



ASSOCIATION ON AMERICAN INDIAN AFFAIRS

Protecting Sovereignty • Preserving Culture
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DEALERS IN NATIVE AMERICAN CULTURAL HERITAGE CHOOSE PROFIT OVER ANTI-RACISM

WASHINGTON, D.C., April 5, 2021, 2:00 p.m. E.S.T. - It is that time of year again when a slew of domestic and international auction houses are selling sensitive Native American Cultural Heritage items. So far in this year alone, the Association has investigated 66 domestic and foreign auctions that are selling at least 3,035 items that were likely stolen burial objects or are cultural and sacred patrimony owned by one of the 574 federally recognized Native Nations or 300 other Tribal Nations and groups in the United States.

There is a long sordid history of theft and looting of Native American human remains, burial objects, and other sensitive sacred and cultural patrimony, even until today. This theft and looting has created a commercial enterprise in the sale of those items, now re-labeled as Native American "art", "artifacts" and "antiquities." Auction houses, dealers and collectors do everything they can to protect their investments from the truth - often knowingly disguising the origin of these objects as if they were somehow consensually given by Native American Nations to individuals for sale or dug up from graves with permission. How can the commodification of Native American human remains, burial objects and sacred and cultural patrimony be considered anything else but the perpetuation of racism against Native Americans? Truth-telling and anti-racism demand change in collecting and commercial practices - as Native American human remains, burial objects, sacred and cultural patrimony are still being sold in the U.S. and around the world.

Auction houses, dealers and collectors must follow certain federal, state and Tribal laws so that they are not selling Native American Cultural Heritage. Native Nations have never given up their inherent authority or jurisdiction over their own Cultural Heritage. Native American human remains, burial objects and items of sacred and cultural patrimony are recognized by law as items that no individual has the authority to remove from their original Indigenous ownership, and are items held as community property by those Native American Nations. This type of ownership is the same as U.S. ownership of national heritage like the original Declaration of Independence, or how churches hold types of ritual items collectively for their parishioners.

In addition to legal obligations, auction houses, dealers and collectors also have professional, moral and ethical responsibilities to deal honestly with the public and validate the true ownership of any item for sale. The Association on American Indian Affairs believes that the industry is not transparent about the origins of Native American Cultural Heritage for sale, nor does it investigate the full body of laws applicable to these sensitive items. The industry must correct collection and sales practices, which cause continued emotional, spiritual, mental and physical harm to Native Nations and their citizens. Best industry practice, anti-racism and common-sense demand that the most reliable way to determine whether an item of Native American Cultural Heritage is legitimate for the market is to work with affiliated Native Nations and their appropriate governmental representatives, as Tribes themselves are the experts in their own Cultural Heritage.

Buyers and collectors interested in Tribal "art", "antiquities" and "artifacts" should carefully consider whether these sensitive cultural and sacred items are legal and ethical investments. Perception - and laws - on collecting Indigenous antiquities are changing to rigorously favor the protection and repatriation of these items. Auction houses, dealers and collectors must learn how to face the truth of the sordid history of their collections and realize that the continuation of trade in Native American human remains, burial items and sacred and cultural patrimony is racist and unacceptable.

The Association strongly recommends that purchasers and collectors focus their investment on contemporary Indigenous artists whose stories and creations are accessible and created to share with the world. Anti-racism requires the return and repatriation of sensitive Native American Cultural Heritage that was taken without the free, prior, and informed consent of Native Nations.

If you are a collector of Native American Cultural Heritage and wish to explore what repatriation can mean for Native Nations, please contact the Association for more information. Repatriation provides healing and learning opportunities for all participating.

The Association on American Indian Affairs is a 501(c)(3) organization and the oldest non-profit serving Indian Country protecting sovereignty, preserving culture, educating youth and building capacity. The Association was formed in 1922 to change the destructive path of federal policy from assimilation, termination and allotment, to sovereignty, self-determination and self-sufficiency. Throughout its history, the Association has provided national advocacy on watershed issues that support sovereignty and culture, while working at a grassroots level with Tribes to support the implementation of programs that affect real lives on the ground. Learn more at www.Indian-affairs.org.