

An examination of two sides of a controversy



One that might make your hair rise, scream with all your might or run very fast is the sight of a human skull and skeleton during a full moon in an old abandoned house. This is the usual scene in a horror movie. Indeed, people fear seeing human remains. But skeletal remains can also cause conflict between museum owners, scientists and tribal groups.

Authorities are usually torn between legal wrangling of these groups each one claiming the remains' ownership. Nations of the world are also locked in debates over cultural property rights and intellectual property rights. The dispute between two great nations over great artifacts also has some repercussion on the economy of these two countries.

Almost all schools and universities in the world maintain a museum basically for their activities in arts and sciences. In here, actual samples or replicas of the past are stored and lessons are becoming interesting if students can readily see what they read in the books. The more interesting the contents of the museums, the more famous they become. This generates sense of pride for the institution and sometimes become a source of revenues too.

This is the reason why museums are trying to acquire interesting objects and when they become part of the museum, the real owner of the object finds it difficult to claim it. This becomes the source of conflict between museum administrator and Native Americans in the case of ancient artifacts. Archaeologists too are hard bent on keeping them because they are prized possessions and scientists can discover various things from studying the object and contribute to the enhancement of science.

One afternoon of a windy Sunday, more than ten years ago, while seeing hydroplane race, along the shores of the Columbia River, two students found
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human skull that was washed into the shore. An almost complete skeleton was also found in the place. Study conducted on the remains has yielded information that the skull is already 9, 400 years old. A conflict ensued immediately among scientists, Native Americans including local authorities (Ainsworth 2000).

In Honolulu, Hawaii, artifacts were borrowed from a museum but apparently, the group who borrowed failed to return the remains and refused to reveal the whereabouts of the Native Hawaiian artifacts. This led to the filing of contempt of court by the federal judge against four heads of a Hawaiian gang.

The four are members of the group called Group Caring for the Ancestors of Hawaii. Members of the group claimed that the artifacts were removed from its original place by an archaeologist and illegally offered for sale to the Museum. Group members assert that they just return the artifacts to where they rightly belong (New York Times 2005).

An archaeology student recovered bones, beads and pieces of shells in Dry Lake Cave at the southern tip of Owens Valley in 1950. She wrote her findings in her record notebook. More than 50 years later, while her artifacts together with her records are lying inside a stockroom in Hershey Hall, three elders of the tribal group Timbisha Shoshone of Death Valley carefully inspect artifacts trying to see objects with cultural value, which they feel are rightfully theirs. The land of their ancestors includes the Dry Lake Cave (Lee 2002).

Pauline Estevez, a tribal leader, who had an invitation to visit UCLA from the Fowler Museum of Cultural History, remarked, “ It is our obligation as Indian
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people to safeguard our land and its wealth, Some of the artifacts here are part of our treasures which we think should not be kept by the museum or its collector because the land is their rightful owner” (Lee 2002).

That is the reason why Estevez took the opportunity to yield to the invitation of the Fowler Museum of Cultural History. As an elder of a tribal group, she feels that what belongs to her land should be returned because they are part of their culture. The artifacts can be their ancestors or the treasures they brought with them which witnessed the birth of their tribe. They take pride in those artifacts and should also be seen by the younger generations as part of their identity.

The Kennewick man who was found in the shore of the Columbian river was supposed to be returned to the five American Indian Tribes who jointly filed a claim so that they can possess and rebury the remains that they believe are theirs. The claim was under the Native American Graves Protection and Repatriation Act of 1990. The natives might have the same motive as those inhabitants of Death Valley. What belongs to them should be returned so that the remains of their ancestors can reunite with their land and the community where they once belong.

The natives feel that their ancestors will be more peaceful going back to where they belong rather than to remain in the cold museum (Ainsworth 2000). That could be the same motive that prompts leaders of the Hawaiian group not to return the artifacts that were borrowed from the Hawaiian museum. They asserted that since those artifacts were taken illegally from their original burial place, they should be returned there so that the souls of their ancestor will really lie in peace.

Meanwhile, a group of angry archaeologists who are interested in the Kennewick man want to study the remains. The finding of a 9,400 year old artifact naturally will interest them. They protested the move that will give the natives the right to the ownership of the Kennewick man. That started the legal battle between the archaeologists and the Confederated

Tribes of the Umatilla Indian Reservation (Ainsworth 2000). While the natives are fighting for the return of the remains so that it can once again be a part of the original community and peacefully lie there, the scientists are hoping that they can contribute significantly to the world of science if they can study the remains. They believe that they can learn from the past as a way of improving the future.

Thomas spoke in a crowded Kroeber Hall and states that the significant issue about the Kennewick remains are neither about religion nor science. According to him the issue is with regards to politics and not philosophy, about leadership and power. The question of who calls the shot when it comes to ancient American history.

Is it the federal, the science community or the American Indian? Thomas is a vocal advocate of cooperative partnership between the American Indians and the scientists. He maintained that in a case like the Kennewick man, it's a long and bitter fight, which can reach the Supreme Court. He believes that this case can be settled away from the premises of the court (Ainsworth 2000).