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Foreword

The Affiliation Conference on Ancestral Peoples of the Four Corners Region took place over three two-day periods, in January, February and April of 1998. The conference, the result of a cooperative agreement between the National Park Service and Fort Lewis College, was intended to bring together tribal representatives, government agency representatives and members of the academic community to discuss issues concerning the affiliation of archaeological materials and sites that have traditionally been classified as *Anasazi*. The conference was a response to issues raised by the implementation of the *Native American Graves and Repatriation Act* (NAGPRA).

The individual workshops and the list of invited participants were established by a committee comprised of representatives of Four Corners tribes and the academic community, Fort Lewis College and the National Park Service. The resultant three-volume proceedings are the formal record of these three meetings. They comprise transcripts of the various workshops that were held during the individual meetings and formal papers that were submitted by academic participants.

The transcripts were made from tape recordings of the meetings. At the beginning of each workshop, participants were given the opportunity to turn off the recording at any time, if they wished to discuss matters in executive session. First drafts of the transcripts were then checked by either Allen Bohnert (NPS) or myself, a process that involved listening to all the recordings and checking the written transcripts against them. This draft was then sent out to participants in November, 1998. Amendments were then made based on their responses. In some instances, it was impossible to transcribe what was being spoken. Those instances are marked in the transcripts by a series of dots. In very few instances was so much missing as to make the comments unintelligible. Academic papers were not peer-reviewed. The only changes I have made to them is to standardize their format.

A project this size depends on many people for its success, and naming individuals is always risky lest one inadvertently omit some. If I have done so, I apologize for such a lapse. The following deserve special recognition. I wish to express my thanks to Allen Bohnert, my counterpart at the National Park Service. Allen's commitment to this project is in no small way responsible for any success it might enjoy. I am also grateful to Eric Blinman (Museum of New Mexico), Mr. Vincent Lujan (Taos Pueblo), Alexa Roberts (National Park Service) and Virginia Salazar (National Park Service) for providing steadfast support and sound advice. I thank Catherine Conrad (Fort Lewis College) for accomplishing the monumental task of transcribing the proceedings and FLC students Michael Zukosky, Tansey Smith and Elaine Anderson for both helping with the transcribing and with the running of the workshops themselves. Finally, on behalf of the organizing staff of Fort Lewis College and the National Park Service, I record my sincerest debt of gratitude to all the participants. Their sincere commitment to this project's goals has given all of us cause for optimism that finally the right thing will be done.

Philip Duke
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CULTURAL AFFILIATION OF WESTERN PUEBLOS: THEORY AND PRACTICE

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The Native American Graves Protection and Repatriation Act (NAGPRA) has changed the way that anthropology is conducted in the American Southwest. At the same time, it has changed the way that tribal and federal governments interact on issues of cultural resources. Our goal in writing this paper is to foster communication between archaeologists currently studying the topic of cultural affiliation and federal and tribal representatives who use cultural affiliation studies to implement NAGPRA.

Throughout the Southwest, archaeologists have renewed their interest in topics that clearly relate to the study of cultural affiliation, such as migration and community reorganization (e.g., Cameron 1996; Spielmann 1998). These studies hearken back to investigations of migration conducted almost 50 years ago (e.g., Haury 1958). However, there is a new degree of sophistication in how these studies are undertaken because of the way that archaeological research has changed over the past two decades. One of these changes has been that the level of technical expertise in the field and laboratory has increased substantially. Even more importantly, archaeologists today are working in new contexts and with new theories.

At least some of this change is attributed to the implementation of NAGPRA, which has promoted a better understanding of the relationship of contemporary groups with past groups (Ferguson 1996). To differentiate between those in "academic," "government," and "tribal" contexts is to falsely characterize the nature of archaeological practice today. The lines between academic and nonacademic archaeologists are blurred. Many nonacademic or government archaeologists actively conduct and publish their research (e.g., Roney 1996; Windes and Ford 1996). Similarly, most Southwest archaeologists employed in colleges or universities have considerable experience in cultural resources management projects, or have worked in federal, state, and tribal archaeological programs. Many tribes today employ archaeologists in research and historic preservation programs. Projects involving Native American participants are now the norm rather than the exception by those working in academic institutions. For example, the University of Arizona regularly includes Native American students at its Field School (often with scholarships), funds visits by traditional cultural advisors to visit ongoing excavations, funds Native American speakers at field schools and in campus forums, and makes visits to tribes to update them on current work (Mills 1996).

New interpretive frameworks are being used that affect the way that Southwestern archaeological research is structured. These general frameworks include considerations of factors such as gender, race, and class (e.g., Brumfiel 1992). Studies of prehistoric economies are still a baseline for research, but these studies are now used to illustrate how material items are contextualized by a consideration of their ideological, political, and social settings. Simple recitation of the decade old debate between processual and post-processual archaeologists is now outmoded. Instead, contemporary archaeologists are looking more closely at topics such as human agency, practice theory, and alternative trajectories of complexity, without abandoning the need for evidentiary links. The disillusionment of the radical critique has been replaced by a renewed appreciation of the multi-faceted nature of the archaeological record -- and the multiple perspectives that can be brought to bear in its interpretation.

With mutual interest in issues such as migration and cultural identity, and a greater understanding of the way that tribal, state, and federal programs operate, it would seem that there should be a close match between the use of contemporary archaeological studies and the process of implementing NAGPRA. However, there are certain structural gaps between archaeological research and NAGPRA that prevent a full interaction or dialogue between the various participants. This paper is one attempt to identify what these gaps are, and how bridges might be built between them in future studies. First, we discuss why those gaps are present. Then, we discuss current archaeological theories that relate to study of cultural

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affiliation. Last, we look at a sample of published reports written to comply with NAGPRA to see how the practice of determining cultural affiliation makes use of anthropological studies.

DEFINITIONS OF CULTURAL AFFILIATION

One basic reason why the theory and practice of cultural affiliation studies are at a disjuncture in the Southwest is definitional. As defined by NAGPRA, cultural affiliation is:

> "a relationship of shared group identity which can be reasonably traced historically or prehistorically between ***a present day Indian tribe*** ... and an identifiable earlier group" (emphasis added).

In contrast is a definition which we think captures the more general usage by Southwestern archaeologists:

> Shared group identity, including the relationship of one individual with a group, or one group with another group.

Two major differences between these two definitions may be highlighted. First, the NAGPRA definition specifies that cultural affiliation is a relationship between a present-day Indian tribe and a past group. By contrast, the general archaeological usage is primarily concerned with the relationship between past groups, with little or no reference to present-day groups. Second, the NAGPRA definition specifies that the present-day group is at the social scale of the Indian tribe. Again in contrast, general archaeological usage may investigate households, supra-household organizations such as ritual societies, and communities — all of which may have been subsets of tribes, if "tribes" as we know them today even existed in the past.

Another difference is that most contemporary archaeological studies rarely use the term "cultural affiliation," often substituting the term "ethnicity," a term that is not found in NAGPRA. We use the term group identity instead of ethnicity, because group identity is found in both general archaeological usage and the language of NAGPRA. Group identity is a term more coherent with contemporary archaeological theory, as we discuss below. Aside from definitional differences, the major underlying issues in cultural affiliation are twofold: (1) How are prehistoric groups defined? and (2) How do we make linkages between present-day groups and past groups? To answer these two questions, we now turn to a consideration of current archaeological method and theory.

CONTEMPORARY ARCHAEOLOGICAL THEORY AND THE STUDY OF CULTURAL AFFILIATION

Contemporary archaeological theory addresses many of the ideas underlying the study of cultural affiliation. These theories do not negate the usefulness of particular data categories. Rather, they provide some guidelines or boundary conditions on assumptions and approaches to the information used in the construction of cultural affiliation studies. We suggest that there are five common assumptions made in the study of cultural affiliation or group identity through time that may or may not be true under different conditions. These include the ideas that:

1. the term ethnicity or ethnic identity is a synonym for cultural affiliation;
2. cultural affiliation is ultimately based upon a biological relationship;
3. cultural affiliation is always accessible through shared material culture;
4. culturally affiliated groups are equivalent to archaeological cultures; and
5. interactions have been static in the past allowing one to look at a particular group's history through a model of unilineal transmission.

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The idea that cultural affiliation is equivalent to the term ethnic identity or ethnicity can be challenged on a number of fronts. Identity is a multi-faceted construction. It can reflect membership in religious organizations, social status, gender, and age -- in addition to group identity (Jones 1997; Shennan 1989). Frederick Barth (1969), often cited for his pioneering work on ethnic groups, reflected on the fact that ethnicity was only one way that the individuals in his groups constructed their own identity. The assumption that identity is always at the group level ignores the fact that identity is context-driven. An individual may at once belong to different kinds of groups. In addition, an individual's group identity may change under different circumstances, such as inter-marriage or re-location in which individuals choose to identify themselves as members of a different group than the one they were born in.

Even the very term "ethnicity" has been challenged as a concept. Some of the anthropological literature suggests that ethnic groups are only present in situations where dominant and resistant groups are present, such as in state-level political systems or industrialized economies (Alonso 1994; Gellner 1983). The point is well-taken. Were there ethnic groups at the time the Clovis hunters and gatherers (or their antecedents) moved across the continent of North America? If distinctions of group membership are only made at the scale of households or clusters of households and land tenure is fluid (e.g., among California hunter-gatherers at the time of European contact), one can legitimately ask whether the concept of ethnic groups is useful. For these reasons, many archaeologists working in the Southwest are avoiding the use of the terms "ethnicity" or "ethnic identity," and replacing them with other terms such as "group identity."

A major assumption of many studies, including some done for NAGPRA, is that cultural affiliation is ultimately based on a biological relationship. Although this is often true, there are some situations in which cultural affinity and biological affinity are not identical. Individuals constantly move and inter-marry, creating frequent gene flow between populations. In addition, biological inheritance and cultural inheritance are not the same phenomena. If an individual changes cultural affiliation through language acquisition and/or group membership, biological variation is not changed. Moreover, from an analytical standpoint there are many different ways of measuring biological variation, each of which can produce differences in assessments of biological similarity. An analysis of molecular genetic data, such as mt-DNA, will likely produce different groups than an analysis of morphological data derived from dental traits.

The assumption that cultural affiliation or group identity is archaeologically identifiable through shared material culture should also be placed in perspective. Only some artifacts are useful for identifying cultural relationships. Only some attributes of those artifacts may be meaningful for cultural affiliation studies. Technological variation, especially variation learned by seeing the process of production, is becoming more widely used. This is known as technological style (Lechtman 1977; Lemonnier 1993; Pfaffenberger 1992). Decorative style can also be important, but its usefulness in differentiating groups through space and time requires careful study of the context and content of its use.

Archaeological cultures such as "Anasazi" and "Mogollon" are outdated concepts. Many archaeologists now use the term Ancestral Pueblo rather than "Anasazi" or "Mogollon" (Dongoske et al. 1997). For the post-AD 1000 period, differences between sites attributed to "Anasazi" and "Mogollon" can often be accounted for by environmental setting rather than distinctive social identities. In other cases real differences are simply not present, but they are assumed because of physiographic boundaries like the Mogollon Rim. The idea that archaeological cultures can be equated with differences in material culture has been addressed above. As a specific example to the contrary, Anna Shepard (1953) long ago suggested that the color of cooking pots (brown vs. gray) may be more closely tied to the kinds of clay available below the Mogollon Rim in contrast to the Colorado Plateau, rather than the identities of the people who made them. This is not to say that archaeologists can not differentiate subgroups within the Ancestral Pueblo area, nor that some of these subgroups might be more closely affiliated with one contemporary pueblo than another. The most important implication is that for the post-AD 1000 period, geographical boundaries between "Mogollon" and "Anasazi" should be erased, and particular regional histories re-examined.

This reexamination cannot be done without considering the dynamic interactions that occurred in the past. Contemporary archaeologists do not look for the unilineal transmission of one group's identity to another. Instead, migration is recognized as a frequent option. Migration occurred at various scales; sometimes individuals migrated alone, sometimes in groups. The social scale of migrating groups can also varied. For example, household migration was more common than migration of whole communities in the late-AD 1200s (Duff 1998; Mills 1998). However, we do have examples of supra-

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household group migration at this time, such as at Point of Pines or Goat Hill Pueblo (Haury 1958; Woodson 1995). In these cases, migrants from the Kayenta area moved to the Mogollon Rim, Point of Pines, or Safford areas. Our ability to distinguish migrating individuals or groups is related to the size of the group that moved and the distances they moved. Differentiating exchange from migration in the distribution of material culture is a challenge that must be met with independent data (Zedeño 1994).

CULTURAL AFFILIATION OF WESTERN PUEBLOS AS DETERMINED FOR NAGPRA

The Western Pueblos of Acoma, Laguna, Hopi and Zuni are used as a case study to investigate how cultural affiliation is actually being determined when NAPGRA is implemented. The point of this exercise is to examine how archaeological theories of cultural affiliation are put into practice. NAGPRA (Section 7(a)(4)) states that cultural affiliation should be determined by "a preponderance of the evidence based upon geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion." Ten categories of evidence or data are thus explicitly recognized in NAGPRA as potentially useful in determining cultural affiliation.

NAGPRA notices published in the federal register and cultural affiliation studies were analyzed to investigate which of the ten categories of evidence identified in NAGPRA are actually being used in determining cultural affiliation. The results of this analysis are presented in three tables, and the sites or areas that have been determined to be affiliated with each of the Western Pueblos are depicted on maps.

Notices Published in the Federal Register

There are two types of NAGPRA notices published in the *Federal Register*. The first of these are the Notices of Completion of Inventory published when a museum or Federal agency holding Native American human remains and associated grave goods identifies the geographical and cultural affiliation of the items in their collections. Museums and Federal agencies completing inventories are required by law to notify the cultural affiliated tribes, and to provide a copy of each notice to the National Park Service for publication in the *Federal Register*. Subsequent repatriation of human remains and associated grave goods to culturally affiliated tribes does not require another published notice unless a new determination has been made as a result of a competing claim.

The second type of notice published in the *Federal Register* are Notices of Intent to Repatriate. Notices of Intent to Repatriate are required when a museum or Federal Agency makes a decision to repatriate unassociated funerary objects, sacred objects, or objects of cultural patrimony to a particular tribe. The publication of these notices provides an opportunity for other interested parties to learn about the pending repatriation and file a competing claim if they so wish.

The two types of NAGPRA notices in the Federal Register were researched using the computerized search function in the on-line National Archeological Database (NADB-NAGPRA). Seven computerized searches were conducted using the following key words: Acoma, Laguna, Hopi, Zuni, Basketmaker, Anasazi, and Southwest.

This search yielded 21 Notices of Completion of Inventories, 14 of which had remains affiliated with Western Pueblos. The Notices of Completion of Inventories analyzed for this paper are all terse summaries of more abundant information documented in the actual inventories of collections that have been conducted. The specific content in Notices of Completion of Inventories varies from notice to notice, and it is not always clear exactly which categories of evidence were used in making determinations of cultural affiliation.

Twenty-eight Notices of Intent to Repatriate were also identified. Most of Notices of Intent to Repatriate were for ethnographic items such as Zuni War Gods, Acoma prayer sticks, and Hopi katsina masks. There were only two Notices of Intent to Repatriate sacred objects from ancient archaeological sites, including items excavated at Rainbow House (Bandelier National Monument) in New Mexico, and Sunflower Cave in Arizona.

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Scholarly Cultural Affiliation Studies

A number of longer, technical studies have been undertaken by scholars "to assess the available evidence and arrive at determinations cultural affiliation" (Wozniak 1996:iii). Some of these, such as the USFS *Cultural Affiliations, Prehistoric Cultural Affiliations of Southwestern Indian Tribes* are intended only as working documents, subject to revision and modification as additional information is shared by Indian tribes in the course of making claims for the repatriation of NAGPRA cultural items (Wozniak 1996:iii). This particular document draws a distinction between cultural affiliation as defined in NAGPRA as a relationship of shared group identity, and "other possible and potential cultural and biological relationships [that] might exist between present day Indian tribes and earlier groups due to intermarriage, migrations, cultural assimilation and borrowing, trade, and other forms of interaction which have occurred throughout history and prehistory ..." (Wozniak 1996:iii).

Tabulating the types of information used to determine cultural affiliation in the USFS *Cultural Affiliations* document is difficult because many information categories have entries of "N/A." Whether this means "not available" or "not applicable" is not always clear. Some authors explicitly noted there was "no direct evidence" or "no data bearing" on a category of information, indicating that the topic was considered in the research. Other authors simply left some fields blank, with no explicit indication of whether or not this category of information was considered. Perusal of the bibliographies indicates that while all the categories of evidence identified in NAGPRA were ostensibly considered, the overwhelming majority of references actually cited are archaeological. Very little literature from ethnographic, biological, and other related disciplines occur in bibliographies in the USFS *Cultural Affiliations* document.

Other cultural affiliation studies include determinations of cultural affiliation for museum collections of human remains and associated funerary objects (Ferguson 1996) or for specific National Parks (Esber et al. n.d.; Brandt 1997; Gregg and others 1995; Stoffle and others 1994; Zedeño and Stoffle 1995;). Some of these cultural affiliation studies were not done for the explicit implementation of NAGPRA but they were analyzed because they contain information relevant to determining cultural affiliation.

Compilation of Evidence

The categories of evidence used to determine cultural affiliation are compiled in two tables. It should be noted that it was sometimes difficult to decide exactly which categories of evidence had actually been used to make determinations of cultural affiliation. For instance, sometimes oral traditions were used to make determinations of cultural affiliation based on kinship (e.g., clan affiliations), whereas other times oral traditions were used to make determinations based on other criteria (e.g., geographical and historical relationships). This ambiguity aside, there are clearly discernible trends in the types of evidence used to determine cultural affiliation.

It should be noted that only the evidence used for determinations of Western Pueblo affiliation are tabulated. In some instances oral history was used to determine cultural affiliation to other tribal groups but was not used in the determination of cultural affiliation of Western Pueblos. Also, only definite determinations of cultural affiliation are included in the analysis. There are several instances of "possible" affiliation which are not tabulated. In instances where multiple cultural affiliations were determined, only the Western Pueblo tribes are tabulated. In many instances other tribes are also affiliated. People interested in the cultural affiliation of tribal groups other than the Western Pueblos need to carefully peruse the *Federal Register* notices and cultural affiliation studies to research the relevant information.

NAGPRA contains a category of evidence for "other relevant information or expert opinion." Several types of information were included in this category in the following tables. This information includes the aboriginal area as determined by Indian Claims Commission or other litigation, formal cultural affiliation statements prepared by tribes, and consultation with tribes. Many Federal agencies are conducting extensive consultation with Indian Tribes during the implementation of NAGPRA but consultation was only tabulated in the "other" category when it was specifically identified as a basis for determining cultural affiliation. Much more consultation with Western Pueblos occurred than was used as the basis for determining cultural affiliation.

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Summary of Results

Information about the categories of data used as evidence in Notices of Inventory Completion and Intent to Repatriate is summarized in Table 1. It is clear that these notices rely on a relatively narrow range of evidence, primarily archaeology and oral traditions. The other categories of evidence identified in NAGPRA are used infrequently or not at all. Information about the categories of evidence used cultural affiliation studies are summarized in Table 2. These studies use a much wider range of evidence than notices in the *Federal Register*.

Table 3 presents compares the categories of information used in *Federal Register* notices and cultural affiliation studies. These data demonstrate that determinations of cultural affiliation are dominated by the use of archaeology and oral traditions. Contrary to the claim of many tribes that their oral traditions are ignored in the implementation of NAGPRA, 94% of notices in the *Federal Register* and 82% of cultural affiliation studies rely on oral traditions. Geography, biology, anthropology, history, and other information are used in about a third of all determinations of cultural affiliation. Kinship, linguistics, and folklore are rarely used.

The general locations of the sites or areas that have been determined to be affiliated with the Western Pueblos is illustrated in Figure 1. The Hopi Tribe has been found to be affiliated with 36 sites or areas in a wide geographical area spanning four states. The Pueblo of Zuni has been found to be affiliated with 24 sites or areas in the same geographical range as the Hopi Tribe. The Pueblo of Acoma has been found to be affiliated with seven sites or areas, six of which are in New Mexico. Finally, the Pueblo of Laguna has been found to be affiliated with 3 sites or areas, all of which are in New Mexico.

The geographical and tribal distribution of cultural affiliation determinations illustrated in Figure 1 are due, in part, to the fact that both the Hopi Tribe and the Pueblo of Zuni have cultural or heritage preservation programs that have issued widely disseminated written statements of cultural affiliations. All of the museums and Federal agencies receiving these written statements of tribal cultural affiliation are placed on notice that they need to explicitly consider these two tribes in making determinations of cultural affiliation. These notices require consultation with the tribes, and this results in information that is not available in the published literature to be documented and used in determining cultural affiliation.

CONCLUSIONS: BRIDGING ARCHAEOLOGICAL THEORY AND PRACTICE

It is clear that archaeological theory and the practice of determining cultural affiliation employ divergent method and theory, and rely on different types of evidence. In pondering how to bridge archaeological theory and practice, we make the following observations:

- More sources of data should be used as evidence in cultural affiliation studies.
- Archaeological concepts such as Mogollon and Anasazi should be avoided and replaced by the concept of Ancestral Pueblo.
- Current archaeological method and theory is making important contributions to the understanding of cultural identity. As these studies are generated in Southwestern archaeology, they should be actively incorporated into cultural affiliations studies undertaken for NAGPRA.
- Archaeologists need to develop more robust theoretical perspectives that embrace the methodology required by NAGPRA, i.e., methodologies that explicitly seek to relate present-day tribes to identifiable groups in the past.
- Not all archaeological research needs to investigate cultural affiliation in terms of NAGPRA, but when archaeologists use the term "cultural affiliation" they should do so in a way that is congruent with NAGPRA in order to facilitate effective communication with Native Americans.

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