice in the media, and to create rela-

tionships between tribal leaders, policy makers, and media professionals in California. Representatives from the Pechanga Band of Luiseno Indians, the Hoopa Valley Tribal Council, the Viejas band of Kumeyaay Indians, the San Manuel Band of Mission Indians, the Morongo Band of Mission Indians, and the Sycuan Band of the Kumeyaay Nation were among those in attendance.

For more information, contact Duane Champagne, UCLA Native Nations Law and Policy Center, at (310) 475-6475. ☛

UC Places Higher Value on Research

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What is the system for repatriation within the UC?

Within the University of California system, all campuses that house items affected under NAGPRA legislation are “encouraged” to have an advisory board set up with representatives from respective faculty as well as local tribal consultants who are supposed to provide additional input on policy matters. The immediate concern with this policy is the use of the word “encouragement” rather than a stronger word like “required”; why not require local tribal involvement at each campus? Encouragement leaves a loophole for campuses; it is up to their own discretion whether or not to invite any local Native community members to serve on their boards.

To comply with the NAGPRA process, each campus must determine if there is a “shared group identity” between ancestral human remains and a contemporary tribe or tribes based on tribal consultation and research. If no “shared group identity” is found—because of lack of information about the remains, because they are associated with a federally unrecognized tribe, or because in the opinion of anthropologists, the remains are too old to be related to any present day group—the ancestral remains are classified as “culturally unidentifiable,” a term many within the Native community find highly offensive.

Until the final regulations for culturally unidentifiable remains are written, culturally unidentifiable ancestral remains can be repatriated only with the consent of the NAGPRA National Review Committee. If ancestral remains are determined to be related to contemporary, federally recognized groups, they receive a “cultural affiliation” with one or more tribes who are notified of the determination. Also, according to NAGPRA, consultation with tribal representatives must play a role in determining cultural affiliation.

At some point in this process, a committee known officially as the University of California System-wide Advisory Group on Cultural Affiliation and Repatriation of Human Remains and Cultural Items must ratify the individual UC campus’ determinations of cultural affiliation. This advisory group is under the University of California Office of the President (UCOP) and it has the final say in determining cultural affiliation and thus also in repatriation.

For example, UCLA’s cultural affiliation with the Kumeyaay community for 7,500-year-old remains,

taken from San Diego County and claimed by the Kumeyaay Coalition of Repatriation Committees, was denied by the UCOP advisory group, and the ancients remains can not be returned to the Kumeyaay, even though the UCLA NAGPRA Committee has decided to do so.

This powerful advisory group consists of representatives from the five UC campuses that have Native American human remains: Kent Lightfoot from UC Berkeley, Robert Bettinger from UC Davis, Phil Walker from UC Santa Barbara, Phil Wilke from UC Riverside, and Carole Goldberg from UCLA. There are also two Native American representatives at large: Martha Macri, a professor of anthropology and Native American studies at UC Davis, and Ernestine Ygnacio-DeSoto, a Chumash Elder and the only Native California Indian community representative. These seven individuals are responsible for deciding the fate of all ancestral remains in the UC system; if they reject the cultural affiliation as determined by an individual campus, there is little a tribe can do, short of pursuing the matter in court.

There is great concern among Native people about the makeup of the UCOP Advisory Group, as six members are UC-employed anthropologists. Furthermore, of the two Native voices in the group, only one is an indigenous person from California, and there are no tribal representatives on the committee, even though a tribal representative was nominated to the advisory group by one of the campuses. Another concern is that the Native student voice is unheard at the UC advisory group level. It is often students who are more closely aligned with their respective communities and to their families; thus Native students should have representation on the UC-wide advisory group.

Why is the Native community frustrated with the UC?

Part of the growing frustration with the UC system’s NAGPRA compliance is the appearance that the UC system still regards “Indians” as research subjects. The University of California Policy and Procedures on Curation and Repatriation of Human Remains and Cultural Items, found on the UCOP website, states: “the University’s collections of human remains and cultural items serve valuable educational and research purposes important to the enhancement of knowledge in various disciplines.”

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Kristen Debler (Coast Miwok/Pomo) is a 20-year-old college student attending Concordia University in Irvine, California, majoring in English at Concordia, with a double minor in anthropology and cross-cultural studies. She is currently looking at the joint master's program (Tribal Law/American Indian Studies) offered at UCLA.

Identity Struggle

By Kristen Debler

"Opun towih?" (Are you well?)
I am fine, I guess!
I am fine, at least, for the moment.

"Kamacchaw! (I am speaking!)
Opun towih?
'Uu? (Yes?) Hama?" (No?)

Why do you not understand me?
I need you to understand me!
I have no idea who I am,
I don't know anything about where I came from?
'Unu (mother) can you help me?

"Opun towih?"

Ka 'Unu (my mother), maybe it is not you who does not understand me,
But, I am the one who does not understand you.
Am I fighting too hard to be something that I am not?
I just want to know who my people are,
Where I came from
And who I am.
I shouldn't have to look any further
Than inside myself,
There contains all the answers
That you, the ancestors, and I will provide.

"Opun towih?"
Help me to understand 'Unu.

"Opun towih?"

A spark
A revelation,
Understanding.
I close my eyes and I see.
I see what I am to say
I learn who I am to be
I know a little bit about what I am.
Thank you ancestors for granting me that much.

The woman turns to me
And speaks,
"Opuh towih?"

I close my eyes and I begin to hear the answer within me
'Uu! 'Uu! Kat Owin (Yes! Yes! I am well!)
It's coming to me now,
'Unu, thank you for giving me that!

She turns to me and gestures me to stay with her,
Her eyes and body language are almost
Pleading to me.

I look back and she knows that I have to leave,
But I will keep all that she has taught me
When I walk out into the world,
For it is a part of me.

She turns and yells to me
As I'm leaving
"Eyya manay kanni!" (Don't forget me!)
She should know that I never would.

Kule's Challenge

By Kristen Debler

I'm standing in a circle,
Eyes closed and arms outstretched;
Waiting for a signal,
Whatever that may be.

I turn north and see the moon,
Dark, warm and inviting.
The moon people are dark-skinned and different.
But, I can hear their drums and understand the rhythm
of their dance.
Their dance of worry and sorrow,
Of fear and blinded hope.
The moon people sulk as their journey of suffering and
acceptance begins.
May coyote be with you.

Eyes still closed,
I now turn south and see the sun,
The sun people are yellow (like coyote),
But cold and recluse.
Their differences bring great intrigues to our brothers.
Their grace and fashion is accepted.
The great wind dances for them and tells their story of
struggle (gracefully as possible).
May lizard watch over them.

I now turn east,
And am totally appalled by what I see.
I see white sand on the midst of the ocean.
The sand is everywhere and is scattering onto strange
and familiar lands by the great turrets of the massive
waves.
The people of the ocean are uninviting and conquering;
They whisk away all the people and their land, either
killing them or making them blue like them.
The voice of the ocean is lost and we no longer under-
stand or respect them;
We are frightened by these wasichu,
Taking from us what is ours.
They are like spider, tricking us when we see it least.

Lastly, I turn west.
I see the earth, red and bleeding
The great earth mother is sulking for her lost children,
my brothers.
We are painted red in mourning for their spirits, bat-
tling for their homeland even after death.
We beat the drums of war, of victory,
Of sorrow and of mourning.
Our rhythms are lost in the great earth mother's belly
and the dancing is lost in the wind.
We are becoming like the blue people,
Wasichu is conquering us now.
Kule please be our strength.

I turn back towards the middle of the circle.
I now turn to great grandfather for support.
I call together all four sides of the circle in unity.
Maybe there can be a way for us all to join the big dance
again: brother to brother.
I call on my spirit guide, Kule (the bear) to help me.
The greatest challenge of all will be,
If Kule can help us all dance: coyote, lizard and even
spider to the same beat and drum.
Wouldn't the beat of all the feet be so beautiful to great
earth mother, make her smile?
Wouldn't the sky be so pretty with the array of colors
painted on by the wind?
Wouldn't it be great if Kule, coyote, lizard, and spider
all danced the same dance of humanity?

I stand in the circle
And my tears start to rain!
The colors wash away, fade, and scatter.
I try to grasp them but end up needing help.
The warriors come down from heaven and help me on
what must be my last and final journey.
Thank you great grandfather.

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It is unfathomable to think that more than 510 years after European colonization and the incomparable genocide faced by our ancestors there is no mention in such public documents of the atrocities suffered by Indian people, or acknowledgement of the social justice and reparations long overdue. The Native community still finds itself belittled and disrespected by institutions such as the UC and their racist policies.

The UC system wants to fulfill its responsibility to the public by preserving and furthering knowledge about the past, yet our ancestors sit on shelves in cardboard boxes, sometimes in vermin-infested environs, subjected to what is from the Native perspective careless and disrespectful handling by scientists and researchers. A public debate has never taken place within the UC system about the balance needed between research and human rights, about the different kinds of knowledge represented by the ancestral remains and sacred artifacts, or of the social value of righting the injustices of the past. From the Native person's perspective, when the UCOP advisory group denies repatriation to tribes, it is continuing the genocide by separating loved ones and damaging the community's harmony. From any person's perspective, Native or non-Native, UC is clearly violating the basic human right to determine the disposition of one's ancestors.

Why is accessibility for local tribes and Native community members important?

Many local tribal members cannot afford to work around the schedules of professors and professional researchers, let alone driving the sometimes more than two hundred miles to their local UC campus to sit

on a campus repatriation committee. The UC campuses should accommodate and compensate these special committee members for their valuable time and expertise. At the level of UCOP, advisory council meetings are closed to the public and to Native nation's participation even when requested by tribal representatives.

Minutes and agendas from the UC advisory group meetings are impossible to find, though most meeting minutes are supposedly published on UC web pages so that the public can have quick and easy access to them. Is UCOP trying to hide something? Is there something they don't want the hundreds of thousands of American Indians in California to know? Often history has shown that when an institution feels that matters must be handled in private something shameful is going on.

What are the potential dangers of such advisory boards?

It is not surprising to our community that secret advisory group meetings are determining that the integrity of research is more important than protecting basic human rights. The UCOP advisory group reserves the right to determine who is related to whom, as well as to say when tribes came to their present locations in California. These decisions have blatantly obvious political and cultural consequences, yet they are debated as if they are solely academic questions to be answered in a social vacuum, without input or representation from Native nations. Native California tribes and communities know who they are as people and they have a right to determine, as any modern nation does, who their ancestors are.

What must we do?

We must fight for more Native representation, both on our campus boards and on the UCOP advisory group; especially representatives from the Native California Indian community who have been the most affected by the disrespect and insensitivity of UC researchers. We must educate ourselves about obstacles to the repatriation of our ancestors and begin to discuss these matters in our student organizations and in our homes. With education and awareness comes action. As a community we must think of the best ways to repatriate remains immediately to their respective communities; this includes all cultural items and ancestral remains covered under NAG-PRA and detailed in UC inventories. This massive effort will most likely call for an overhaul and restructuring of the current system for repatriation set up in the UC system. The push for this change must and will have to come from Native students on University of California campuses and amongst the Native California Indian community. The words of Lusieño and Cupeño leader Willie Pink echo in my mind: "Matters concerning the well-being of our ancestors are non-negotiable." 🐻

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