



Policy for the management and
repatriation of sacred and culturally
sensitive objects of Aboriginal origin
in the Ethnology Reserve Collection



Cover image: detail from *The Round Dance* in the First Nations Gallery at the Royal Saskatchewan Museum.

The Round Dance takes place in a clean, open place. It begins late in the evening and ends early in the morning. People dance in a circle to indicate that all are equal. The drum-beat represents the heartbeat of Mother Earth. The songs represent thankfulness, unity, and togetherness.

Some believe that the Northern Lights are the Old Ones who have come to dance with us. They appear in the evening, bringing beauty and healing.

– Denny Morrison, artist



Policy for the management and repatriation of sacred and culturally sensitive objects of Aboriginal origin in the Ethnology Reserve Collection

Subject:

The access to and the care, use and repatriation of sacred and culturally sensitive objects of Aboriginal origin.

Authority:

Minister of Tourism, Parks, Culture and Sport

Acknowledgements:

Saskatchewan Indian Cultural Centre
Federation of Saskatchewan Indian Nations

Tribal Councils of Saskatchewan
Independent Bands

Policy statement:

The Royal Saskatchewan Museum (RSM) will work cooperatively with Aboriginal peoples to address concerns about the access to and the care, use and repatriation of sacred and culturally sensitive objects of Aboriginal origin held in the Ethnology Reserve Collection of the RSM.

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Effective date:

This fourteenth day of July, 2010

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Preamble

The RSM and Aboriginal peoples recognize that there are traditional and sacred connections between Aboriginal peoples and sacred objects of Aboriginal origin and that the sacred objects are extremely important to the cultures, values and traditions of Aboriginal peoples today.

Pursuant to *The Royal Saskatchewan Museum Act*, this policy is to address the concerns of Aboriginal peoples about the access to and the care, use and repatriation of sacred and culturally sensitive objects originating with their cultures and contained in the Ethnology Reserve Collection of the RSM.

Principles

This policy is built on the interests, needs and cultural perspectives of Aboriginal peoples. Three principles, introduced in 2007 in *The Royal Saskatchewan Museum Act*¹, form the basis for this policy:

- Aboriginal peoples have a connection to Aboriginal sacred and culturally sensitive objects, regardless of where those objects are held;
- Aboriginal sacred and culturally sensitive objects in the collection are vital to the maintenance of traditional ways;
- the deeper meanings associated with Aboriginal sacred and culturally sensitive objects are known only to Aboriginal members of their cultures of origin.

1 Government of Saskatchewan. 2007. *The Royal Saskatchewan Museum Act*. Queen's Printer, Regina. Available at <http://www.qp.gov.sk.ca/documents/english/FirstRead/2006-07/Bill-63.pdf>

Definitions

A number of terms that are relevant to this policy are defined here to clarify their general meaning.

Aboriginal peoples

Aboriginal peoples may be defined as First Nation, Inuit and Métis peoples of Canada².

Repatriation

Repatriation may be defined as:

“recognizing people’s stake in their heritage, which in practice can mean such things as negotiated return of objects and related cultural materials, and/or sharing authority and responsibility for care and interpretation of collections in the museum”³.

Ethnology and Archaeology Collections

An ethnology collection may be defined as an assemblage of objects, originally possessed either individually or communally, and obtained by donation, purchase or other means from living members of cultures around the world. Examples of ethnological objects are beaded jackets, dresses, moccasins, and the sacred objects in the list below.

Not included in such collections, and therefore not included in this policy, are objects of archaeological origin.

An archaeological artifact is an object recovered from sites where people lived in the past; an archaeo-

2. Canada. 1982. *Canada Act, Schedule B: Constitution Act*, Part 2, 35(2). Ottawa.

3. Museum of Anthropology. 2000. *Guidelines on Repatriation of Canadian First People’s Cultural Material*. University of British Columbia, Vancouver.

logical collection may be defined as an assemblage of such artifacts. Archaeological artifacts are obtained through either the excavation or surface collection of these sites, and examples are stone tools such as endscrapers and projectile points, animal bones and pottery sherds. Under *The Heritage Property Act*, the Minister may transfer ownership of archaeological objects on a case by case basis.

Aboriginal sacred and culturally sensitive object

“Aboriginal sacred and culturally sensitive object” means any object that:

- has been used in an Aboriginal ceremony;
- reflects the spiritual power of an Aboriginal person;
- was left as an offering in an Aboriginal ceremony or practice; or
- has ongoing historical cultural importance to an Aboriginal community.

Examples of these objects include, but are not limited to:

- pipes;
- pipe stems;
- pipe bags;
- fans or other items made of eagle or hawk feathers;
- drums;
- medicine bundles;
- umbilical cord packages;
- bone whistles;
- rattles;
- painted tipis; and
- objects with earth paints (e.g. red ochre).

The sacredness of each object depends on the beliefs and practices of the individual, family or community that originally possessed the object, and on the context of its intended purpose and use.

The Ethnology Reserve Collection:

The Ethnology Reserve Collection is that portion of the RSM’s Ethnology Collection that:

- consists of items deemed by Aboriginal peoples to have special sacred value and are referred to as “sacred objects”;
- will be used, accessed, preserved and stored following the protocols, procedures and ceremonies of Aboriginal traditions and customs;
- is subject to restrictions which limit the use of any of such items in research and exhibits;
- is not subject to scientific study; and
- is maintained by the RSM as a separate collection with all known information available on each sacred object (see the RSM contact information on the front of this policy to obtain a copy of the *List of sacred objects*).

The policy

1.0 Scope of the policy

This policy applies to the access to and the care, use and repatriation of sacred objects that have been identified by Aboriginal peoples as having special sacred value and that have been assigned to the Ethnology Reserve Collection of the RSM or that will be transferred to the RSM in the future. Sacred objects that have been identified to belong to specific Treaty areas or culture-language regions will be available for access (including ceremo-

nial use) or will be returned only to individuals, communities or organizations with clear ties to those specific areas or regions.

1.1 Exclusion of human remains

There are no human remains in any of the RSM collections. For issues related to human remains see the *Archaeological Burial Management Policy for Saskatchewan*⁴.

1.2 Existing Aboriginal and treaty rights

Pursuant to section 14.1 of *The Interpretation Act*, 1995, nothing in this policy is to be construed as abrogating or derogating from the existing Aboriginal and treaty rights of Aboriginal peoples of Canada mentioned in section 35 of the *Constitution Act*, 1982.

1.3 Special considerations for the replication of sacred objects

The handling of sacred objects in the Ethnology Reserve Collection of the RSM is extremely sensitive. Depending on the culture-language area of origin of the sacred objects, it may be inappropriate to consider viewing some objects in the collection for replication, for educational purposes, or artistic research. At the same time, it has been indicated that some Elders may be more comfortable having and/or working with a replication instead of the original sacred object(s), especially if the intended use is for education purposes.

In all cases, special permission must be obtained to view and work with any sacred objects in the Ethnology Reserve Collection for replication, for

educational purposes, or artistic research. The process for obtaining special permission to replicate sacred objects will be determined by the Treaty area and/or the location of origin of the sacred object(s), and the protocols, procedures and ceremonies required to use the sacred object(s) in such a manner. Requests to replicate any of the sacred objects in the Ethnology Reserve Collection that are of unknown origin will be dealt with on a case-by-case basis (see section 2.7 of this policy).

2.0 RSM policy regarding the management and repatriation of sacred objects

2.1 Options for the management of the sacred objects in the Ethnology Reserve Collection

The RSM recognizes that there are cultural differences among the Aboriginal peoples of Saskatchewan. Several options are presented here for the access to and the care, use and repatriation of the sacred objects in the Ethnology Reserve Collection of the RSM, to accommodate all cultural differences. The RSM also recognizes that, in some cases, there may be a need to view the sacred object(s) to verify the identification(s) before one of these management options is chosen (see section 2.3 of this policy).

Option to maintain status quo and not submit any *Request for action*

If the RSM does not receive a *Request for action* from any Aboriginal individual, community or organization, the sacred object(s) will continue to be held and maintained by the RSM.

⁴ Saskatchewan Tourism, Parks, Culture and Sport. 2003. *Archaeological Burial Management Policy for Saskatchewan*. Heritage Resources Branch, Regina. Available at <http://www.tpcs.gov.sk.ca/burialpolicy>

Option for shared stewardship (co-management) to store and manage the sacred objects

The RSM and Aboriginal communities will collaborate to store and manage identified sacred objects. This option will include arrangements for ceremonial use of identified sacred objects by individuals and/or communities.

Option to request the repatriation/return of sacred objects:

Sacred objects that are repatriated/returned will be removed permanently from the Ethnology Reserve Collection of the RSM.

Option for replication of sacred objects for educational or artistic research purposes

Special permission from the appropriate community will be required to complete this option (see section 1.2 of this policy).

2.2 Option for temporary storage of sacred objects repatriated/returned from individuals/institutions other than the RSM

Sacred objects of Aboriginal origin are held in different kinds of collections outside Saskatchewan. In the future, some sacred objects may be repatriated/returned to Aboriginal governments, communities, tribal societies, clans, families or individuals. There may be instances where there are no available storage facilities for the sacred objects that are repatriated/returned. Aboriginal individuals or groups may submit a request for temporary storage of these sacred objects at the RSM until facilities that are appropriate for their needs become available. Protocols or ceremonies

for the objects will not be carried out by RSM staff. Storage agreements for each of these special cases will be signed by the Aboriginal individual or group involved and the RSM.

2.3 Request forms for this policy

Completed forms will be required for submission to the RSM to request a viewing of any sacred object(s) or to initiate one of the management options. These forms may be found at the end of this policy, at Tribal Council offices in Saskatchewan, or from the RSM website.

Request to view sacred objects:

In all cases where there is a need to view any sacred object(s) to confirm identification(s) for one of the management options in Section 2.1, a completed *Request to view sacred objects* form will be required for submission to the RSM.

Request for action:

Management Options in Section 2.1 and Section 2.2 will require the completion and submission of a *Request for action* form.

The option to maintain status quo (see Section 2.1) will not require any submissions by Aboriginal peoples.

2.4 Eligible request forms

The RSM will accept request forms from:

- Aboriginal governments;
- Aboriginal communities, tribal societies, clans or families;
- Aboriginal individuals; or
- Any combination of the above groups in collaboration.

Aboriginal peoples may submit requests only for sacred objects that are from their Treaty area or general culture-language area of origin. It is recognized here that Treaty boundaries do not correspond to provincial boundaries, therefore requests may be submitted from areas outside Saskatchewan. All Aboriginal peoples involved in any submission of a *Request to view sacred objects* form or a *Request for action* form, will need to provide confirmation of background/identification.

People of non-Aboriginal origin are not eligible to participate in the actions of this policy in any manner.

2.5 Process for reviewing submitted request forms for sacred objects

The *Request to view sacred objects* and *Request for action* forms that are submitted to the RSM for specific sacred objects will first be accepted and reviewed by the Aboriginal History Unit at the RSM. The RSM and appropriate Aboriginal organization(s) will confirm the eligibility of all people involved in each *Request to view sacred objects* and each *Request for action*. The RSM will also submit copies of the *Request for action* forms to the appropriate Aboriginal organization(s) for further review and to confirm that there are no competing claims for the sacred object(s) in question (see *Procedures* at the end of this policy).

2.6 Competing claims through multiple *Requests for action*

In cases where multiple *Request for action* forms are submitted and will compete for the same sacred object(s), the RSM will not initiate repatriation or other procedures until outside and/or independent resolution has been reached between

the parties involved. The RSM shall remain neutral to such proceedings.

2.7 *Requests for action* for sacred objects of unknown origin

There are a number of sacred objects in the Ethnology Reserve Collection which are of unknown origin. Background information may not have been collected when the sacred objects were acquired, or the information may have been lost when the objects changed possession. Each *Request for action* for any management option for sacred objects of unknown origin will be dealt with on a case-by-case basis and will focus on the following needs:

- Oral and historical research on each sacred object will be required to clarify/establish cultural linkages when and where possible;
- Review of the *Request for action* by the appropriate Aboriginal organization(s) and/or the Aboriginal peoples involved and the RSM; and
- Final decisions on the care, use and/or repatriation/return of these objects shall be reached by consensus between the appropriate Aboriginal organization(s) and/or the Aboriginal peoples involved and the RSM.

2.8 Formal agreements

When the process of review has been completed and an option for management or for temporary storage of sacred object(s) has been agreed upon, a formal agreement will be signed by all parties involved (Aboriginal peoples and the RSM).

3.0 Roles and responsibilities

3.1 Roles and responsibilities of the RSM

- Maintain the sacred and culturally sensitive objects in the Ethnology Reserve Collection under the management options outlined previously in this document until the time that they are returned to Aboriginal peoples;
- Review requests by Aboriginal peoples for the available management options with respect to the access to and the care, use and repatriation of the sacred objects in the RSM Ethnology Reserve Collection;
- Facilitate all of the management options outlined previously in this document for the sacred objects in the RSM Ethnology Reserve Collection;
- Seek advice from Aboriginal peoples on appropriate protocols, procedures and ceremonies for the proper care of the sacred objects in the Ethnology Reserve Collection of the RSM;
- Sign formal management agreements made with Aboriginal peoples for sacred objects in the Ethnology Reserve Collection of the RSM;
- Sign formal agreements made with Aboriginal peoples for temporary storage of sacred objects repatriated/returned from collections outside of Saskatchewan; and
- Prepare and circulate an annual report on the policy program to the appropriate agencies.

3.2 Roles and responsibilities of Aboriginal peoples

- Submit *Request for action* or *Request to View Sacred Object* forms, providing all the

necessary background information to the RSM for review;

- Review requests and resolve competing claims associated with any *Request for action*;
- Determine proper protocol, procedures and ceremonies for the access to and the care, use and repatriation of the sacred and culturally sensitive objects and advise the RSM staff as required;
- Sign formal management agreements made with the RSM for sacred objects in the Ethnology Reserve Collection of the RSM; and
- Sign formal agreements made with the RSM for temporary storage of sacred objects repatriated/returned from collections outside of Saskatchewan.

4.0 Review

The RSM will conduct internal reviews on the effectiveness and success of this policy at five year intervals after the date of approval.

5.0 Approval



The Honourable Bill Hutchinson
Minister of Tourism, Parks, Culture and Sport
Summer 2010

Appendix A – Additional readings of interest

Hill, R., and Trudy Nicks. *Turning the Page: Forging New Partnerships between Museums and First Peoples*. Assembly of Aboriginal and Canadian Museums Association, Ottawa. 1992.

Museum of Anthropology. *Guidelines on Repatriation of Canadian First People's Cultural Materials House in MOA*. University of British Columbia, Vancouver. 2000.

Museums Association of Saskatchewan. *Standards for the Care of Aboriginal and Métis Collections*. Regina. 2001. http://www.saskmuseums.org/programs_services/standards.php accessed 2005/08/03

Native American Graves Protection and Repatriation Act, 1990. Glossary. <http://www.cr.nps.gov/nagpra/TRAINING/GLOSSARY.HTM> accessed 2005/08/03.

Royal Commission on Aboriginal Peoples. *Report of the Royal Commission on Aboriginal Peoples, Vol 3: Gathering Strength*. Ottawa. 1996.

United Nations Commission on Human Rights. *United Nations Commission on Human Rights, Report on Indigenous Peoples*. 1993-1994.

Web addresses

<http://www.law.ualberta.ca/research/aboriginalculturalheritage/>

This web address has several links under “Internet Resources”.

Appendix B – Meetings held for the repatriation project

Participants in preliminary discussions, 2004–05

Discussions with individuals:

Margurite Sanderson, Shared Vision Healing Centre
Doris Greeyes, Federation of Saskatchewan Indian Nations (FSIN), Justice Department
Elder Russell Standingready, White Bear First Nation

Saskatchewan Indian Cultural Centre (SICC) Elders meeting, December 10, 2004

Elder Ralph Paul, Dene Representative, Meadow Lake Tribal Council
Albert Scott, Nakawe Representative, Kinistin First Nation
Elder Velma Goodfeather, Fort Qu'Appelle, Saskatchewan
Darlene Spiedel, SICC

Repatriation consultation meeting with Elders, March 14, 2005, RSM

Elder Isadore Pelletier, Metis Representative, Regina, Saskatchewan
Elder Ken Goodwill, Standing Buffalo First Nation, Fort Qu'Appelle, Saskatchewan
Elder Tony Cote, Cote First Nations
Bill Asikinack, First Nations University of Canada
Elder Campbell Papequash, First Nations Key Reserve
Elder Paul Dreaver, Big River First Nation

Elder Marianne Dreaver, Big River First Nation
Elder Dexter Asapace, Kawacatoose First Nation
Chief Barry Ahenakew, Ahtahkakoop First Nation
Mike Pinay, Elders' Consultant
Rick Favel, Elders' Consultant

Meetings with tribal councils and independent bands: January–June 2006 and January–March 31, 2007

One meeting was held in 2006 and a follow-up meeting in 2007, with each of the Tribal Councils in Saskatchewan, including:

Battleford Tribal Council
Meadow Lake Tribal Council
File Hills Qu'Appelle Tribal Council
Saskatoon Tribal Council
Touchwood Agency Tribal Council
Agency Chiefs Tribal Council
Yorkton Tribal Council

Whitebear First Nation – coordinated members of the Southeast Treaty #4 Tribal Council

Saskatchewan Indian Cultural Centre

Each of the Tribal Councils invited Elders from their member bands to discuss the questions posed in the discussion paper and also provide their views, concerns, observations and suggestions for the repatriation process. Unfortunately, a meeting could not be coordinated with the Prince Albert Grand Council for the first part of the project.

There are seven independent bands in Saskatchewan that are not affiliated with any of the Tribal Councils. Separate meetings were arranged for two of the independent bands: Cowessess First Nation and Thunderchild First Nation.

Beardy's and Okemasis First Nation were invited to join the Saskatoon Tribal Council meetings and Pheasant Rump First Nation was brought into the meetings arranged through the Whitebear First Nation, as there was no Tribal Council for the southeast area of Saskatchewan.

Three of the seven independent bands were contacted and sent an information package, which included the discussion paper and all appendices; however, meetings with their Elders could not be arranged.

Review during finalization of the repatriation policy

First Nations and Métis Relations

The draft policy was sent to the Ministry of First Nations and Métis Relations (FNMR) for review, and comments were received in April 2008. FNMR commended TPCS on the development of the policy and their comments were incorporated in subsequent revisions. Further consultation with FNMR occurred in 2009-10.

Community dialogue in Saskatoon

The repatriation policy was discussed at the Community Dialogue on Arts, Culture and Heritage session with Aboriginal leaders held

in Saskatoon on February 27, 2009. The policy generated considerable interest and was welcomed.

Announcing the policy

The announcement of the policy was discussed with SICC, including meetings with the Elders Advisory Council on March 23 and May 5, 2010.

Appendices