History and Formation of NAGPRA

CRISTINA GONZALES
The Beginning

- Doctrine of Discovery
- 1455 Papal Bull “Romanus Pontifex” authorized Portuguese trade and enslavement of African people
- 1493 Papal Bull “Inter Caetera” solidified Spanish claims in the America’s
  - Any land not inhabited by Christians was available to be “discovered”
- Early example of Indigenous people not considered human
The Collecting

- 1823 Samuel Morton, the founder of physical anthropology in the USA, began collecting skulls
- 1839 published the Crania Americana which claimed that Native Americans were intellectually inferior to whites because of a smaller skull size
- Widespread looting and grave-robbing of Native American graves from the 1830's - 1980's
• Sites of massacres were desecrated, soldiers ordered to take anything of ‘value’

• 1900's, skeletal remains had gained a dollar value

• The Great Depression only added to the looting and grave-robbing

• Curio collectors and museums contributed to grave robbing

• By the 1930's Native American skeletons had become tourist attractions and burial sites had been opened for public viewing
The Rising Up

- 1960’s Civil Rights, Pan-Indian and Red Power Movements
  - “Into each life, it is said, some rain must fall. Some people have bad horoscopes, others take tips on the stock market … But Indians have been cursed above all other people in history. Indians have Anthropologists” (Deloria 1969).
1978 American Indian Religious Freedom Act
  ◦ Exercise traditional religion by ensuring access to sites, use and possession of sacred objects and freedom to worship through ceremonies and traditional rites

1978 Zuni Ahayu:da repatriation via ethical means

1971 Finding/1979 Iowa first state to enact grave protection and repatriation law-several states followed

1988/1989 Ohlone repatriation from Stanford
NAGPRA Laws

- 1990 Passage of NAGPRA
- 2001 Passage of Cal-NAGPRA
  - AB-52, 2015
  - AB-275, 2020
Questions?