


Archaeology and Social Justice in Native America

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Over the past 20 years, collaboration has become an essential aspect of archaeological practice in North America. In paying increased attention to the voices of descendant and local communities, archaeologists have become aware of the persistent injustices these often marginalized groups face. Building on growing calls for a responsive and engaged cultural heritage praxis, this forum article brings together a group of Native and non-Native scholars working at the nexus of history, ethnography, archaeology, and law in order to grapple with the role of archaeology in advancing social justice. Contributors to this article touch on a diverse range of critical issues facing Indigenous communities in the United States, including heritage law, decolonization, foodways, community-based participatory research, and pedagogy. Uniting these commentaries is a shared emphasis on research practices that promote Indigenous sovereignty and self-determination. In drawing these case studies together, we articulate a sovereignty-based model of social justice that facilitates Indigenous control over cultural heritage in ways that address their contemporary needs and goals.

Keywords: social justice, Native America, equality, equity, decolonization, Indigenize, collaboration

En los últimos veinte años, la colaboración se ha convertido en un aspecto esencial de la práctica arqueológica en América del Norte. Al prestar cada vez más atención a las voces de las comunidades descendientes y locales, los arqueólogos han tomado conciencia de las persistentes injusticias a las que se enfrentan estos grupos a menudo marginados. Basándose en los

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crecientes llamamientos a una praxis de patrimonio cultural receptiva y comprometida, este artículo del foro reúne a un grupo de académicos nativos y no nativos que trabajan en el nexo de la historia, la etnografía, la arqueología y el derecho con el fin de lidiar con el papel de la arqueología en el avance de la justicia social. Los contribuyentes a este artículo tocan una amplia gama de problemas críticos a los que se enfrentan las comunidades indígenas en los Estados Unidos, como el derecho del patrimonio, la descolonización, las vías alimentarias, la investigación participativa basada en la comunidad y la pedagogía. Unir estos comentarios es un énfasis compartido en las prácticas de investigación que promueven la soberanía y la autodeterminación indígenas. Al reunir estos estudios de caso, articulamos un modelo de justicia social basado en la soberanía que facilita el control indígena sobre el patrimonio cultural de manera que aborde sus necesidades y objetivos contemporáneos.

Palabras clave: justicia social, Nativa América, igualdad, equidad, descolonización, Indigenización, colaboración

Over the past 20 years there have been several notable shifts in archaeological praxis in the United States, including a growing recognition of oral histories and narratives as valid sources (e.g., Echo-Hawk 2000; Ferguson and Colwell-Chanthaphonh 2006; Zedeño et al. 2021) and an increased focus on the connection between past and present (e.g., Hart et al. 2012; Scheiber and Mitchell 2010; Smith and Wobst 2004:370). A growing number of scholars have also advocated for more inclusive archaeological practices that respond to the ongoing social and political issues facing historically marginalized populations (e.g., Barton 2021; Franklin et al. 2020; Little and Shackel 2007; McGuire 2008; Shackel and Little 2016; Zimmerman et al. 2010). These efforts are part of an emerging social justice framework in which archaeology serves as a tool for addressing “the pressing present needs of communities outside our discipline” (Atalay et al. 2016:8).

A subset of these social justice-oriented efforts has worked to address the persistent injustices experienced by Native Peoples despite liberal reforms during the twentieth century to promote multivocality and self-determination. Burke Hendrix (2019:11) defines “persistent injustice” as the ongoing ways in which legal structures and state policies created during colonization constrain the territorial, political, economic, and intellectual sovereignty of Indigenous nations. Disciplinary efforts to address persistent injustice have taken a variety of forms (Wurst and Mrozowski 2014:214), including community archaeology (e.g., Atalay 2012; Colwell-Chanthaphonh and Ferguson 2007; Dongoske et al. 2000; Silliman 2008; Swidler et al. 1997; Watkins 2000), activist archaeology (e.g., Atalay et al. 2016; Colwell-Chanthaphonh 2007), sustainable archaeology (e.g., Ferris and Welch 2014), critical theory

(e.g., Ferris et al. 2014; Laluk 2017; Panich 2013), intellectual property rights (Nicholas and Hollowell 2004), and sovereignty-driven research (Welch 2018). Such heterogeneity reflects the complex histories and goals of Native American communities. These diverse approaches to social justice are united by a shared recognition that political and social factors—particularly capitalism, colonialism, and imperialism—have affected knowledge production about Indigenous pasts and its circulation in the present (McGuire 2008:17). Moreover, the emphasis on Western-centric interpretations and knowledge production in reference to Indigenous histories has erased Indigenous communities’ humanity, identities, and histories across deep time—from the Pleistocene to contemporary times (Steeves 2021). Archaeologists are responsible for understanding the various social and political factors driving social justice movements and for utilizing these understandings to change how archaeology is practiced and how history is taught.

In dialogue with these efforts to critically consider archaeology’s responsibility and utility to Indigenous communities, we ask, How can archaeologists reshape who controls, has access to, and benefits from the products of their research in ways that strengthen Indigenous sovereignty? In responding to this question, we take a multivocal approach that privileges the voices of Indigenous scholars as well as those they collaborate with. Although the examples presented throughout this forum are centered on Native communities in the United States, we hope that this article will provide a body of culturally situated case studies that can be placed into conversation with global efforts for social justice (e.g., Hamilakis 2007, 2018; McAnany 2016; Pikirayi 2009; Rizvi 2006; Smith et al. 2019).

A Social Justice Framework for Tribal Nations

The concept of social justice is complex, multi-disciplinary, and heterogeneous, making a singular, precise definition difficult to nail down. At its broadest level, social justice is concerned with power and the distribution of valued goods, wealth, and burdens (Duff et al. 2013:321; Schmidt 2001:14338). Since the beginning of the twentieth century, the concept of social justice has expanded beyond matters of distribution to include a range of philosophic, economic, legal, and political areas. Within these disciplines, social justice has been operationalized both as an objective and as an analytical lens with which to theorize issues of recognition, representation, social power, and identity (Duff et al. 2013:321). Uniting these diverse applications of social justice is a shared critique of dominant systems and ideologies of governance that enact structural forms of violence that preserve power and privilege.

To date, most approaches to social justice have been built on Western conceptualizations of fairness, equity, individualism, well-being, and sustainability, which are protected through laws (e.g., Buettner-Schmidt and Lobo 2012). Such models assume that all members of society share these social values and definitions (Unal 2018:263). As Indigenous scholars have pointed out, Native American and Alaskan Native communities have worldviews and historical experiences that differ in distinct ways from non-Indigenous perspectives (Deloria 1973; Fixico 2003; Turner 2006). We argue that these ontological and epistemological differences require an alternative conceptualization of social justice that is premised on Indigenous principles, including communalism, self-determination, respect, and reciprocity.

Hilary N. Weaver has also argued that for Native American and Alaskan Native Peoples, “social justice means challenging the colonial structures and mindset that undermine sovereignty and self-governance” (2000:15). As Weaver points out, sovereignty is not only an essential pillar of what social justice means for Indigenous communities in the United States but a necessary precursor to achieving justice.

Based on legal notions of territorial control that arose with the emergence of the modern nation-state, the concept of sovereignty has been co-opted by Tribal Nations to assert territorial control and associated powers over the promotion and protection of Indigenous languages, cultures, treaty rights, and economic goals (Brennan 1995; Lenzerini 2006; Wiessner 2008).

However, some scholars have critiqued the Western foundations of Indigenous sovereignty, arguing that it is premised on a problematic acceptance of the colonial state, which both validates and stands in opposition to the Tribal Nation (Alfred 1999; Tully 2000). In response to these critiques, scholars such as Amanda Cobb (2005), Joanne Barker (2005), and Bronwyn Fredericks (2009) have promoted the concept of “intellectual sovereignty,” which encompasses Indigenous control over knowledge production. Drawing on these ongoing conversations, we use the term “Indigenous sovereignty” as both a legal concept that recognizes Indigenous Peoples as bearers of territorial rights, obligations, and unique nationhood as well as an intellectual construct that empowers Native communities to imagine their identities, subjectivities, and futures outside of the settler nation-state (Shrinkhal 2021).

A sovereignty-based model of social justice requires a critical understanding of the ways in which archaeology continues to enact (sometimes unwittingly) persistent injustices against Native Peoples. These injustices are created by a system in which power over Indigenous cultural heritage is largely held by non-Indigenous scholars, museum professionals, and resource managers. Volker Schmidt’s (2001) framework of macro-, meso-, and micro-level justice provides a useful heuristic device for identifying the persistent injustices enacted by archaeologists. According to Schmidt, the macro level encompasses legal and political regimes as well as the policies that underpin these systems. These macro-level social frames are informed by a *logic of elimination* (Wolfe 2006), which seeks to erase Indigenous Peoples and their rightful claims to land, political sovereignty, and cultural alterity. Social justice in this realm will entail altering laws in ways that enable Native American communities, regardless of federal

recognition status, to control their cultural heritage.

Alternatively, the meso level focuses on social organizations that are influenced by macro-level politics and policies (Schmidt 2001:14338). Social justice at this level requires restructuring how universities, professional organizations, cultural resource management firms, and government organizations distribute their products and services to Native communities. It also entails restructuring their policies of inclusion/exclusion, which curtail or limit the exercise of Indigenous sovereignty over ancestral remains, objects, and cultural landscapes. Finally, the micro level refers to individual interactions that are shaped by dominant ideologies and institutions. The micro level affords archaeologists the most autonomy in developing alternative systems of practice that speak more directly to needs of Indigenous communities.

Case Studies in Sovereignty-Based Social Justice

The following discussion is an outgrowth of research presented at the Society for American Archaeology annual meeting in Albuquerque, New Mexico, in 2019. The participants in this forum were specifically selected with an eye toward showcasing the work of junior Indigenous scholars working in different regions of the country (California, the Southwest, and the Great Lakes). In order to demonstrate the diversity of ways Indigenous communities are engaging with social justice, we made a conscious effort to include perspectives from academic archaeologists as well as Tribal heritage professionals, Indigenous organizations, and lawyers. Aligning with the principles of Indigenous archaeology, which foreground Native American perspectives, each of the case studies centers the voices and personal experiences of Indigenous scholars and collaborators. These commentaries are organized into two thematic subsections, which discuss intellectual sovereignty-centered research and critical self-reflexive collaboration with Indigenous communities. Uniting these diverse contributions is the shared goal of destabilizing and demystifying the discipline of archaeology by calling for research that foregrounds Indigenous

identities and critiques the power dynamics of archaeological praxis in the United States.

Intellectual Sovereignty-Centered Research

The four commentaries in this subsection draw on the concept of intellectual sovereignty as a methodological and legal approach that strengthens Tribal Nations by centering Indigenous epistemologies, needs, and goals. For instance, Rebecca Tsosie's case study is focused on macro-level legal regimes that position Indigenous knowledge and interests as secondary to Western scientific definitions of "cultural affiliation." As a critical corrective to these inequities, she advocates for the adoption of the UN Declaration on the Rights of Indigenous Peoples as a legal structure that centers Indigenous sovereignty and self-determination in arbitrating rights to Tribal DNA and remains.

The commentary by Christine McCleave, Rose Miron, and Stephanie Russo Carroll in this section engages with meso-level policies, arguing for the adoption of data sovereignty as a framework that privileges the rights of Tribal Nations in governing the collection, ownership, and distribution of documents and human remains associated with Native American boarding schools. Joseph Aguilar's work with San Ildefonso Pueblo also takes a meso-level approach, demonstrating how Tribal communities themselves can assert sovereignty over cultural heritage management practices on and off Tribal lands through existing legal mechanisms. Finally, Ashleigh Big Wolf Thompson's research provides a micro-level discussion of the ways in which storytelling as a facet of Indigenous knowledge transfer can be used by archaeologists to facilitate food sovereignty.

Tribal Sovereignty, Archaeogenomics, and Epistemic Injustice. In the nineteenth century, archaeology had a powerful role in constructing the identity of Indigenous Peoples according to Western scientific categories. Today, this epistemic dominance is in question as Indigenous archaeologists work to reshape the parameters of research and practice to reflect Indigenous knowledge and social norms. This article evaluates the knowledge practices that govern repatriation in the United States under the Native American Graves Protection and Repatriation

Act (NAGPRA). In particular, repatriation may not be possible for Indigenous ancestral human remains designated as “culturally unidentifiable” because they do not conform to Western knowledge practices that control “cultural affiliation.” This legacy of epistemic dominance frames a contemporary case study involving Native American human remains that were excavated from Chaco Canyon and are still in the custody of the American Museum of Natural History (AMNH). The Chaco case study provides the context for examining the implications of legal frameworks for repatriation in the United States as well as the normative standards set by international human rights law.

In February 2017, *Nature Communications* published an article entitled “Archaeogenomic Evidence Reveals Prehistoric Matrilineal Dynasty” (Kennett et al. 2017:8). The researchers conducted DNA analysis of several sets of human remains that had been excavated at Pueblo Bonito—a 650 room pueblo, with a burial crypt—in Chaco Canyon in the late 1890s by a team from the AMNH. The 14 deceased individuals who were sampled for this study lived over a 300-year period, from AD 800 to 1130.

The research team sought to determine the leadership structure of the people who occupied Pueblo Bonito in New Mexico for more than 300 years, particularly whether they had a form of “hereditary succession,” which is often associated with “complex societies.” The mitochondrial DNA genome of nine of the sampled individuals is “identical.” These individuals share a “B2 haplotype,” which is otherwise rare among “Southwest Native Americans,” leading the research team to conclude that this evidence demonstrated a hierarchically organized society with leadership inherited through the maternal line. The authors proclaim that their study is the first to use “genome-wide data to document hereditary relationships among individuals within an elite lineage, using archaeogenomics, in the absence of a written record” (Kennett et al. 2017:5).

Importantly, the article does not reference the inhabitants of Chaco as “Indigenous” or “Native American” Peoples. Rather, the study claims that they are a “prehistoric population” that

“collapsed” in the twelfth century AD. Although the study notes similarities to modern Pueblo Nations, the authors state that “the relationship between prehistoric people from specific Chaco and modern Native American groups remains uncertain” (Kennett et al. 2017:5). Given this analysis, one might have expected the researchers to consult with the “modern Native American groups” mentioned in this study. That did not happen. Instead, the authors state, “We submitted a research proposal to the AMNH requesting samples from Chaco Canyon burials classified as culturally unidentifiable following NAGPRA criteria. The AMNH Review Committee approved our proposal in accordance with all legal guidelines governing research” (Kennett et al. 2017:6). In other words, if ancient human remains are truly “culturally unidentifiable,” then there is no contemporary group that has the capacity to claim “cultural affiliation” under NAGPRA. Therefore, the review committee excused any need to engage in consultation prior to approving the new study.

NAGPRA is specifically intended to redress the dark history of genocide and appropriation that exemplifies settler colonialism in the United States. As of 1990, federal agencies and museums across the country housed extensive “collections” of Native American ancestral human remains, funerary objects, sacred objects, and objects of cultural patrimony that ought to have been in the possession of culturally affiliated Native Nations. NAGPRA is specifically intended to protect the human rights of Native Peoples through a statutory process of repatriation for items held by museums or agencies as of the effective date of the statute.

NAGPRA is important, not merely for its substantive legal protection for Native American cultural heritage but also for its procedural provisions, which secure the participatory rights of Tribal governments within the legal process. Specifically, NAGPRA requires a consultation process between Tribal Nations and the agencies or museums that have possession of protected cultural items in order to establish the nature and cultural affiliation of the items and effectuate their repatriation. In many cases, the process involves the sharing of sensitive cultural information, prompting the assertion that data

received through the required statutory consultations should also be owned by the Tribal Nation.

The issue of data sovereignty is not specifically addressed by NAGPRA, nor does the statute address what is to be done with DNA samples that might have been taken in the course of scientific studies by bioarchaeologists (Tsosie 2021). From the perspective of bioarchaeologists, human bones and teeth provide a rich repository of genetic information about the individual, as well as information about the individual's diet, reproductive health, and other physical conditions. Some Tribal Nations have asserted an ownership interest in the DNA samples and information gained from sampling Native American human remains. Under current US law, however, privacy rights adhere only to living individuals: they have the right to give informed consent before a physician or a health researcher can take their blood or tissue, whereas deceased individuals do not.

It remains unclear whether or not Tribal Nations have a legally protected collective interest in protecting Tribal DNA. This was the claim that the Havasupai Tribe brought in relation to the blood samples collected by a research team from Arizona State University during the early 1990s, when they agreed to allow blood samples to be taken from Tribal members for a diabetes study (Tsosie 2007). Without the knowledge or consent of the Tribe or individual study participants, the researchers used the samples and associated data to apply for additional grants and to conduct unrelated research on biomedical and behavioral health conditions. When the Tribe accidentally discovered this, it brought suit against ASU, the research team, and the Arizona Board of Regents on a variety of causes of action. The Tribe alleged a collective interest in the samples secured from Tribal members, to the extent that the researchers were using the samples to draw conclusions about the Tribe's origin and identity. These issues are ever present in the world of genomic research, and the National Institutes of Health (NIH) has developed Tribal consultation protocols and cultural competence trainings for its researchers due to the legal, political, social and cultural interests of Tribal Nations in protecting citizens' DNA and associated data collected from health studies.

It is important to note that these innovations regarding health data are not coextensive with the consultation requirements under NAGPRA. Ancestral human remains are not protected by the privacy securities that extend to living individuals, and the text of the statute does not specifically reference ownership of data. One of the most problematic categories within NAGPRA are those human remains deemed not to be "culturally affiliated" with a contemporary federally recognized Indian Tribe or Native Hawaiian entity, either because the remains lacked sufficient data to do so or because the Tribe had not survived into the modern era. Congress reserved this section from statutory provisions, claiming that the issue required further study and recommendations.

Under its current configuration, NAGPRA explicitly authorizes multiple categories of evidence to establish cultural affiliation, including aboriginal title, cultural narratives, and historical evidence. However, in a federal action involving the disposition of ancient human remains dating back 8,000–9,000 years ago, which were excavated in Kennewick, Washington, after the effective date of the statute, the federal court held that the term "Native American" is only applicable to remains that can be culturally affiliated by physical evidence to a specific and contemporary federally recognized Indian Tribe (see *Bonnichsen v. United States*, 367 F.3d 864, 879-82 [9th Cir. 2004]). Preliminary DNA testing failed to show an exact match to a contemporary group. By 2017, the genomic science was better, and it demonstrated that this Ancient One was indeed related to the Native claimants. The ancestor was subsequently repatriated to the Native claimants under NAGPRA. To this day, there are no clear lines about whether contemporary Tribal Nations can have a "cultural affiliation" to ancient Native Peoples, or whether genomic testing is the only way to prove "Native American" identity.

The Chaco study noted cultural similarities to modern Pueblo peoples, but somehow this is not considered sufficient evidence of cultural affiliation. Although many Tribal leaders initially protested the use of destructive analysis to secure DNA from ancestral human remains, other Tribes have agreed to DNA testing, and some

have initiated the testing to affiliate ancient remains with contemporary descendant communities (Greshko 2018; Lindo et al. 2018; Wade 2018). Scientific ways of knowing can be harmonized with Indigenous ways of knowing where there is a respectful consultation with Tribal leaders and the decision is based on consent. We currently do not have equity in the power relations between Indigenous Peoples and archaeologists within the United States.

For Indigenous Peoples, persistent injustice is a daily experience that is perpetuated under a legal system that subsumes, in neutral terminology, a given outlook and understanding about time, place, and human identity. Native Nations lack the power to co-create the meaning of terms such as “history” or “prehistory,” and their knowledge is not used to demarcate “current Native Americans” from “ancient populations.” In short, the epistemic practices of repatriation law do not accord equal respect for the act of claiming “cultural affiliation.” Moreover, NAGPRA places the legal burden of proof on the contemporary Native American Tribes or Native Hawaiian entities to demonstrate “cultural affiliation,” even though the mechanisms to do so are the product of Euro-American conceptual categories. If the Native Nation fails to “prove” this relationship, the human remains might go—by default—to the museum or agency with custody, transforming an Indigenous ancestor into the property of science. As Roger Buffalohead (Ponca) noted, “The people who have the power—the dominant society—determine what is going to be legal or illegal in a given situation . . . justice is related to power. We probably will never achieve justice so long as we are without power” (Buffalohead 2012). The only sufficient response to this type of injustice is to decolonize archaeology by engaging Indigenous knowledge, language, and cultural narratives in the process of “cultural affiliation” (Laluk 2017; Smith and Wobst 2004).

If we turn to international human rights law, we see an approach to the issues of cultural affiliation, data sovereignty, and Tribal DNA that is different from those outlined under NAGPRA. The UN Declaration on the Rights of Indigenous Peoples, which was adopted in 2007 by majority consensus of the United Nations General Assembly, is

founded on the principle that all Indigenous Peoples have the right to “self-determination,” including the right to autonomous self-governance. They have the right to create their own legal, social, economic, and political institutions, as well as the right to enjoy their cultural traditions—such as the exercise of their religious practices and languages—without interference from the nation-state. Although they do not have the right to impair the territorial boundaries or political integrity of a nation-state, the state must accord each Indigenous person the same rights of citizenship that other citizens enjoy and must also honor the collective rights of the Indigenous people.

With respect to the issues outlined in the Chaco case, Indigenous Peoples have the right to repatriate their ancestral human remains and cultural objects (United Nations General Assembly 2007:Article 12). They have the right to maintain their spiritual connection to their ancestral lands and territories, and to pass this connection on to future generations (United Nations General Assembly 2007:Article 25). They have the right to maintain, control, and develop their cultural heritage, traditional knowledge, and traditional cultural expressions—including “human and genetic resources” (United Nations General Assembly 2007:Article 31). They also have the right to control, protect, and develop their “intellectual property” over this cultural heritage, which the UN Special Rapporteur on the Rights of Indigenous Peoples associates with the right to “data sovereignty.” Finally, the UN Declaration moves beyond the notion of “consultation” to the concept of “free, prior, and informed consent” before the nation-state can impair the enumerated, fundamental human rights outlined in that document. At this juncture, the declaration is prescriptive, and its precepts are often equated with the concept of “moral rights,” which are generally not legally enforceable. The declaration may become the basis for an international convention, which could become binding upon signatories. In the meantime, the declaration serves as a foundation for the process of reparative justice that is necessary to redress the harms of colonialism.

Chip Colwell (2019a) claims that repatriation forced museum curators to sit down with Tribal leaders and craft a new relationship, built on mutual respect, and that “such gains are extended

even further when the return of ancestors and artifacts becomes a form of restorative justice.” Drawing on Desmond Tutu’s words, he equates repatriation with the process of reconciliation that followed the abolishment of apartheid in South Africa, because both processes evoke “the healing of breaches, the redressing of imbalances, the restoration of broken relationships” (Colwell 2019b:93). As a unified democracy that was established on Indigenous land and without Indigenous consent, the United States would do well to pay more attention to the human rights of the original and First Nations of this land. That was the stated intent of NAGPRA, and it should be one of the primary tenets in the decolonization of repatriation law.

Propagating Indigenous Data Sovereignty in Archaeological Research. Collaboration has become an expected part of scholarship for research with American Indian and Alaska Native communities. Currently, most researchers practice collaboration by seeking permission during the research process or after it has been completed rather than involving Tribal Nations in each part of its conceptualization and planning. It is imperative that academia move beyond a purely permission-based research model and shift to practices that (1) reflect researchers’ understanding of the inherent rights of Indigenous Peoples to control how their histories and cultures are collected and managed, and (2) allow Indigenous Peoples to lead and shape research based on their needs. To do so, we assert that the CARE Principles for Indigenous Data Governance (Collective benefit, Authority to control, Responsibility, and Ethics) should serve as guiding principles for any research involving Indigenous Peoples (Carroll et al. 2020). The CARE Principles enact Indigenous data sovereignty: the right of a nation to govern the collection, ownership, and application of their own data (Rainie et al. 2017). As a brief case study, we examine the efforts of the National Native American Boarding School Healing Coalition (NABS) to implement CARE Principles in their work in order to understand and address the ongoing trauma created by the US Indian boarding school system.

Between 1819 and the 1970s, boarding schools funded by the federal government and

Christian churches forcibly took American Indian and Alaska Native children away from their families and communities and placed them in assimilative institutions. Children were forbidden to speak their Tribal languages or practice their cultures, and corporal punishment and other forms of abuse were inflicted on students (Adams 1995; Child 2000; Fear-Segal and Rose 2016; Lomawaima 1995; Reyhner and Eder 2006). Boarding schools as a form of cultural genocide and source of historical trauma have had a variety of negative health impacts on Native people, such as high suicide rates, post-traumatic stress disorder, and other illnesses such as heart disease and diabetes that are connected to trauma (Brave Heart et al. 2011; Duran 2019; Felitti et al. 1998).

The majority of records of boarding schools are archival documents, which have led most archaeologists to ignore this important era in US Indian policy. However, archaeology has increasingly intersected with the history of US Indian boarding schools for three main purposes:

- (1) Boarding school survivors, their descendants, and Tribal Nations have begun to reclaim the remaining historic buildings that once served as boarding schools.
- (2) Tribal Nations and boarding school descendants have shown interest in locating and protecting the remains of children who died in these schools, many of whom are buried in unmarked cemeteries.
- (3) Tribal Nations and boarding school descendants have shown interest in repatriating their relatives from these schools.

As a Native-led organization, NABS’s role has been supporting and facilitating conversations around these initiatives at the intersection of boarding schools and archaeology. Tribal Nations have different needs, beliefs, and interests, and each nation approaches both research and healing in different ways (Smith 2012).

We argue that material objects or the remains of Indigenous Peoples’ ancestors carry knowledge, history, and information, much of which becomes digitized as data and metadata during the research process. Led by Indigenous individuals and communities, the Indigenous data

sovereignty movement responds to the exponential proliferation and use of data in contemporary societies, and it repositions control over data and research from external actors to the Indigenous Peoples from whom the data emerge or relate (Kukutai and Taylor 2016). Indigenous data sovereignty expands the boundaries of the mainstream application of “data sovereignty” in three critical ways: (1) by conceptualizing collective rights to data; (2) by asserting these rights outside of the geographic, jurisdictional boundaries of the nation; and (3) by including information, knowledge, ancestors, and belongings—essentially anything that can be digitized or translated into digital information—as data (Carroll et al. 2019, 2020; Rainie et al. 2017).

Founded in 2016, the United States Indigenous Data Sovereignty Network supports research, policy, and practice to ensure that data being collected about Indigenous Peoples are used to advance Indigenous interests and well-being (United States Indigenous Data Sovereignty Network 2019). NABS’s vision aims to restore Indigenous Peoples’ cultural sovereignty, which was taken away through boarding schools. That sovereignty includes the right to set the terms of research and data stewardship within archaeological and other contexts. By relying on the concept of Indigenous data sovereignty, Native Peoples emphasize their right to control the collection, ownership, and application of data related to the boarding school experience and reverse the trend of Native materials being controlled, organized, cataloged, and represented by largely non-Native institutions without input from descendant communities.

In our involvement with reclaiming boarding school buildings, investigating unmarked cemeteries, and repatriating children, Tribal Nations have communicated their concerns that any sacred or sensitive materials remain private, and that any personal family data be controlled by and made accessible to boarding school survivors and their descendants. Because many boarding school sites are not currently identified in a national registry and the land may be privately or state owned, these cemeteries remain outside the scope of NAGPRA. Even if the school or cemetery is on federal or Tribal land, the majority of archaeological projects related

to boarding schools do not have any definite legal requirements for the return or care of boarding school students’ remains under laws such as NAGPRA or Section 106 of the National Historic Preservation Act (NHPA). Without clear legal mandates, the CARE Principles serve as guidelines operationalized through extra-legal mechanisms such as policies and enriched metadata, which shift control of research and data collection related to their stolen children toward Tribal Nations.

NABS uses Indigenous data sovereignty as a guiding principle within its own research. NABS regularly consults and cultivates conversations with different Tribal Nations and Native people to determine what research would be most useful for survivors and their descendants and to ensure that it provides a variety of different information that Tribes can use for their diverse needs. For example, NABS seeks to make information about the remaining buildings of boarding schools and burial locations available to Tribal Nations. However, as Tribes have started reclaiming these buildings, they have shared with us some of challenges that come with the publicization of abandoned buildings, such as “ghost hunting” and vandalism. To address some of these issues, we have developed a “Digitization Policy” and “Collections Management Policy,” which outline specific guidelines for consultation and how Tribal-specific information will or will not be shared with a broader public. This work is guided by our Research Advisory Council, a group of mostly Native scholars and community members who have expertise related to both the history of US Indian boarding schools and research and data ethics. The resultant policies guide NABS staff and the board of directors to make specific decisions about what is appropriate for online publication.

This attention to Indigenous data sovereignty also carries over to our work surrounding the repatriation of human remains from boarding school cemeteries, which are not clearly covered under NAGPRA. As a part of a UN filing in partnership with the Native American Rights Fund, the International Indian Treaty Council, the Rosebud Sioux Tribe, and the Saginaw Chippewa Indian Tribe, NABS is currently working with researcher Marsha Small to conduct

ground-penetrating radar (GPR) at two boarding schools—Chemawa Indian School in Oregon and St. Ignatius Mission School in Montana—to determine the location of unmarked cemeteries. The UN filing aims to connect the presence of unmarked cemeteries at boarding schools to archival records that show there were Native children who went missing from these schools and remain unaccounted for. Consulting with Tribal Nations about how this research should take place is essential, given that most are rightfully opposed to any archaeological research that would be intrusive or disturbing to the remains of their children. NABS seeks to move well beyond the basic expectations of professional archaeological practice by engaging Tribal Nations at multiple levels of knowledge reclamation—including consultation, ceremony, review of research priorities, workflow, and community-contributed knowledge, as well as access restriction protocols authorizing Tribal Nations to remove, limit, or flag materials deemed culturally sensitive.

Many Tribal Nations are also asking for their children who have been identified in marked cemeteries to be returned to their communities. One of the places where this has been successful so far is the Carlisle Industrial School Cemetery, which is now the Army War College in Carlisle, Pennsylvania. There are 59 Tribal Nations with children buried at Carlisle and 14 graves in that cemetery that are marked “unknown.” To assist in the identification and repatriation process, NABS held a Tribal Roundtable in November 2017, which brought Tribal leaders and experts in law and archaeology together to discuss this issue and facilitate the repatriation process. We provided Tribal Nations with diverse information and resources so that they could determine how to best use the information to meet the needs of their communities. Although some Tribal Nations determined that children who died at Carlisle should remain in their current resting place, others have decided to move forward with repatriation efforts. As of August 2019, 12 students have been disinterred from the Carlisle cemetery and returned to their relatives throughout the country. NABS’s efforts to identify boarding school sites, in conjunction with our efforts to locate and digitize boarding school

records, will ultimately empower Tribal Nations with the historical data necessary to make repatriation decisions about their children from other cemeteries or ensure that their final resting places are marked and protected appropriately.

Indigenous data sovereignty and the CARE Principles provide a useful framework in these cases, allowing NABS to think beyond collaboration or compliance with federal laws to truly prioritize the needs and wants of Native communities. This means respecting and supporting the decisions Tribal Nations make about data even when those decisions run contrary to what academics might expect or what is beneficial to their careers. In these situations, in particular, it is crucial that academic disciplines—including archaeology—adopt best practices guided by the CARE Principles to uphold and respect the sovereignty of Tribal Nations.

Achieving Social Justice from Within: Tribal Historic Preservation as an Assertion of Sovereignty. Museums, academic institutions, and cultural resource management (CRM) companies are embedded within a system designed to maintain settler colonial power through policies that exclude Native participation in heritage management. Vine Deloria Jr. (1969) has famously critiqued and challenged these cultural heritage institutions and laws designed to protect and grow the capital gained from the conquest and colonization of Indigenous Peoples and lands. Building on Deloria’s critiques, the question I address in this commentary is “How can Indigenous communities, *ourselves*, work toward achieving social justice?”

Tribal Nations are using the tools available to them as leverage to redefine the power relationships between Indigenous people and heritage industries in order to address the wants, needs, and goals of their communities. In North America, Native American communities are engaging with archaeology in two distinct—and sometimes intersecting—ways: through the CRM industry and through Tribal archaeology. CRM involves Indigenous communities working with various governmental agencies to comply with local, state, and federal laws that are meant to protect and preserve cultural heritage. In contrast, Tribal archaeology involves communally led engagements with Tribal cultural heritage

through meaningful, scholarly research, which often involves collaborating with professional and/or academic archaeologists.

In response to San Ildefonso Pueblo's interactions with the state and federal agencies that control parts of its ancestral lands and archaeological work conducted on those lands, my community of San Ildefonso Pueblo is using archaeology as a means to assert our Tribal sovereignty. In our view, we must strive to seek social justice not only for the contemporary people of San Ildefonso but for our ancestors, whose homes and bodies have been disturbed by the past and present practices of archaeology; for the lands and waters, which have been permanently scarred and are rendered restricted by colonial governments; and for the plants and animals, who depend just as much on us as we do them for sustainability. As we see it, social justice in archaeology leads to social justice in other realms. The pueblo made the decision that it could only achieve this goal in a culturally consistent way by having a Tribal Historic Preservation Office (THPO), which is tasked with developing policies on how the Tribe will meet its legal obligations to the US government and what its ethical obligations are to the community.

Prior to the establishment of the THPO, the decentralized structure of the Tribal government often allowed outside entities to skirt their ethical and legal obligations when consulting with the pueblo. This procedural slippage resulted in the mismanagement of San Ildefonso cultural heritage outside of pueblo lands. The THPO has provided the necessary infrastructure within our Tribal government to exert control over our cultural heritage by assuming the duties that would normally be handled by the State Historic Preservation Officer (SHPO). Although a THPO operates within a colonial construct modeled on Western standards of historic preservation, this institution does allow Tribes to resume their responsibilities as stewards of their own heritage. By providing Tribes with a platform to intervene in the construction of heritage laws, THPOs enable Tribes to shape federal and state policies in ways that are more sensitive to Indigenous ethics, values, and methods of protecting and preserving cultural heritage.

The growing number of THPOs across the United States is creating a positive and fundamental shift in the relationships that archaeologists have with Native communities. When Indigenous Peoples are more involved in the legislative process through THPOs—or better yet, create rules that completely upend often weak and misguided Western laws—they are better positioned to assert sovereignty over their heritage and archaeological research. Although archaeologists can (and should!) contribute to social justice in Indigenous communities, it is ultimately Indigenous communities themselves that wield the real power required to achieve social justice by unapologetically asserting their sovereignty.

Red Lake Ojibwe Food Sovereignty: A Means for Social Justice. Indigenous food sovereignty is part of a larger social justice movement, supporting the revitalization of Indigenous cultures by using Indigenous foodways as a catalyst to improve community wellness (Grey and Patel 2015; Martínez-Torres and Rosset 2010). The concept of food sovereignty was defined as “the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems” in 1996 by La Via Campesina, an international group of peasant farmers (Via Campesina 2007). For Indigenous Peoples in the United States, “Indigenous food sovereignty” is largely a decolonization effort to shed the unhealthy effects colonial policies have had on Indigenous lifeways, food systems, and well-being using approaches that are grounded in Indigenous value systems (Grey and Patel 2015; Hoover 2017).

One major food-based social justice concern among Indigenous communities—specifically the Red Lake Ojibwe, is the rise of diet-related health problems among Tribal members. Ojibwe food expert David Manuel attributed the poor health on the reservation directly to colonization:

As colonization crept in, our lands were taken, and our traditional food pathways were cut off, the government started supplementing our traditional needs with commodities, and with these commodities came

diet-related health disparities, and even though it filled their bellies, it gave people diabetes, and obesity, and heart disease [David Manuel, personal communication 2019].

Other Tribal members attributed the prevalence of diabetes, high blood pressure, heart disease, and the shorter life spans among Tribal members to a number of causes, including the consumption of unhealthy and “processed” foods—defined as store-bought food with unknown ingredients, additives, and preservatives—an increasingly sedentary lifestyle, and a lack of healthy food options.

In response to the increase in diet-related diseases such as obesity, heart disease, and diabetes, Red Lake has implemented programs that encourage the production and consumption of traditional Ojibwe foods. These programs include Project Grow, which provides tilling services, seeds, and seedlings to encourage Tribal members to plant their own food. *Gitigaanike* is another local food initiative that hires Tribal members to work in the community garden and to sell these foods on the reservation. Building on this food sovereignty work, I designed a story-based ethnographic project in collaboration with the Red Lake THPO in order to preserve elders’ knowledge about food-based practices for future generations of Red Lake community members (Thompson 2019). Storywork—or using Indigenous storytelling in educational contexts—is a significant aspect of Indigenous knowledge transfer, including within Ojibwe communities (Archibald 2008). The personal narratives and oral histories collected during these interviews document seven major Red Lake traditional foodways, which are (1) maple sugar harvesting, (2) gardening, (3) berry picking, (4) fishing, (5) wild food gathering, (6) wild rice harvesting, and (7) hunting, snaring, and collecting eggs.

In addition to providing detailed accounts of collecting and hunting practices, these stories revealed how foodways are entangled with physical health, medicinal and ceremonial practices, and notions of respect for land and water. As a few Tribal members noted, capitalism affected traditional Ojibwe values of “enoughness”—only taking as much as one needs and treating

the land, plant, and animal relatives with respect. Robin Kimmerer’s (2013) description of Ojibwe wild rice harvesting indicates that in the past, half of the wild rice seeds were left behind even though they could be collected because the plant needs to seed for the following year and because other beings also eat wild rice. In discussing this traditional practice, two of the people I interviewed blamed the collapse of the walleye population in Red Lake on the greed of Tribal members: “We took advantage of those gifts. We weren’t respectful of those gifts” (David Manuel, personal communication 2019). According to Vicky Fineday, fishing “got commercialized where they’re making money off it and . . . because of that greed, we fished out our lake” (Vicky Fineday, personal communication 2019). These comments point to a change in the Red Lake economy from one based on reciprocity and enoughness to a capitalist model of individual wealth accumulation.

Not only did the values change, but there was also a change in how the Red Lake Ojibwe obtained their food. For example, gardening used to be practiced by each family at Red Lake, but nowadays, it is practiced by very few people. Addressing this shift, Fineday stated, “Our kids now can just go to the store and get a bag of chips if they’re hungry. . . . Compared to when I was growing up in the woods and picking berries” (Vicky Fineday, personal communication 2019). According to Tribal members I interviewed, loss of culture, traditional values, and health can all be combated through the revitalization of traditional foodways. By eating and partaking in traditional food harvesting, Ojibwe people can make themselves physically, mentally, emotionally, and spiritually well again. Furthermore, by practicing Ojibwe values of respect and enoughness, the Red Lake community can reinstate the health of the land and animal relatives.

Rather than using a Western framework that assigns food a value based on its nutritional worth, this research takes an Indigenous approach, which centers the reciprocal, respectful relationships humans can cultivate with their plant and animal relatives. Incorporating values such as enoughness into research offers one example of how Indigenous concepts can

support social justice initiatives that are grounded in the axiology of the collaborating community. Ultimately, using research methods that center Indigenous storywork and intergenerational knowledge transfer offers one pathway for archaeology and anthropology to create a more equitable future for Native people.

Critical Self-Reflexive Collaboration

The three commentaries in this subsection critically reflect on the role of engaged archaeological and ethnographic research in facilitating Indigenous self-determination and sovereignty. Taking a macrolevel approach, Peter Nelson critiques governmental policies that use essentializing anthropological narratives to strip Indigenous Peoples of their federal status and associated rights. Similarly, Jun Sunseri and Isabelle Trujillo's case study critiques the way in which contemporary heritage management parameters constrain the self-determination of *genízaro* communities. Their work with the community of Abiquiù demonstrates how local concepts can be used to structure research in ways that support sustainable landscape management policies. In contrast, GeorgeAnn DeAntoni, Gregg Castro, and Tsim Schneider's discussion focuses on the microlevel interventions that academics can make to incorporate Indigenous perspectives and respect Tribal sovereignty. A shared argument across these case studies is the need for archaeologists to adopt a broad approach to collaboration that respects multiple forms of sovereignty among Indigenous Peoples.

The Desire to Know: Pathways to Social Justice in Archaeological Research with Indigenous Peoples. George Nicholas (2008:1660) states that Indigenous archaeologists seek to make archaeology responsible and relevant to Indigenous communities, redress inequalities in the practice of archaeology, and broaden archaeological interpretation to include Indigenous worldviews, histories, and science. Contrary to critiques about the rigor of Indigenous archaeologies as social projects that do not contribute to academic knowledge production (e.g., McGhee 2008, 2010), a growing body of scholarship has demonstrated how research based in community values and knowledge can drive and enrich the production of both community and academic

knowledge (e.g., Cipolla et al. 2019; Croes 2010; Gonzalez 2016; Nelson 2019; Silliman 2008). Community-based projects prioritize communities and their concerns to ensure that archaeological research serves community goals and protects their heritages. By decentering the position of scholars, community-based research leads to knowledge production that is culturally and socially relevant and appropriate rather than knowledge that is produced for its own sake (Tuck and Yang 2012).

The narratives and knowledge we produce as scholars can have tremendous impacts on the communities these narratives concern. Projects that do not engage with communities at best have the potential to disregard the sovereignty and self-determination of Indigenous nations. At worst, these nonengaged projects can seriously compromise, damage, or injure the communities and heritages with which they are working. For example, research on California Native American Peoples by Alfred Kroeber, Frederic Putnam, Edward Gifford, C. Hart Merriam, and their cohort of anthropologists was conducted without consideration of its impacts to the people within these communities or their contemporary concerns. Although these scholars produced a large amount of knowledge about Native culture and language, they were primarily concerned with reconstructing "precontact" or "pristine" versions of these cultures (Lightfoot and Parrish 2009:77–78; Platt 2011:48; Simons 1997:51).

In the *Handbook of the Indians of California*, Kroeber (1925) explicitly stated that certain Tribes within the areas of direct Spanish missionization were acculturated and culturally extinct. Although Kroeber never intended to have a negative impact on the people with whom he worked, his research was used by the Bureau of Indian Affairs (BIA) to evaluate the federal status of Tribes from the northern, central valley, Sierra, and southern regions of California for the purpose of land settlements in the Indian Claims Commission Act of 1946 (Shipek 1989). "Extinction clauses" within the anthropological literature of California informed the criteria used by the BIA to deny legal status to those Tribes on the coast between Sonoma and San Diego Counties (Panich 2013:112). Federal

recognition status can be a tremendously important supporter of Tribal sovereignty in that it allows communities to access many reserved rights that are not afforded to nonrecognized Tribes, such as the right to establish a reservation or land base for their people and to consult with federal agencies to protect Tribal cultural and natural resources.

Alfred Kroeber and Robert Heizer (1970:2–3) both testified during the Indian Claims Commission hearings in 1955–1959 and attempted to partially rescind these extinction clauses by qualifying that certain Native American groups in California were still viable, living communities, even though their culture was “extinct” or could not offer anything new for anthropologists to study. Despite this moment of good faith toward Native American communities, Kroeber and Heizer’s perspectives still privileged external anthropological standards of research as the valid arbiter of these communities’ statuses.

Alfred Kroeber’s work produced great acclaim for both him and the University of California–Berkeley (UC Berkeley), securing their futures, while the extinction clauses within this work and the BIA determinations based on his work contributed to great uncertainty in the futures of many Native American Tribes that were erased from contemporary maps of California. One such community is the Muwekma Ohlone Tribe of the San Francisco Bay Area, which is the sovereign nation whose territory encompasses the land where UC Berkeley is located (Field 1999; Leventhal et al. 1994). This Tribe received a denial determination on its petition for federal recognition in 2002, despite tracing its lineage as a community back to the Verona Band living at the Alisal Rancheria in Pleasanton prior to 1915 (McCaleb 2002). Because Tribes must be federally recognized to access federal laws such as NAGPRA, institutions such as UC Berkeley’s Phoebe A. Hearst Museum can deny the requests of these unrecognized Tribes to repatriate ancestors, irrespective of the values and wishes of Indigenous communities. Such legal loopholes further secure the futures of the settler university at the expense of Native American Peoples and Tribes.

Laurajane Smith (2004:137) highlights the connection between federal regulations and

archaeological values and knowledge: “In defining Indian material culture as ‘archaeological’[,] any non-archaeological claims to know the significance and meaning of the pasts and histories this material represents are immediately undermined and called into question.” This legal relationship allows archaeologists to assign meaning to Indigenous cultural heritage in ways that facilitate settler ownership of Indigenous resources and land. Similarly, members of my own Coast Miwok and Southern Pomo communities have expressed fears that by digging up all the remains and items left on the land by our ancestors, the physical traces of our people will be erased from the earth by settlers. Furthermore, they are concerned that these remains will be used to help legitimate settler claims to this land. As discussed by Aguilar, these materials, sites, places, and landscapes are active agents in our living cultures. Tribal communities should be able to determine how to engage with these entities and the knowledge around them through community Internal Review Boards (IRBs), which reflect cultural laws and protocols that do not harm the entities, the individual, and/or our communities.

As a brief example of this approach to social justice, I will describe some measures that I developed with the Tribe in which I am enrolled—the Federated Indians of Graton Rancheria—that honor the nonhuman personhood of our heritage sites and protect them from future harm. I, as an Indigenous scholar, am also not immune to replicating colonial structures of oppression through research, and so I used community-based methods to ground my project in the desires of my community, our heritage, and our futures. I worked with elders, Tribal citizens, committees, and the Tribal council to identify research values and protocols for the work. These protocols included continual approvals and reapprovals from multiple committees and the Tribal council for the adaptive research design, methods, and narratives produced; reburial or curation in the ground of the materials we collected after the project was completed; and confidentiality of all site locations and sensitive materials (Nelson 2019). We treated these sites like living human relatives and gave them the same protections that a

university's IRB would afford living persons in an ethnographic study. Specifically, each site was given a pseudonym unique to the project and publication so that their identities would remain anonymous. The identifiers for these sites remain with my Tribe, which ensures that potential looters, public historians, agencies, CRM and academic archaeologists, and anyone else seeking information about them will have to abide by the same community-engaged protocols that I did during my project.

These protocols shift the position of expertise and authority in narratives and knowledge production to my community, whose heritage is being considered, while not excluding the possibilities for settlers and non-Native scholars to engage with this information responsibly and ethically in the future. As Eve Tuck and Ruben Gaztambide-Fernandez explain, "Indigenous futurity does not require the erasure of now-settlers in the ways that settler futurity requires of Indigenous peoples" (2013:80). Rather than generating settler narratives about Indigenous Peoples in which their lives and futures are reimagined, and federal recognition statuses extinguished, community-based approaches center contemporary Indigenous Peoples, questions, concerns, and protocols within the research. My work has also foregrounded a recognition of the agency that these heritage sites have in our lives and the potential to preserve futures for them and us when we are attentive and responsive in our relationships with them.

Accountability as Litmus: The Work of Partnership in Collaborative Archaeology. Abiquiù is said to mean "chokecherry place" by some neighboring pueblos, or "cat-tails place" by others. Later, it was known as the "screech of an owl." People of and those fighting for the Pueblo de Abiquiù in Rio Arriba County, New Mexico, recognize and practice their indigeneity via oral history and cultural traditions, central to an upbringing alongside many close relatives. Never have they left the thought of their Pueblo ancestry, especially at Moki, the oldest settled area, just above the plaza where Hopi Tewa still migrate to pay homage to ancestral lands.

The people of Abiquiù face many challenges to their collective sovereignty from federal land management agencies who continue to disallow

many of the practices that the people of Abiquiù have successfully used to manage the land and watershed for generations. Community members' observations of visiting strangers' probing for cultural resources exacerbate concerns about heritage protection, given that many lands in New Mexico were taken away by agencies that were intended to "help them take care of their lands." Of the many constraints on community sovereignty, few have the kinds of impact that a large northern conservancy project has. The funded tunnels from the San Juan watershed diverts precious resources into the Rio Chama and eventually to the Rio Grande for Mexico, Texas, and New Mexico to have enough water, but with no allocation of water rights for any small farms along the Rio Chama. Instead, when urban Albuquerque joined the northern conservancy project, the government gave financial support for their water rights, but the small villages of Rio Arriba County ended up without any water rights or storage space in the nearby, federally constructed Abiquiù Dam.

Community-driven collaborative research involving community elders, leaders, and youth can rekindle important perspectives that may serve these communities in their struggles for self-determination over natural resources. The Pueblo de Abiquiù Library and Cultural Center has been at the vanguard of securing partnerships to prepare the next generation with the appropriate knowledge and skill sets to steward these resources. Among this network of local initiatives to reinvest knowledge and practice into community sovereignty, nonlocal archaeologists from UC Berkeley were recruited by the community to aid in data recovery and new research. The resulting Berkeley-Abiquiù Collaborative Archaeology (BACA) partnership was built to supplement long traditions of local heritage resource management and active stewardship, as well as to increase narrative control in a community often relegated to lesser authority by bureaucratic mechanisms, nonlocal objectification, and other processes of settler colonialism. This partnership includes a diverse team of volunteers, faculty, undergraduate and graduate students, community secular leaders, youth, and professional archaeologists from private and public sector agencies. BACA represents but

one set of partners in an entire coalition working on issues of sovereignty, sustainable landscape management, and the resilience of cultural practices in land grant communities. These scholars, activists, and community leaders see close connections between land, identity, and community practices, and they mobilize many facets of these deep stewardship principles as part of an emancipatory heritage praxis.

From the start, the BACA partnership was formed around descendant community priorities in research questions, design, implementation, and application of archaeological methodologies. Ongoing priorities include heritage resource protection, cultural revival, watershed and land management, and water rights. BACA's partnerships work to record and report back to the community about its long history of sustainable watershed management practices while also focusing on intergenerational skills and knowledge transfers within the community and allied rural villages. Research agendas and modes of reporting the archaeological work are guided by community priorities and the concepts of *permissio* and *respecto*. In aligning with extant community authority structures—such as the Merced Board, elders of the community, and the Library and Cultural Center—BACA is developing locally controlled visitor-oriented narratives about history and culture while preparing the next generation to take the reins of land and watershed management.

Ultimately, our work is meaningfully engaged with the community's long struggle for self-determination. If other communities are interested in building new partnerships that support deep-time perspectives regarding land, water, and community, the BACA partnership may serve as a model or sounding board for ideas. As a litmus for community-accountable archaeology, newly partnered communities could and should hear from not only archaeologists who work within such commitments but especially contemporary community practitioners who have critical investments in such practice and who can speak to how structures of accountability have served or failed their needs.

This kind of work confronts the idea of nonlocal stewardship, which is presented by agencies and organizations such as the Society of

American Archaeology in their principles of ethics. Rather than assuming that nonlocal methodologies and epistemologies are superior to long-honored practices of care for heritage landscapes and resources, engaged partnered work accountable to community leadership recognizes the centrality of traditional ecological knowledge and Indigenous knowledge systems for sustainable archaeological praxis. An “emancipatory archaeology” (Saitta 2007) of community-accountable partnership is linked to both vulnerability for the nonlocal archaeologist and the realization that community partners shoulder the majority of risk. Dividing time, energy, and other resources to focus on the narrow needs of an academic researcher and the kinds of timelines expected by the academy must be weighed against the realities of daily life. Ongoing investments by descendant and local community members in the work of heritage stewardship are also at risk if the nonlocal partner's work is used to delegitimize or dilute previous arguments for sovereignty. For example, in New Mexico, water rights litigations have been informed by archaeologists both in allegiance and in opposition to rural communities and their *acequia* associations—traditional irrigation cooperatives.

This has broader implications for the accountability of nonlocal archaeologists to their local partners who are literally and figuratively in the trenches doing the work that their communities have identified as having tangible outcomes locally and potentially globally (Pikirayi 2009; Schmidt and Pikirayi 2016); work that adds to their personal risk. Nonlocal archaeologists may serve as resources for the kinds of data presentation that leverages their status for negotiations with bureaucrats, such as GIS shapefiles and letterhead to a government agency that has been confronted with paper maps and arguments about boundaries for years. Standards of chronometric dating, geophysical instrumentation, and geomorphological methodologies that are brought to bear on issues prioritized by local leadership may be powerful negotiating tools in efforts to retain and expand authority over critical resources such as forests, range, and watersheds. But without doing the significant and time-intensive work to find commonalities in the

efforts of local archaeologists and stewards as well as nonlocal researchers who have been invited to partner, there is little hope that appropriate structures of accountability can be built and managed jointly (Sunseri and Gonzalez 2020).

Community partners may be left feeling railroaded by the academic calendar and bureaucracies that suffuse the nonlocal archaeologists' experiences and expectations. Furthermore, these communities rarely see control over financial and physical resources that are brought forward on joint projects. BACA is rare in how much of its research agenda and outputs have been controlled locally rather than by university accounting bureaucracies. However, the illegibility of work that prioritizes community-accountable products and deliverables over publications and big (nonlocally controlled) grants also contributes to the kinds of career risks to which few academics are not averse. Constant communication, co-crafted attempts at diverse and frequent forms of reporting, and adherence to local leadership and traditions are critical components to sharing risk and increasing the relevance and efficacy of partnered archaeological research products.

Collaborative Archaeology on the Central California Coast. Since Joe Watkins (2000) published *Indigenous Archaeology* 20 years ago, examples of community-driven research framed by a commitment to social justice have multiplied, and a growing number of archaeologists are foregrounding the values and epistemologies of Indigenous Peoples at all stages of research. Except in a few cases (e.g., Dowdall and Parrish 2003), in California, much of this recent work is anchored in the academy and represents what is only the latest pulse of Indigenous-archaeological partnerships with, for, and by Indigenous communities. Well before collaborative, community-based, and Indigenous archaeologies were named within the academic lexicon, California Tribes and archaeologists worked together to protect ancestors, heritage sites, and natural resources as mandated under newly emerging federal and state laws (e.g., Hughes 2013:14–15). No doubt, Tribal citizens throughout California and beyond can name relations who safeguarded significant places by monitoring construction projects and raising their voices (Martinez 2006:496–497).

By evoking a longer record of Indigenous participation in California archaeology, our goal is to highlight the legacy of California Tribes pursuing social justice and to help make sense of still other cases of epistemic violence that persist despite our new era of “reformed” archaeology (Schneider and Hayes 2020).

In their vision of an archaeology for social justice, Claire Smith and Martin Wobst (2004:393) advocate for “more research on the places that are important to Indigenous peoples in the present, rather than on the very old sites that primarily are of interest to archaeologists.” Such projects include turning attention to the places where Native families fished, gathered basketry materials, and celebrated their loved ones—sites that may not be easily detected but are equally important to community priorities and Indigenous epistemologies of place today—and they encourage greater partnership between Native communities and the researchers who work alongside them (e.g., Brown et al. 2018; Lepofsky et al. 2020).

At a place called Toms Point in western Marin County, for instance, archaeologists are helping to unveil the story of a California Indian community associated with a mid-1800s trading post. Hired as seasonal labor in an exploitative settler economy, Coast Miwok and Pomo people contributed to the regional hide and tallow trade that linked California to a global market. During that time, Native workers also fished, collected shellfish and native plants, and fashioned tools from bottle glass and obsidian (Schneider et al. 2018). At places such as Toms Point, Indigenous people maintained and remade traditional knowledge in relationship to homelands that archived the memories and resources necessary for survival even when European and American newcomers worked to eliminate those enduring connections. Reinforcing the story of cultural persistence accessed through the history and archaeology at Toms Point, one of the more impactful aspects of this project involved hosting site tours and an archaeological monitoring workshop for Graton Rancheria (Coast Miwok and Southern Pomo) community partners. Stepping farther into the future and away from a dark history of brutal missions, a suite of exploitative nineteenth-century mercantile projects,

state-sponsored genocide, and the ongoing occupation of traditional lands by the United States, this was the first gathering of Coast Miwok and Pomo people at Toms Point in 150 years.

Socially responsive archaeology, for us, means prioritizing the wishes of descendant communities and recognizing their power and authority to make decisions over the study and interpretation of their heritage. On the California coast, socially responsive archaeology demands acknowledgment of multiple forms of sovereignty. Although there are more than 100 federally acknowledged California Tribes, a roughly equivalent number of Indigenous Californian communities remain unrecognized. Many of these Tribal groups, such as the Salinan Peoples of the central California coast, are persistent in their efforts to protect and understand their homelands despite their lack of federal status (e.g., Rogers 2020). Between 2017 and 2019, the Salinan T'rowt'raahl community collaborated with University of California Santa Cruz (UCSC) archaeologists to develop a project using "postcontact paleo ethnobotany" to explore Salinan plant use for food and medicine before, during, and after missionization.

After more than a year of meetings to discuss how and where to study the persistence of Salinan ethnobotany, not every member of the community agreed with the proposed practice of archaeology, which carries a "deep sense of compromise and sacrifice" for many Native people (Castro 2017:301). Archaeology's long history of destruction meant that further ground disturbance in the homeland was antithetical to the community's current goals and needs. Ultimately, it was an ethic of social justice that underpinned the Salinan community's sovereign decision *not* to allow excavation in their homeland. This experience pushes us to think beyond the invasive techniques and cultural violence that define archaeology in the minds of many Indigenous Peoples. Following Atalay (2008:133), we still need more "practical and ethical training to engage productively with community representatives, even in cases where collaboration ends without archaeological research being conducted."

Connected to the design and implementation of relevant and responsible research, we should

also consider how we teach archaeology. Doubling down on Atalay's (2006, 2008) call for a "pedagogy of decolonization," we believe that archaeology classrooms can be transformative spaces (Tuck and Yang 2012:19–22). We acknowledge that few students in an introductory archaeology course will become archaeologists, yet stitching core principles of socially just research into the fabric of introductory courses can raise awareness of archaeology's current political ramifications and help students to think critically about settler colonialism and Indigenous sovereignty (Ladson-Billings 1995; Paris 2012; Pewewardy 1992). Culturally responsible, relevant, and sustaining pedagogies might also help transform public opinion about Indigenous Peoples as active and knowledgeable citizens fully capable of embracing aspects of Western science as well as the responsibilities to their cultures and communities.

Archaeological pedagogies of social justice can be enacted in a variety of ways. For one, land acknowledgments at the start of class can quickly situate course content within longer historical narratives of Indigenous persistence and the ongoing structural impositions of colonialism. In a UCSC course designed for nonanthropology majors, Monterey Bay Area Tribal leaders are invited to speak in class—the first and last encounter many students will have with a California Indian. For another archaeology class, undergraduates with limited prior knowledge about paramount issues in California Indigenous history participate in an educational hike through UCSC's natural reserve with Valentin Lopez, chairman of the Amah Mutsun Tribal Band. In this place-based educational opportunity (Marin and Bang 2018), Chairman Lopez leads the class in a discussion of colonial missions and intergenerational trauma as well as the Tribe's efforts to revive dormant ecological knowledge and heal the world in keeping with its mandate from Creator.

The continuing efforts, successes, and trials of Native communities working alongside archaeologists in California give texture to the rich terrain of social advocacy with, for, and by Indigenous Peoples. Our characterization of Indigenous archaeology also sheds light on the need for curricular enhancements that center the

development and application of socially responsive research designs (Wildcat et al. 2014). Whether students become archaeologists or not, training and mentoring them to be ethically informed will move us a few steps closer to dismantling deeply embedded structures of social inequality.

Reflections and Future Directions

The seven commentaries compiled in this forum document the heterogeneous ways that Indigenous scholars and communities in the United States have engaged with the concept of social justice. Indigenous sovereignty is at the center of all these conversations and is essential to decolonizing the field of archaeology. As we conceptualize it, a sovereignty-based social justice approach engenders structural change by revealing and challenging the persistent injustices experienced by Tribal Peoples (Claus 2016:35). Within this framework, social justice entails critically examining the ethical codes, professional standards, research priorities, and terminologies used by archaeologists and restructuring laws, policies, and research practices around Native American cultural heritage (Atalay et al. 2016:12).

Several of these commentaries engage with the concept of intellectual sovereignty by systematically working to unveil the problematic ways in which authorized heritage discourses have maintained core assumptions about Indigenous presence and stewardship expertise—practices that enforce hegemonic policies surrounding the management and expression of Indigenous heritage (Smith 2010:64). For example, McCleave, Miron, and Carroll use the concept of data sovereignty to advocate for a collaborative framework for working with Tribal Nations to research and heal the historical trauma induced by the Indian boarding school system. As they and many other contributors note, respecting cultural sovereignty may require archaeologists to do things that are not beneficial for their careers. Tsosie's discussion of DNA testing at Chaco Canyon also uses the concept of data sovereignty to address the continued power imbalances between Western researchers—in this case bioarchaeologists—and Native American communities.

These power imbalances are perpetuated by legal interventions such as NAGPRA, which contain descriptive categories that fail to protect Native American data, including objects of cultural patrimony and human DNA.

The concept of Indigenous intellectual sovereignty is also evoked by contributors in their calls for distributive justice. Within this framework, archaeological theories, methods, and data should be used to redistribute the outputs of archaeological research in ways that Indigenous communities deem valuable, useful, and appropriate (Claus 2016:35). For example, Thompson's work with the Red Lake Ojibwe demonstrates how researchers can employ Indigenous concepts, such as storywork, as collaborative methods to document traditional foodways in ways that redress the impacts of settler colonialism on communal health. As Aguilar's discussion shows, THPOs are a pragmatic way in which Indigenous communities can work within existing legal frameworks to reclaim authority over their cultural and intellectual resources. By assuming the duties of the state in managing cultural resources, THPOs assert a strong form of sovereignty over archaeological knowledge and elements of Indigenous lifeways that are connected to it. At the broader level, Aguilar's contribution also reminds us to recognize the power dynamics within Indigenous communities themselves, including how Tribal sovereignty drives Tribal cultural resource best management practices and how Tribes are controlling their own culture and heritage.

At a basic level, sovereignty-based social justice requires the full participation "through equality of status and access to resources" of Native communities (Johnston and Marwood 2017:13). As many of the case studies show, community-based participatory research models can minimize power differences between researchers and Indigenous partners by incorporating Indigenous goals and values as well as their epistemologies and ontologies into the development, execution, and interpretation of research (Gonzalez et al. 2006:404; Smith and Waterton 2009). Several contributors to this forum present a critical self-reflexive approach to collaboration, which highlights the ways in which archaeologists have meaningfully engaged with the current struggles of Indigenous

Peoples for self-determination regardless of their federal recognition status. Nelson's case study reveals the problematic relationship between archaeology and the legal frameworks that arbitrate the federal recognition of Native communities. Settler and archaeological tendencies to define Tribal entities in narrow terms undermine Indigenous claims to knowledge and assertions of identity. Sunseri and Trujillo's work at the Pueblo de Abiquiù offers another compelling critique of extant models of stewardship. In laying out a future-oriented research design, they argue for a new set of ethical practices, which situate archaeologists as partners with—rather than principal investigators of—Indigenous cultural heritage. In a similar vein, DeAntonni, Castro, and Schneider's discussion of socially responsive archaeology on the California coast demonstrates how moving beyond the structures and mandates of federal law can shift control over heritage from the hands of researchers and legislators to those of Indigenous communities. Their commentary identifies pathways for institutionalizing collaboration by incorporating Native Peoples and priorities into pedagogical practices.

The commentaries in this forum demonstrate how scholars working in the United States can critically and creatively engage with the discipline of archaeology to dismantle settler colonial power structures, research frameworks, and pedagogical practices (Ferris and Welch 2014:230). Although there have been various parallel movements within archaeology to make the field relevant to descendant communities, the sovereignty-based social justice framework promoted throughout this article emphasizes the role of Indigenous communities themselves in achieving equality. By “participating in shared dialogue, writing in ways that resonate with each other, identifying common barriers, and arguing for what Indigenous research ought to be” Indigenous archaeologists play a particularly important translational role in addressing persistent injustice (Archibald et al. 2019:8). Ultimately, it is at the intersection of collaboration, advocacy, and storytelling that the discipline of archaeology can build a more equitable form of praxis that truly foregrounds and embraces the lived realities of Indigenous Peoples in the United States.

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