



# Colonial Pathways Policy

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## **DECOLONIZING INITIATIVES INTRODUCTION**

The San Diego Museum of Man (SDMoM/The Museum) is decolonizing its practices in line with our vision of becoming a place where people learn from each other and equip themselves to build better communities.

For the greater part of our history, SDMoM harmed Indigenous communities by participating in the extraction of their belongings, cultural practices, and bodies in service to the Museum's goals of preservation and education. These communities include the Kumeyaay Nation, on whose homeland the Museum is situated; the Luiseño, "Mountain" Cahuilla, and Cupeño peoples, parts of whose traditional lands fall within San Diego County; more than 150 Native American communities in the United States; and many more Indigenous communities around the world.

Understanding the full impact of colonization is ongoing work that requires ongoing reflection and truth-telling. SDMoM seeks to inspire human connections by exploring the human experience and recognizes that this can only authentically occur in a context of truthfulness and transparency about the ways that it participated in colonization.

Specifically:

- We recognize that our museum contributed to structures of racism through its presentations of race and ethnicity stemming from prevalent ideas and practices in biological and cultural anthropology during our first one hundred years.
- We recognize that we participated in the erasure of histories of genocide perpetrated against many Indigenous communities by not naming these histories in relation to the bodies and belongings we collected and hold today.
- We recognize that, in many cases, our organization has acquired the bodies and belongings of Indigenous people, in the United States and globally, in ways that were legal but not just or equitable.
- And we recognize that we rarely included Indigenous voice and perspectives in relation to decisions made about, and the presentation of, their ancestors and belongings.

Decolonization is a term that describes our ongoing work toward undoing colonial practices in the Museum, reflection, and truth-telling. It means including Indigenous communities whose ancestors and belongings are held at the Museum in ways that prioritize their wishes.

In line with the teaching of Ho-Chunk scholar, Amy Lonetree, a decolonizing SDMoM will:

- Bring Indigenous perspective and voice into decision-making at all levels of the organization through staff and board appointments, and consultation with Indigenous communities.
- Truthfully address the history and legacy of colonialism in the Museum (and beyond) in its policies, exhibits, and programs.
- Include the work and perspective of Indigenous artists, historians, anthropologists, archaeologists, and other content experts in exhibits and programs.

## **COLONIAL PATHWAYS POLICY**

Since its founding in 1915, the San Diego Museum of Man (SDMoM/the Museum) worked to collect, preserve, and educate the public about Indigenous bodies and belongings. The intentions of hundreds of staff and researchers who worked at the Museum up to the present era were guided by a belief in the educational benefits of collecting, research, and display.

We recognize that Indigenous sovereignty and knowledge were largely ignored during the first 100 years of our history, and that new standards for ethical, equitable, and inclusive museum practice are required today and moving forward.

SDMoM has long prevented the return of cultural resources to Indigenous communities. This Colonial Pathways Policy provides a way for descendant communities to consult with the Museum and find a pathway home for their belongings.

This policy builds on an earlier policy for curating human remains, passed by SDMoM's board of trustees in January 2017. That policy applied a minimum standard of informed consent for holding human remains at the Museum. This policy applies the same standard to all Indigenous cultural resources at the Museum.

As an organization dedicated to a continuous process of decolonization, we are committed to opening and sustaining dialogues with Indigenous communities and descendants about the return of personal and/or communal belongings that left their Indigenous community through a colonial pathway.

Additionally, Indigenous communities' needs for their belongings change over time, based upon many factors related to the ongoing legacies of colonization. Therefore, any cultural resource that an Indigenous community has determined constitutes cultural matrimony/patrimony, and belongs with that community, shall be eligible for return under this policy—in line with a minimum standard of informed consent, Museum policy and procedures, and any applicable legal requirements.

The types of transactions that caused belongings to leave Indigenous communities during periods of colonization are often obscured by a lack of transparent or available documentation within acquisition records. Therefore, as part of this policy, the Museum will prioritize Indigenous knowledge and determinations in dialogues and consultations.

SDMoM will move to a practice of continuing consent for stewarding Indigenous cultural resources, which means that the Museum shall have documented agreements with Indigenous communities and/or descendants regarding the stewardship and ownership of belongings that will be held by the Museum.

Effective immediately upon passage of this policy:

SDMoM will accession and/or curate Indigenous cultural resources only in instances where it has documented consent to do so from the Indigenous community, or when it can demonstrate that the cultural resource left an Indigenous community through a decolonized pathway; and,

SDMoM will only accession and/or curate cultural resources when they can be used to tell authentic stories in support of the Museum's interpretive goals; and,

SDMoM will only serve as the steward for Indigenous cultural resources currently held at the Museum that cannot be used for interpretation at the request of a descendant community.

SDMoM will establish a process for reviewing all the Indigenous cultural resources currently held at the Museum in consultation with descendant communities to determine their preference for disposition within 6 months of approval\*. Disposition might include ongoing stewardship at the Museum, return to the community (repatriation), or any other mutually-determined outcome consistent with applicable law.

\*Due to our consultation process and community identified needs, the timeline around establishing a process for reviewing cultural resources and the colonial pathways procedures around deaccession has been extended.

## FREQUENTLY ASKED QUESTIONS

1. *Why is this policy focused on cultural resource practices and not exhibits, programs, or other colonized museum practices?*

We began our work in decolonization with new policies related to the ancestors' bodies, cultural resources, and belongings because Indigenous communities with which we consulted informed us that these were their priorities. We recognize that museum practices in these areas are causing great harm to Indigenous communities today.

Additionally, the strongest foundation for decolonized practices in all other areas of museum practice is the rebalancing of traditional power dynamics related to questions of sovereignty and ownership.

We chose to start with the recognition of Indigenous sovereignty and the prioritizing of Indigenous knowledge and decisions in relationship to their belongings, in order to create the conditions for genuine partnership moving forward.

Moving forward, the Decolonization Working Group will develop policies that address other areas of practice. If a future policy has material implications, it will be presented to the board of trustees for a vote.

2. *Does this policy mean we will no longer steward cultural resources?*

No. The Museum plans to continue stewarding cultural resources in service to its exhibits and programs.

Our goal is to transfer a collection of cultural items to the next generation of museum stewards that has clear provenance and/or documented consent from Indigenous communities. That way the Museum will be equipped to use them for educational and cultural enrichment purposes.

This policy is only focused on conversations and consultations about the cultural resources that have come into our possession through a colonial pathway, and those that Indigenous communities identify for return or other disposition.

We do not know how many of the belongings in our care will return to Indigenous communities, but we do know that we steward collections of cultural resources that will remain at the Museum because they were acquired in decolonized ways, and also because Indigenous communities or descendants have already indicated that they prefer for the Museum to continue stewarding them.

Two examples:

A consultation in January 2018 with the tribal council at Jamul Indian Village resulted in a request for the loan of a number of baskets to the Village for display within their own community. We expect that upon passage of this policy, that loan will become a request for transfer of ownership. The Council indicated that additionally, they would like to see several baskets from Jamul remain at the Museum for use within our Kumeyaay interpretation.

A consultation in February 2018 with the Maasai Cultural Ambassador, Ole Sankale, resulted in his determination that the items we hold from the Maasai homeland should stay at the Museum.

*3. How many of the Museum's cultural resources will be impacted by this policy?*

We cannot determine an exact number at this time, however at least 80% of the Museum's approximately 75,000 ethnographic items, and archaeology from more than 1,000 sites, will require consultation with descendant communities. In addition, we will also be consulting around archival, audio, and photographic holdings whose content depicts or interprets Indigenous community members.

*4. Is this a deaccession policy?*

This policy will sit within the Museum's larger Cultural Resource Management Policy in a number of areas related to the larger scope of curatorial practices including deaccessions. It will provide an additional reason for which a cultural resource could be deaccessioned, consistent with policy and law, to be returned to the Indigenous community.

*5. Does an Indigenous community need to provide a reason for requesting a belonging, or designating one as cultural matrimony/patrimony?*

No. We will accept an Indigenous community's determination of cultural matrimony/patrimony without requiring explanation. In the absence of competing claims, we will return requested belongings without a stated reason.

For many years, museums have set bars for approving the return of Indigenous belongings or ancestors to Indigenous communities. In many instances, museums believed they were qualified to determine whether a community need was legitimate. We hold that decolonization requires dominant culture institutions like SDMoM to let go of their presumed authority in relation to Indigenous decision-making and to recognize the authority of Indigenous communities.

*6. What is an example of how an Indigenous community's need for cultural resources changes over time?*

In some cases, a cultural resource entered a museum's possession in a decolonized manner, but in the time between the acquisition and today, conditions in that Indigenous community changed and there was additional cultural loss due to the impact of colonization. As a result, the Indigenous community may request the return of that cultural resource as a means to repair and revive a cultural practice or aspect of community identity.

One example is the tomol (a wooden canoe) commissioned by the Museum in 1915 from Fernando Librado, a Chumash boat-builder. Mr. Librado was paid for the tomol and that transaction was documented. Recently, a consortium of Chumash representatives asked for the tomol to be transferred to the Santa Barbara Museum of Natural History, in their territory, as an

interim stop on a pathway to a future Chumash museum or cultural center that they hope to build on Chumash reservation land. The practice of building tomols had died out for several decades, and this tomol will allow a burgeoning group of Chumash boat builders to learn directly from their deceased ancestors' work and will provide the community with an object of great meaning and significance. The Museum board of trustees approved the transfer in January 2018.

*7. Will we still be able to develop exhibits under this policy?*

Yes. We believe that the consultation and consent process will ultimately result in exhibits that tell new, authentic, and nuanced stories.

This policy will create an opportunity for the exhibitions team to work with Indigenous communities in new ways to better inform the content of exhibits when an Indigenous cultural resource is involved.

Ties with Indigenous communities established through consultations under this policy will provide opportunities for collaboration. This may include the participation of Indigenous curators, the establishment of a cultural advisors committee, or loans from Indigenous communities back to the Museum.

In most cases, it will mean that the Museum will work with Indigenous community-identified individuals who will help the Museum create multifaceted exhibits.

*8. How will this policy impact research on cultural resources?*

It is our long-term goal to accommodate all research requests that have documented consent or approval from the descendent community.

Currently, SDMoM has a research moratorium in place for all non-descendant researchers while we focus on obligations under the Native American Graves and Repatriation Act; work to gain intellectual control of cultural resources; and develop new decolonized policies.

*9. What does it look like when a museum has few or no cultural resources?*

SDMoM will continue to curate cultural resources in support of its interpretive goals moving forward, though the number of items that will end up stewarded at the Museum is yet to be determined.

Even if just 20% of our current holdings remained (and we anticipate the number to be greater than that), we would curate over 15,000 ethnographic items. Museums with robust exhibit programs and collections of 15,000 items or fewer include the Mingei International Museum here in Balboa Park, the Skirball Cultural Center in Los Angeles, the Fraser Museum in Louisville, and the Rubin Museum in New York.

Many museums, such as science centers, children's museums, or contemporary art spaces mount exhibits and provide educational and cultural experiences for visitors with no permanent collections of their own.



When a museum lacks cultural resources, it has the option to commission or acquire new items in decolonized ways or borrow them from other aligned institutions (such as tribal museums, the Abbe Museum in Maine, the Museum of Anthropology in Vancouver, etc.).

This is already our practice and has been for years. We acquired or borrowed cultural resources for *Cannibals: Myth & Reality*, *Monsters!*, *Living with Animals*, *Ancient Egypt*, *Race: Are We So Different?*, *BEERology*, and *PostSecret*.

*10. How much will this policy cost the Museum? Who bears these costs?*

We do not know what the full cost will be for implementing this policy. Certainly, additional resources will be required to engage with communities and to return cultural resources. The Museum will bear the costs for consultation and for the return of belongings to the degree it is able to do so. Securing additional financial resources will allow the Museum to consult on the cultural resources in a timelier manner. Upon passage of this policy, staff will work to identify sources for funding this work as part of the Museum's broader goals for philanthropic support.

*11. How long will this policy take to implement?*

We do not know exactly. It will depend on the resources available to the Museum for this work. We will develop a timeline and work projections once the procedural sections are approved and we have identified sources for funding this work.

*12. What does it mean to "prioritize Indigenous knowledge and decisions?"*

The practice at our Museum since its founding was to privilege the knowledge and determinations of Museum staff over those of Indigenous communities when making decisions about belongings. For a century, Western scientific evidence and the determinations of non-Indigenous authorities were considered accurate, while Indigenous knowledge was only accepted conditionally or was disregarded.

This policy recognizes Indigenous sovereignty and the legitimacy of Indigenous knowledge and shared narratives, whether documented or passed through oral traditions. Indigenous knowledge is the most reliable evidence when defining the importance of cultural resources to an Indigenous community. Prioritizing Indigenous knowledge and decisions allows us to begin to correct the harm created by non-Indigenous authorities who disregarded the expertise of the Indigenous communities.

*13. Were all cultural resources dating from periods of expedition and exploration acquired unethically?*

There are, likely, examples of ethical acquisitions of Indigenous cultural resources during these periods, however we have not yet been able to locate an example within our collections.

However, just as museums pay close attention to questions of provenance for items coming from Europe during the late 1930s and early to mid-1940s due to the genocide that led to the extraction of Jewish belongings at that time, items that left Indigenous communities during periods of expedition and exploration require close examination and consultation with descendants for similar reasons.

*14. Does this policy apply to cultural resources from outside the United States?*

The policy applies to Indigenous cultural resources from all areas, however the process for consulting with international Indigenous communities is regulated by international agreements and laws. The Museum will develop procedures, in consultation with our attorneys, for consulting with, and potentially repatriating to, international Indigenous communities consistent with applicable policies and legal requirements.

*15. What about cultural resources from non-Indigenous communities?*

The Museum will draft a subsequent policy governing requests for consultation and repatriation on cultural resources from non-Indigenous communities, internationally or domestically, using a similar approach to the one used in this policy. Ultimately, the Museum is only interested in stewarding cultural resources that are here with the consent of the descendant community.

*16. Is this policy legal?*

Yes. This policy represents a cutting-edge response to fundamental issues associated with colonization, cultural resources, and Indigenous voices. As such, there is no existing law explicitly authorizing, prohibiting, or otherwise specifically addressing it. That said, it is important to note that the Policy (a) is not explicitly prohibited by any state or federal law; (b) furthers the mission of the Museum; and (c) is consistent with basic principles expressed in relevant curation and deaccession guidance, such as transparency, collaboration, sound planning, and ongoing ethical responsibility.

*17. What is the Museum's plan for enacting this policy?*

Deaccession under the policy will likely begin shortly after our Native American Graves Protection and Repatriation Act (NAGPRA)-related repatriation work with our Kumeyaay neighbors and other Southern California Indigenous communities with whom we are currently in conversation. Concurrently, the Decolonization Working Group will be tasked over the following six months to a year with fully developing procedures, a work plan, and a timeline for enacting the policy. These will be vetted by attorneys at Dentons and then shared on our website.

NAGPRA will provide a framework for many aspects of our procedures, such as dissemination of information to Indigenous communities, and how to address competing claims.

*18. Are we too far out on this issue? Have other museums adopted similar policies?*

This policy will situate SDMoM at the forward-most edge of decolonized collections practice in the U.S. We will be pathbreakers and the procedures we develop will become a model for others.

The Museum joined a small group of industry leaders when the board of trustees passed the policy on curating human remains in 2017. The passage of this policy will cement SDMOM's reputation as a leading institution in the area of decolonization.

While SDMOM is on the forward edge by passing this policy, it has strong support and endorsements for this work from the presidents of the American Alliance of Museums (AAM) and the Western Museum Association (WMA). Both professional organizations have featured SDMOM staff speaking about decolonized practices at their conferences over the past 3 years, and WMA featured an SDMOM staff member in their keynote panel on decolonization at the conference in Tacoma in fall 2018.

Additionally, in 2017, the Institute of Museum of Library Services awarded SDMOM a two-year grant to support the activities required to enact this policy with the Kumeyaay Nation. *Art in America* featured SDMOM's decolonization work in its October 2017 issue, and *Curator* magazine has approached a small group of thought leaders, including SDMOM, to co-edit an entire issue on decolonization.

Many U.S. museums are working to change their policies related to Indigenous cultural resources so as to include community perspectives and preferences for stewardship. These range from the Field Museum in Chicago, to the Burke Museum in Seattle, to the National Museum of the American Indian in Washington DC, to the Abbe Museum in Bar Harbor. The Abbe Museum was the first non-tribal museum in the U.S. to adopt decolonization as its strategic priority.

The National Museum of New Zealand/Te Papa Tongarewa, is the global leader in decolonized practice. In 1992 they dissolved three historic national museums and created a single bicultural museum headed by two co-directors, one who is Maori and the other, non-Indigenous. Their collections management policy includes the return of cultural resources to Indigenous communities as one category of deaccession.

Finally, multiple protests over the past 18 months at the American Museum of Natural History and Brooklyn Museum have garnered much press as activists push those institutions to decolonize their practices. We embrace the opportunity to be a leader in areas of basic human rights, consistent with our mission, vision, and values.

#### *19. What was the process for drafting this policy?*

Museum leadership assembled a working group consisting of six trustees and seven members of staff to draft this policy. The working group met on six occasions between December 2017 and June 2018 and produced nine drafts of this policy.

The policy has been shared with legal counsel, and a tenth (final) draft was created to incorporate that feedback. That version was presented at the June 2018 board meeting where the board of trustees voted to approve the policy.

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## GLOSSARY

**Belonging:** (n) in this context, a cultural resource that left the Indigenous community via a colonial pathway and therefore remains a possession of the Indigenous community.

### **Colonial pathways include instances where:**

- A cultural resource was acquired via an inequitable trade with a collector, trader and/or trading post, or institution. This may include but is not limited to any belonging(s) that were obtained from a member of the Indigenous community during an economic hardship, period of community unrest, armed conflict, or any period of time when cultural practices were under heavy persecution and colonization.
- A cultural resource was removed from Indigenous communities without consultation with, or consent of, community members.
- A cultural resource was removed during military activities, whether taken or purchased by the combatant.
- A cultural resource has a known provenance of having been acquired during periods of expedition, exploration, or exploitation of Indigenous communities.

**Cultural matrimony/patrimony:** items of cultural significance to an entire community, as determined by the descendant community.

**Cultural resource:** an object of significance to a community of people connected through their ancestry and heritage.

**Curate:** The most common curatorial activities covered by this policy include:

- Holding Indigenous cultural resources in our collections
- Collecting Indigenous cultural resources; accepting new cultural resources into our collection
- Deaccessioning Indigenous cultural resources
- Exhibiting Indigenous cultural resources
- Loaning Indigenous cultural resources to other institutions
- Providing access to Indigenous cultural resources for research
- Providing educational access to Indigenous cultural resources
- Providing access to Indigenous cultural resources for photography
- Providing access to Indigenous cultural resources for media and publications
- Answering requests for photographic reproductions of Indigenous cultural resources
- Storing, cataloging, documenting, and handling practices for Indigenous cultural resources
- Providing spiritual care for Indigenous cultural resources when appropriate.

**Decolonized pathway:** the equitable pathway a cultural resource followed to leave an Indigenous community and enter our Museum. This pathway includes belongings given to the Museum by an Indigenous community or descendant.

**Descendant:** Individual(s) of shared lineage/heritage/kinship from an Indigenous community or individual.

**Descendant Community:** Contemporary community comprised of descendants.

**Indigenous communities:** We use the United Nations definition which reads, “Communities which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them.”

**Informed Consent:** permission granted in the knowledge of the possible consequences, risks and benefits.

**Sovereignty:** The authority of an individual, community, or nation to self-determination.

**Steward:** (v) care for, manage; (n) caretaker, manager.