Review Essay: Elizabeth Weiss and James W. Springer. *Repatriation and Erasing the Past.* University of Florida Press, 2020. 278 pp. ISBN: 9781683401575.

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In the American settler colonial state, much like any other settler colonial state, Indigenous knowledges and ways of being in the world are under constant assault. Since the very formation of the state that we now call the United States, Indigenous lands, bodies, cultures, and histories have been placed at the whim of settler structures—what can be of use is seized and appropriated, what is not of use is placed at the mercy of settler colonial elimination.

Part of this unfortunate history and contemporaneous disregard of Indigenous ontologies surrounds the fate of Indigenous remains. On the one hand, Indigenous nations have long argued that our deceased relatives and ancestors be treated with respect and dignity, and that they deserve to be left in peace and at rest, rather than be crassly used in the name of Western science, whether it is anthropological science or medical science. The advent of laws such as the Native American Graves and Repatriation Act (NAGPRA), along with the development of robust structures of tribal research oversight, presents much promise and hope as to the dignity and ultimate fate of the Indigenous dead. On the other hand, there is a marked reticence among some to respect this viewpoint. Scholars such as Beth Rose Middleton (2019) have written about the ways in which the positive process of Indigenous repatriation has been met with delays and arguments from within academia.

Unfortunately, some of this opposition and reticence has taken on venues of a more prominent stature, such as the recent publication of the book *Repatriation and Erasing the Past* by Elizabeth Weiss and James W. Springer. In this book, the authors take aim at what they describe as the obstruction and unfair constraining of Western anthropology and archaeology by Federal laws and tribal regulations surrounding the treatment of Indigenous remains.

This review essay represents two things to me—a review and an engagement. I consider this a review because I am participating in the longstanding academic tradition of engaging with a new text and its arguments. However, as an Anishinaabe scholar who has engaged heavily with literatures and field-based events surrounding the disturbance and mistreatment of Indigenous remains in the course of my academic career, the arguments presented in this book also warrant engagement. I feel that to be Indigenous in academia is to be willing to defend our lifeways and our own unique forms of knowledge production in the face of settler colonial logics that dismiss them to the margins of the academy.

This review/reaction will proceed thus: I will briefly outline the narrative arc of the book and the main arguments of the authors. I then will bring their arguments into conversation with a history of settler colonial usage of the Indigenous dead (and living) as well as the gaps in the authors' arguments. While available space precludes a comprehensive engagement with these gaps, I seek to make the argument that the viewpoints that Springer and Weiss present are precisely why there is a continued need for Indigenous repatriation laws and for Indigenous-led protocols surrounding research activities conducted with Indigenous remains and surrounding community safety.

Weiss and Springer begin the book by asserting that Indigenous nations in North America have created a landscape where anthropological study of the Indigenous dead is stymied by moves towards allowing Indigenous nations and their ontologies to take the lead in determining access to Indigenous remains. "This then led to the conclusion that secular and scientific scholarship should be replaced by, or should at least defer to, traditional American Indian animistic religions in terms of who has authority to speak," the authors assert (4), referring to the rise of Native voices in questions of repatriation and research access. The authors continue: "Yet it is our job as scientists to challenge these types of renditions of the past, which include unbelievable talks, such as talking ravens and Native Americans arising from holes in the ground in the Black Hills of North America" (5). The authors then proceed to cover a history of research on "Paleoindians" in the United States, as well as controversies surrounding the repatriation of some of the individuals being studied, such as the "Pelican Rapids Woman," "Browns Valley Man," and perhaps most famously (or infamously), the "Kennewick Man." The authors again argue that the repatriation of these individuals prevented and is preventing further study as well as the potential for new data/information that could come through continued analysis of these remains. The authors refer to preserved Indigenous deceased individuals, or "mummies," as vitally important to study, as they can unlock key facts and insights about the past (39).

One area of research that the authors spend time discussing in detail is DNA-based research, where DNA samples are obtained from Indigenous remains, providing information about ancestry, migration, and the historical geographies of Indigenous peoples. This form of knowledge production is placed in conversation with the concept of "affiliation" under the terms of NAGPRA, which is concerned with determining to which tribal nation remains and other cultural resources should be repatriated. The authors problematize this aspect of NAGPRA, arguing that in some cases, it may be impossible to determine if there are legitimate connections between ancient Indigenous remains and modern Indigenous nations. The narrative then proceeds to a problematization of Indigenous creation stories, citing the well-travelled (no pun intended) Bering Strait theory of migration, referring back to DNA-based research that suggests that Native Americans are originally from eastern and northern Eurasia.

One chapter of the book is devoted to "correcting fallacies," challenging what the authors refer to as "the repatriationist agenda of Native Americans and precontact Native American lives" (95). Through anthropological and archaeological research, Weiss and Springer argue, aspects of Indigenous history – such as the size of the Indigenous population in the Americas pre-colonization, social structures among Indigenous nations, violence between Indigenous nations, and disease among Indigenous individuals – can be uncovered in what they view as an unbiased way. This runs counter to what they describe as a "political agenda to make precontact America seem like a paradise that was ruined upon the arrival of Europeans" (95).

The latter section of the book is devoted to challenging NAGPRA and tribal oversight of research. In regard to NAGPRA, the authors begin their critique by analyzing the history of the legal relationship between Indigenous nations and the United States, especially surrounding the parameters of Indigenous sovereignty. The authors subtly challenge (via a very convoluted argument) the notion of Native Americans in the United States as a distinct people and make the claim that Federal protections of Indigenous sacred sites and cultural resources represents implicit governmental support and backing of Indigenous religions. This is, they argue, a violation of the First Amendment, specifically the Free Exercise Clause, as it forces non-Indigenous individuals to conform their activities and behavior to suit Indigenous concerns, citing several court cases that ruled in alignment with this view. The authors in multiple places make the argument that the combined unique position of Native American tribes in Federal legal structures, alongside laws such as NAGPRA, create a situation where tribes and their ontologies receive special treatment that goes above and beyond protections afforded to non-Indigenous peoples in the United States.

The authors spend some time discussing other forms of genetic research done with Indigenous nations, such as the infamous study done with the Havasupai nation and the legal actions that took place as a result of Havasupai concerns with the use of their genetic material. The authors cite this incident as one where important medical/genetic research was lost due to the return of the genetic samples, musing about the impacts that increased tribal control over genetic research has on academic freedom, and describing this movement as "repatriation ideology without reference to the repatriation statues" (161).

The authors spend the last chapters of the book deepening their criticisms of NAGPRA, questioning the validity and objectivity of tribal oral histories and traditions in cases of repatriation and research access, and lamenting what they describe as the "the end of scientific freedom" via repatriation (194). In a section of one of the final chapters, they speak about the increasing rights of tribes to restrict research that is carried out on their territories, as well as the dissemination of products from research that has been done, describing it as "publication censorship" (206-10). They conclude by appealing to the objectivity of science, asserting that the freedom to carry out research takes precedence over sensitivities and religious-based objections. "…[T]he search for objective knowledge without interference from race, religion or politics encourages critical thinking, which is a skill needed to address all problems. Objective knowledge is universal, not 'European', as repatriationists try to argue, and thus it benefits all humans," the authors conclude (219).

I now turn to a quote from Devon Mihesuah (an Indigenous academic who is the subject of much criticism in Weiss and Springer's book) from her edited volume *Natives and Academics* (1998): "…works of American Indian history and culture should not give only one perspective; the analyses must include Indians' versions of events […] Where are the Indian voices? Where are Indian views of history?" (1). This passage, along with the book as a whole, has been deeply important to me as an Indigenous scholar, as it speaks to the ways in which Indigenous histories without Indigenous perspectives is a one-sided narrative that can misrepresent and obscure Indigenous viewpoints.

I want to try to meet Weiss and Springer where I see them coming from, which appears to be the idea that it is important to try to understand all aspects of a given history. I feel that it is worth reiterating, first of all, that there is simply not enough space to outline the various problematic views that they espouse in this book. For example, there is much that could be said about the invoking of the Beringia land bridge theory as a questioning of the geographic origins of Indigenous peoples, a theory that, while a valid avenue of scientific inquiry, is also a common talking point among anti-Indigenous circles to question Indigenous land tenure. Additionally, I feel there is a fundamental misunderstanding about tribal sovereignty and the nation-to-nation relationship between Native tribes and the United States: Native nations are not racial groups; we are political entities, our sovereignty extending before the formation of the United States, or even the colonization of the Americas, for that matter. The multiple invocations of discovering proof of inter- and intra-tribal violence among Indigenous nations by the authors is also problematic, as it trends close to broader anti-Indigenous apologetics about settler colonial genocide. However, I feel that the historical narrative they provide surrounding tribal support for repatriation and research oversight is perhaps the most problematic of all. Therefore, it is prudent to briefly outline the motivations behind why Indigenous nations may be mistrustful of research and why they may be protective over things such as remains or even our own genetic material.

I will start with a very brief outline of a few key, yet ghastly, moments of settler colonial usage of the Indigenous dead in various contexts. One noted nineteenth-century physician, Samuel Morton, for example, amassed a large collection of skulls, many of which belonged to Indigenous peoples, and used their measurements to make vaguely anthropological and extremely racist judgements about their intellectual capacity, compiling it in his 1839 book *Crania Americana*: "The skull is small, wide between the parietal protuberances, prominent at the vertex, and flat on the occiput. In their mental character, the Americans are averse to cultivation, and slow in acquiring knowledge; restful, revengeful, and fond of war, and wholly destitute of maritime character," one excerpt reads, regarding the measurements an Indigenous North American skull (Morton 6).

In another example of settler usage of the Indigenous dead, the remains of one of the 38 Dakota hanged at the conclusion of the U.S.-Dakota War was taken by William Worrall Mayo and used to teach his sons anatomy—those sons would go on to help Mayo found the modern Mayo Clinic—it would take nearly 140 years for the remains of the Dakota individual to be returned to his community, something that has been covered in several pieces of literature, including one written by myself (2018).

The story of Ishi is yet another story of the Indigenous dead being made to be of use to the settler colonial state and settler colonial structures against Indigenous consent. A story that has been covered in anthropological literature by scholars such as Nancy Rockafellar (n.pag.) and Orin Starn (2004), Ishi was an Indigenous man in California who was "found" by a group of anthropologists at the University of California. They took Ishi in and turned him into a living museum exhibit; after he died, they autopsied his body against his wishes. Similar to the Dakota man and the Mayo Clinic, it wasn't until the 1990s and the advent of NAGPRA that many of Ishi's organs were repatriated to tribal nations in California to be buried.

This legacy of harm to Indigenous communities is not limited to the Indigenous dead. Anishinaabe scholar David Beaulieu (1984) wrote about the ways in which supposed anthropological knowledge was used by academics to determine the so-called "blood quantum" of White Earth tribal members in Northern Minnesota—their level of "blood quantum" would determine whether or not they were entitled to allotments of land in the wake of the Dawes Act of 1887 and related legislation. In the case of the Havasupai nation, which Weiss and Springer cite as an example of researchers being constrained by a "repatriationist agenda," a wide range of non-Indigenous and Indigenous scholars such as Jenny Reardon and Kim TallBear (2012), Joan LaFrance and Cheryl Crazy Bull (2013), and Deana Around Him, et al. (2019) paint a different picture. They all argue that the blood samples that were taken from the Havasupai nation were being used in ways that the Havasupai did not consent to and were even being shared with individuals outside of the research project and even outside of Arizona State University, the home institution for the project.

What I am trying to convey here is that there is a much broader history of disrespect and harm done to Indigenous individuals and Indigenous communities in the name of academia, and in the name of what Weiss and Springer would consider to be "objective" knowledge production, a history that is barely mentioned in their book. They approach Indigenous remains as objects to be studied and things that have value as long as they are being used for scientific knowledge production. There is no conversation about the deep trauma and harm that can be caused by remains being exhumed, let alone being kept from repatriation, or extracting material and data out of communities without their full consent or knowledge. In the cases where this harm *is* mentioned in the book, such as the Havasupai controversy and lawsuit, it is simply cited as an example of researchers being stymied in their quest for knowledge by unreasonable and difficult Indigenous nations. As someone who works closely with Indigenous nations and has been subject to tribal processes of research oversight, I argue that the aforementioned legacy of disrespect and harm has created a landscape where Indigenous nations must be vigilant about the safety of community members, both living and deceased. They understand quite well that science is not apolitical, and in fact, questions of power and politics can interface with science in ways that can be deeply harmful to them in all parts of the lifecycle. Failing to be vigilant allows for situations where the stories being told about us as Indigenous peoples do not take an accurate assessment of our histories, our cultures, and our viewpoints. It allows these stories about us, living and dead, to be told by others, in what serves as a top-down and extractive form of research and knowledge production that is corrosive to Indigenous communities and leads to situations where, to paraphrase Nerida Blair (2015), Indigenous communities are being "researched to death," quite literally (463). Research oversight is not censorship; it is being in good relation with the people whom researchers profess to want to ostensibly help and serve.

I think that one major implication of this book may be quite the opposite of what Weiss and Springer likely intend—on the back cover, the book promotes itself as useful for people who wish to understand both sides of the debate surrounding repatriation. However, I feel that without any meaningful attempts to engage in good faith with Indigenous viewpoints related to repatriation, it cannot deliver what it promises. For example, a cursory search of the scholars listed in the acknowledgements failed to turn up any Indigenous voices. Any engagement with Indigenous oral histories or epistemologies in the text is made with barely concealed derision, raising the specter of the trope that Indigenous peoples are unsophisticated and that our viewpoints are incompatible with "modern science." What does that mean about the multitudes of Indigenous geneticists, anthropologists, and archaeologists, some of who I am proud to call my colleagues and friends, who have done successful work in these areas while being respectful of tribal beliefs and tribal ethics? If anything, their stories demonstrate that Indigenous nations are not inherently anti-science, but instead aspire to a form of science and knowledge production that is objective, yet ethical and empathetic to peoples who have been affected by histories of structural inequality. Therefore, I argue Weiss and Springer do succeed after all in a way—they are (although likely unintentionally) providing an opening for us in academia to be able to further discuss why repatriation is necessary and what it means for Indigenous nations to have a voice in the stories that are told about them. A failure to have these conversations in an open and engaged way will mean we truly are "erasing the past."

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