

Creative writing



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Sacred Burial GroundsENC1101There are many unmarked graves in the United States. This is especially true with Native American Indians. Although for different reasons grave robbers and archaeologists alike feel they have the right to unearth these remains and the artifacts buried with in them.

Some land owners would like to remove or cover burial mounds found on their property. Native Americans want the same respect for their deceased that is given to the white man. This has become a very controversial debate due to a growing population and less land being available to build on. Many times the decision is left up to the courts. Sacred Burial GroundsNative Americans once roamed the land we now call the United States.

They would move with the seasons following the buffalo they hunted for food. This meant that one tribe could have at least four sites they would return to each year. It also meant they could have at least four burial grounds. Today it is hard to find land that a Native American tribe did not walk across leaving part of their heritage and sometimes their ancestors behind. How do we decide whose beliefs are right Native Americans have very strong beliefs about their ancestors and their burial grounds.

In an article written by Specktor, a Dakota spiritual leader is quoted as saying ??? Our belief is (that) nothing or no one ever dies, we just turn into something else and live on spiritually??? (Specktor, 1994). Because of this belief Native Americans also have strong feelings regarding disturbing their ancestor burial grounds. Some even believe that disturbing a burial ground will upset the spirit resulting in very negative consequences. Can Native Americans and archaeologist work together to meet in the middle over this

very controversial debate There are Native Americans who want to learn more about the scientific side of their history and would like to collaborate with archaeologist to fill in the holes in their past. Sadly they are ??? treated as if they have no comprehension of science or are too ignorant to understand the need for continuing research??? (Mihesuah, 1996 p. 29) Archaeologist see themselves as responsible for the past and don't[™] respect the Native American traditions of storytelling as a way to pass down their heritage. Some Native Americans would like to work with the archaeologist to put together science and storytelling in hopes of creating a bigger picture of the past.

Unfortunately ??? archaeologists view oral histories as ??? fantasy??? and ??? embellished??? and refuse to consult with Indian informants???. (Mihesuah, 1996 p. 29) Archaeologist and anthropologist believe that anything discovered in a burial site over one hundred years old are considered ??? tools of education??? explains (Mihesuah, 1996 p. 29). They also believe that everyone originates from Africa, so we all have similar ancestors. For them this theory means they are also descendants of Native Americans and they should have the right to study their remains.

How can we all be related if we all have different genetics Many Native Americans do not share the theory of everyone descending from Africa, ??? they believe they emerged from sacred sites on the North American continent??? (Mihesuah, 1996 p. 29). Archaeologists have argued their point for years. They say one of the purposes of studying Native American remains is to gather information to help Native Americans living today. What can we learn from studying their remains Will the information learned help us cure

illnesses and disease that plague Native Americans living today In Mihsuah's article Dr.

Emery Johnson was quoted as saying ??? I am not aware of any current medical diagnostic or treatment procedure that has been derived from research on Indian remains???. (Mihsuah, 1996 p. 28) Should a personal belief system be taken into account when deciding who has the rights to Native American remains Many archaeologists argue their own religious belief that once a person has passed on their soul goes to heaven leaving no spiritual ties to the remains. Although Native American tribes have different religious beliefs, most do not share a belief that completely separates their body and soul after death. What if the remains were not removed for scientific purposes Is it ok to sell the remains and artifacts of someone else's ancestors Another group the Native Americans are trying to stop is black-market grave robbers and pothunters. For people classified in this group there is no scientific research or respect for the remains and artifacts found. Peter Hester was quoted saying, ??? Business is business; there are thousands of sites, and thousands of useless pots???.

(Mihsuah 1996, p31) For them it is all about the money. Some of the wealthier grave robbers even buy property knowing there are burial mounds on them and then remove the remains and artifacts to sell. (Mihsuah 1996, p32) When buying a piece of land to build a dream home on do the land owners think what or who may be buried there What if an ancient Native American tribe buried their loved ones there after they passed away Who has the rights to the land, the owner of the property or the Native American tribe whom ancestor is buried there Some states that have found several burial

mounds are now surveying the land and trying to make sure no one disturbs them. As for homeowners who want to add on to their homes and find out there is a burial mound on their property it??™s not that easy. ??? A big part of my job is disappointing people,” Anfinson said.

“ If you have graves on your property, you are done” as cited in (Smetanka 2009). Some people sympathize with the Native American beliefs and once they found a burial mound looked for another way so not to disturb the mound. This would sometimes mean not building the addition they had planned or even selling their homes and moving. Others see no alternative and request to remove the mound or move it themselves without permission. If neither party can agree on a solution or compromise who decides the outcome There are several cases being herd by the courts in regards to this matter. The outcome is always different for every case due to the many differences in each one. Many factors such as were the remains are located and how they were found whey on the court??™s decision. Sometimes the courts order the related tribe to remove the remains and rebury them on their reservation or dedicated sacred land, but if the tribe wins the case the land becomes protected and remains undisturbed.

The Native American Graves Protection and Repatriation Act is a law that helps protect the rights of Native American graves. This law makes it illegal to remove or disturb known Native American burial grounds. As Murray explains in her article to law students, “[A]ny person, corporation, partnership, proprietorship, or organization who knowingly disturbs, destroys, vandalizes, or damages a marked or unmarked human burial site” commits a class D felony” (Murray 2000). This law also mandates that upon

request from a related tribe any remains or sacred objects being displayed in a museum must be returned to that tribe for reburial.

In conclusion I feel no one has the right to disturb anyone's final resting place. Archaeologist don't study remains found in cemeteries so why should they be allowed to study remains found in Native American burial grounds. Grave robbers and pothunters are only looking to profit from the items they steal and should be prosecuted to the full extent of the law. We should use due diligent when buying land, when buying a home you know to get a home inspection. If you are buying in an area known to have burial mounds, have the land inspected as well.

All cultures have rights and rituals associated with the dead. We teach our family's to respect others and their beliefs. So why do we not show respect to Native Americans, after all wouldn't you want the same respect for you and your ancestorsReferencesMurray, V. (2000). A right of the dead and a charge on the quick: criminal laws relating to cemeteries, burial grounds and human remains. [electronic version] Journal of the Missouri Bar, 56 Retrieved from, [http://www. mobar.](http://www.mobar.org/journal/2000/marapr/murray.htm)

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