Emergency Life Support for Vulnerable Collections: A Collections Management Case Study on The Anderson Collection

By

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Thank you all for being a part of this journey.
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ABSTRACT

This thesis presents a detailed case study on the Anderson Collection, a large collection of Indigenous artifacts gathered by an amateur archaeologist. This collection, now under the care of the Tennessee Division of Archaeology (TDOA), offers a unique lens through which to explore issues of collections management, emergency intake, and the broader implications of amateur archaeological contributions. The research emphasizes the importance of adopting best practices in the curation and continued care of legacy collections, particularly those with complex backgrounds involving amateur archaeologists and Indigenous artifacts.

Through an interdisciplinary approach that includes heritage legislation, ethical considerations, and decolonization practices, this study provides a comprehensive analysis of the intersection between current changes in care practices for Native collections, issues with avocational archaeology, and professional standards. The narrative of the Anderson Collection is used to illustrate broader themes in collections management, highlighting the urgent need for policies that ensure the preservation, ethical treatment, and educational use of archaeological collections. By framing collections care in emergency medical terminology, the thesis underscores the critical and ongoing attention required to maintain the integrity and research potential of such collections.

The findings advocate for a collaborative approach that prioritizes Indigenous voices, includes community stakeholders, and aligns with modern movements towards decolonizing archaeology and cultural heritage management. The recommendations aim to enhance transparency, accountability, and inclusivity in the curation process, ultimately contributing to the field’s evolving understanding of ethical stewardship and public engagement with archaeological collections.

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Chapter 1

Introduction to the Anderson Collection

On a sunny morning in the winter of January 1995, Mr. Anderson, a curious collector turned amateur archaeologist brought his boat to the shores of a small island in the middle of a lake fed by the Tennessee River. He spent his life picking up rocks and prehistoric artifacts, leading him to work alongside professional archaeologists where he learned how to collect and document his finds scientifically. Without these methods, Mr. Anderson learned, these finds are nothing but beautifully crafted stone tools and the potential information they hold will never be discovered.

The shore on this island was damp under his feet as the TVA dams North of the lake held the water levels low enough to locate artifacts typically protected under a blanket of water. As the water rose and fell, waves churned up artifacts lying below the surface and brought them to the shore. It was not until someone like Mr. Anderson came around and found these artifacts that anyone learnt of a pre-Columbian village located on this spot. Using what he learned while working alongside professionals in the field, Mr. Anderson documented, sketched, and took notes of everything he found and carefully placed all the collected artifacts in his boat. The boat motored away from the island and Mr. Anderson made his way home, but the work was not done. Now that he had his artifacts and field notes at home, Mr. Anderson retreated to his garage to build new shelves to hold his finds and to go through the literature to pinpoint the time period from which the artifacts originated. Mr. Anderson named the site "U-1-T," which stands for inundated, or flooded, first site in Tennessee.[1] The site U-1-T is a combination of two islands in

[1] Richard Anderson, "U-1-T," n.d., Tennessee Division of Archaeology, accessed March 9, 2023. I received the information about what the site name stood for in a conversation with an archaeologist from the Tennessee Division of Archaeology who had spoken with Mr. Anderson about his naming system before the collection was donated.

Kentucky Lake, an offshoot of the Mississippi River to the north (See Figure 1). At the time of prehistoric occupation this lake did not exist and the islands we see today would have been a single continuous site.

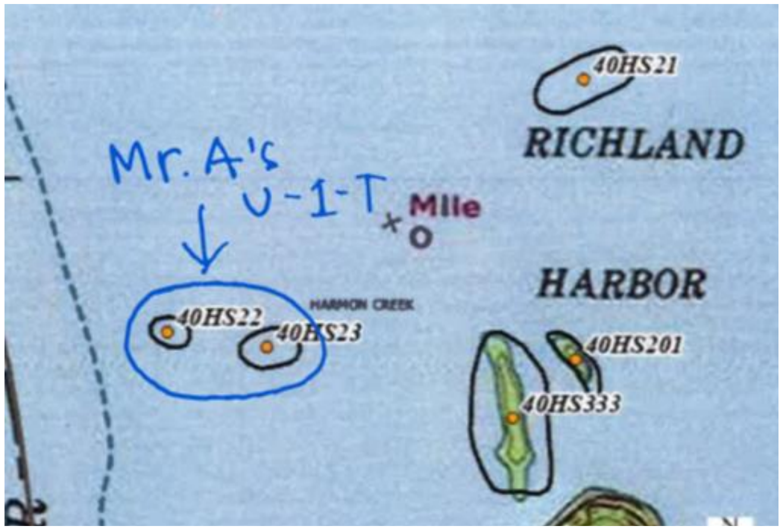

Figure 1: Map from TDOA files on the original WPA survey at 40SU22 and 40SU23, the site Mr. Anderson called U-1-T.[2]

Mr. Anderson's curiosity and research has the potential to expand the historical and archaeological record in Tennessee to allow for a fuller picture of pre-Columbian life. Before his visit(s), this island had only seen archaeological investigation through WPA surveys in 1935 and 1936.[3] As Mr. Anderson built upon his findings and drew conclusions about the history of the people who used the tools now resting in his shelves, the record of history slowly unraveled, and Mr. Anderson's work became a stepping stone for further research.

Collections like the one gathered by Mr. Anderson present a multitude of challenges when they are donated to a state agency like the Tennessee Division of Archaeology (TDOA).

[2] Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS22," n.d., Tennessee Division of Archaeology, accessed March 14, 2023.

[3] Anna R. Lynn, "WPA Archaeology at the Slayden Site, Humphreys County, Tennessee," in *Shovel Ready: Archaeology and Roosevelt's New Deal for America*, ed. Bernard K. Means, Book, Section vols. (The University of Alabama Press, 2013), 147–64.

This thesis examines the collection, officially called the Anderson Collection by the TDOA, to develop recommendations for its curation, care, and use in public education. Cultural institutions across the United States often acquire collections with similar background stories to the Anderson Collection. Therefore, this thesis aims to develop applicable recommendations for the TDOA and for other repositories and museums. The recommendations, discussed in chapter four, are informed by recent literature across public history, public archaeology, and Indigenous scholarship. They are intended to prepare the collection for its use for public education, outreach, and research.

A common argument in the multidisciplinary discussion about best practices in the public interpretation and presentation of material culture is that, whenever possible, it should be done with input and guidance from affiliated community groups, known as stakeholders. In public history and public archaeology projects, the term stakeholder refers to diverse groups of people with an interest in the development, process, and outcome of research. These groups can include descendants, local governments, and residents connected to a historical or archaeological site/collection. Chapter two discusses the term's development of the definition and application which was popularized and influenced by Chip Colwell-Chanthaphonh and T.J. Ferguson in archaeology, and Edward T. Linenthal in public history.[4] The argument for including stakeholders in every aspect of a public project is part of a larger discussion on museum practices aiming to decolonize Western historical narratives by decentering Euro-American perspectives, asking for the participation of non-Western communities, and interpreting diverse perspectives and ways of knowing. The emphasis on stakeholder collaboration in this literature shows how

[4] For "archaeology," see: Chip Colwell-Chanthaphonh and T.J. Ferguson, eds., *Collaboration in Archaeological Practice: Engaging Descendant Communities* (AltaMira Press, 2008). For "public history," see: Edward T. Linenthal, *Preserving Memory: The Struggle to Create America's Holocaust Museum.* (Viking, 1995).

powerful and crucial the practice can be in the effort toward decolonization.[5] Institutions of public education run the risk of reinforcing harmful narratives and stereotypes that exist in Euro-American perspectives of history without the influence of the people whose history, culture, and identity they are presenting.

Stakeholder involvement in the Anderson Collection is complex and multilayered, impacting the recommendations in chapter four. As mentioned above, Mr. Anderson collected Indigenous artifacts from land owned by the TVA, placing the collection at the intersection of many laws, collection management policies, and ethical debates. The of voices at this intersection sometimes conflict with each other, influencing how the recommendations are structured. Additionally, the Anderson Collection is currently under the legal care of the TDOA. Therefore, recommendations for its curation and care must align with the TDOA's existing collection policies. As a stakeholder, the Division's existing polices and institutional goals will shape the application of topics that are included in the discussion on decolonized collections practices.

Apart from a single artifact, the collection is entirely made up of Indigenous material. Therefore, the recommendations will also be affected by Native opinion, tribal policy, and curatorial practice. In this body of literature, the voices of Indigenous groups and scholars are often responding to the cultural exclusion and systematic oppression of Native people that is embedded within national and state laws governing material culture and significant sties in the U.S. An exploration of this literatures development, in its historical context, illustrates how the tension between the top issues in Native literature and current heritage legislation adds complex

[5] Carol McDavid, "Descendants, Decisions, and Power: The Public Interpretation of the Archaeology of the Levi Jordan Plantation," *Historical Archaeology* 31, no. 3 (1997): 114–31.

layers to the management of collections, such as the one in this thesis, up to this point. Many Indigenous authors write about the issue of heritage legislation's failure to protect Native sites and artifacts in ways that respects their cultural heritage. A growing practice in collections management listens to the calls from these authors and attempts to include the alternative practices suggested by Native historians and archaeologists in these publications. However, some of the alternative practices, such as placing water or other offerings next to Native sacred objects, may be prohibited based on an institution's ownership and source of funding. Private institutions may have more flexibility to apply alternative collection's practices while public institutions may be more beholden to their set policies and procedures.

As an introduction to the Anderson Collection and the diverse perspectives reflected within it, this chapter aims to demonstrate how the collection can be used effectively and ethically in a public education setting. This demonstration is a small example of the collection's research potential to highlight one of the many things it can accomplish for Tennessee's historical landscape. Before this discussion however, this chapter will provide a brief overview on a major backdrop in the Anderson Collection's historical context: the history of Indian Removal in Tennessee.

The History of Indian Removal in Tennessee

Indigenous groups have lived in the Southeast for thousands of years. A paper record of Indigenous people in the Southeast begins as early as 1539 when Hernando De Soto's entradas traveled across the landscape. Evidence of pre-European Native occupancy is found in large mound earthworks and documented in Spanish exploration accounts.[6] Native peoples first settled

[6] For "changed the Cherokee way of life," see" Claudio Saunt, *A New Order of Things: Property, Power, and the Transformation of the Creek Indians, 1733–1816*, Cambridge Studies in North American Indian History (Cambridge, U.K.: Cambridge University Press, 1999). For "the beginning of a power imbalance," see:

in what is now the state of Tennessee approximately 12,000-15,000 years ago. After colonization, most of Tennessee remained home for the Cherokee who pushed other tribes out of the area such as the Creek, Yuchi, Shawnee, while the Chickasaw occupied the land west of the Tennessee River. European settlers kept their presence on the landscape after De Soto's exploration and began establishing trade markets for fur and European goods. These markets changed the Cherokee way of life, marking the beginning of a power imbalance between Europeans and Indigenous peoples in the U.S.[7] As European settlements became more permanent and the United States established itself as a country, Congress and state legislatures began passing laws that regulated these trade markets, and protected Euro-American claims to "the possession and enjoyment of their lands."[8]

Before and after statehood, the borders between Native land and colonial settlements in Tennessee lacked clear boundaries. As colonists grew hungrier for land and power, Native communities found themselves in violent battles to defend their lands from other tribes and colonists encroaching close to these borders. War broke out as colonists leveraged treaties, written in European legislative language and formatting, against tribes unaccustomed to the practice to take Native land and force tribes further west.[9] On June 1, 1796, Tennessee became the sixteenth state in the Union, and violent clashes became more frequent with Creek groups as colonists continued to move toward the Mississippi river. [10]

"Chapter Three: Trade," in *Cherokee Women: Gender and Culture Change, 1700-1835*, by Theda Perdue (University of Nebraska Press, 1998), 65–85.

[7] "A History of Tennessee: The Land and Native People," in *Tennessee Blue Book 2021-2022* (Tennessee: Tennessee Secretary of State, 2022), 575–635.

[8] Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (University of Oklahoma Press, 1972), p 44n1.

[9] Foreman, *Indian Removal*.

[10] "A History of Tennessee: The Land and Native People."

Tensions between Native people and colonists remained at a low boil until Native fears of removal heightened after the murder of John Walker, Jr. on Cherokee land in 1834. At this time, the Cherokee had their own government and constitution, but a Tennessee state statute took authority over the tribal government, and a court battle began over the status of Cherokee sovereignty. The Tennessee Supreme Court maintained the state's jurisdiction over "high felonies" committed on Native land despite a U.S. Supreme Court case that upheld their sovereignty in 1832.[11] By undermining the sovereignty of the Cherokee Nation, this case opened the door for the Treaty of Echota which offered five million dollars to the Cherokee in exchange for all their land to the east of the Mississippi River. Only a small group of the Cherokee agreed to these terms, but it ultimately led to their forced removal on the Trail of Tears.[12]

The idea of Indian removal was already on the national consciousness by 1828. When Andrew Jackson became president the following year, violence between colonists and tribal populations had become so intense that the 1830 Indian Removal Act passed without much resistance from congress. Cherokee people in Tennessee attempted to maintain their claim to their ancestral lands by refusing to sign the act until 1835, but by 1838, the U.S. Army began capturing them and forcing them into camps before the official removal process began. Indigenous people forced on the Trail of Tears were grouped in seventeen "detachments" that followed three land routes and one river route. Estimates place 16,000 Cherokee, some Creek, and enslaved individuals in the number of people who walked from the eastern United States to Oklahoma; about 4,000 of them died.[13]

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[11] Jonathan Gendzier, "The Tennessee Supreme Court and Cherokee Sovereignty: State v. Foreman and Indian Removal," *Journal of Southern Legal History* 25 (2018): 309–41.

[12] Benjamin C Nance, "The Trail of Tears in Tennessee: A Study of the Routes Used During the Cherokee Removal of 1838" (Tennessee Department of Environment and Conservation Division of Archaeology, 2001).

[13] Nance, "The Trail of Tears in Tennessee: A Study of the Routes Used During the Cherokee Removal of 1838."

It is important to include the history and legacy of Indian removal in Tennessee in the context of the Anderson Collection. After Native people were forcibly removed from Tennessee and removed or killed across all of North America, narratives of their history, voices, and perspectives were removed from our collective understanding. In its place, movies, cigar store statues, and myths of Cherokee grandmothers reimagined Indigenous identities.[14] Romanticized images of Indigenous people communing peacefully with nature and sports mascots that appropriate silhouettes in feathered headdresses perpetuate these notions, infantilizing Indigenous people.[15] By acknowledging this horrific history and discussing the deep power imbalances that led to many issues for history and archaeology today, academics can help repair generational pain inflicted across hundreds of years. Mr. Anderson collected objects left behind by people who were forcibly removed from this state; we must acknowledge this in order to prepare the collection for public research and education with more accurate narratives than we have in the past.

This preparation must place a priority on consulting and collaborating with the collection's Native descendants. Due to the history of removal and historical contexts leading up to and at the time of European invasion however, a clear definition between who is and is not a descendant of this collection can be difficult to navigate. Robbie Etheridge, an ethnohistorian whose research focuses on Native history throughout the period leading up to full European colonization, argues that European invaders were successful in taking over Native land not only because of their weapons, disease, and quick integration "into the Atlantic World economic circuit," but also because Native chiefdoms at the time were experiencing frequent cycles of

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[14] Paul Chaat Smith, *Everything You Know About Indians Is Wrong*, Indigenous Americas (University of Minnesota Press, 2009).

[15] John Ehle, *Trail of Tears: The Rise and Fall of the Cherokee Nation.*, 1st Anchor books edition. (Anchor Books, 1989).

political collapse and reorganization that made them particularly susceptible to European domination. By 1730, the Native chiefdoms described in historical documents, such as those in Hernando de Soto's 1539 expedition of the North American south, had reorganized into the tribes we now know as the Cherokee, Chickasaw, Creek, and Choctaw nations. As new nations were built, people who previously aligned with different chiefdoms became members of these new tribal nations, making it difficult to trace a direct line between ancestors and descendants.[16]

The historical context of Native political instability upon European invasion and forced removal only one hundred years after their tribes were established has a direct impact on how professional archaeologists, avocational archaeologists, and the public engage with Indigenous collections. Without clear lines, meaning lines of evidence commonly accepted in a Western knowledge structure, state citizenship or significant physical presence in Tennessee, museums and institutions have been able to deem descendants of Native collections and artifacts as insignificant actors in the practice of curatorial care and public display. Until the recent push for their inclusion, descendant communities often do not witness and have not been listened to when they advocate against common curatorial practices that disrespect, dehumanize, and further colonize their cultural heritage. The historical atrocity of forced removal against Native people in the southeast was designed to deny any Indigenous claims to land and influence in the states from which they were removed. This design, on top of the entangled lines of connection between ancestors and descendants after Native people reorganized themselves into many of today's federally recognized tribes makes it especially easy for non-Native people interpreting and

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[16] Robbie Ethridge, "Introduction: Mapping the Mississippian Shatter Zone," in *Mapping the Mississippian Shatter Zone*, ed. Robbie Ethridge and Sheri M. Shuck-Hall, The Colonial Indian Slave Trade and Regional Insta (University of Nebraska Press, 2009), 1–62.

engaging with the public display of Native artifacts to ignore descendants when a collection predates modern tribal organization.

What Can the Anderson Collection Add to the Historical Record?

Drawing from two site files on the same site, one authored by an avocational archaeologist and the other by a pair duo of professional archaeologists, this chapter illustrates how avocational collections can expand the accepted knowledge of the human occupational history in Tennessee.[17] Whether Mr. Anderson was aware that his collecting methods violated the 1979 Archaeological Resources Protection Act (ARPA) (discussed in more detail in Chapter 2) is uncertain, but it is unlikely that he saw himself as a looter.[18] One site where Mr. Anderson gathered artifacts, U-I-T, is positioned within a lake that is managed by the Tennessee Valley Authority (TVA). The location of this site renders the property federal land and makes the act of collecting of artifacts, even those on the surface, illegal under ARPA. This is where defining Mr. Anderson as an avocational archaeologist or looter gets tricky. The salient difference between a looter and Mr. Anderson is that his methods "allow documenting, curation, reporting, and intensive and extensive study and research."[19] Looters would have sold the objects for profit. This difference is one of intent, but also of outcome.

Understanding the context in which the first professional archaeologists surveyed this site is imperative for comparing the documents with those produced by Mr. Anderson. The first

[17] Throughout this paper, a single area is discussed in two different designations. In the language of the state of Tennessee, 40HS22 and 40HS23 refers to the site as it was named after the land was surveyed by WPA archaeologists. Conversely, the name U-1-T refers to the same site within the scope of work done by the primary avocational archaeologist discussed in this case study.

[18] "Archaeological Resources Protection Act, 1979," October 31, 1979, https://www.govinfo.gov/content/pkg/COMPS-1707/pdf/COMPS-1707.pdf.

[19] Carl M. Wright, "Avocational Archaeology: The Obvious," *Central States Archaeological Journal* 45, no. 2 (April 1, 1998): 56–57.

professional archaeological work in Tennessee took place during the Works Progress Administration (WPA), instituted under President Franklin Roosevelt's New Deal programs during the Great Depression. During this time, plans were made to create reservoirs in the Tennessee River Valley to "improve navigation" throughout the area.[20] Before these areas were flooded to create reservoirs, the WPA hired archaeologists to survey various sections of the land to identify any pre-Columbian or historic sites that needed to be documented and to recover artifacts before the area was submerged.[21] Some sites saw extensive excavation while others were only surveyed, a process in which the archaeologist walks the site using an analysis of surface artifacts or features to determine the site's significance.[22] In 1939 and 1942, the WPA surveyed the area Mr. Anderson visited in 1995 and created 40HS23 and 40HS22 respectively.[23] Archaeological sites receive a unique numbering system to distinguish them from other sites around the country. This numbering system, known as the "Smithsonian Trinomial," grew in popularity during the 1930s and 1940s as WPA archaeologists excavated sites all over the United States.[24] At the time of the system's creation, Hawaii and Alaska had not yet achieved statehood, so Tennessee was assigned number forty in an alphabetical organization. Following state number is a double letter abbreviation indicating the county of archaeological excavation; Humphrey's County is HS according to Tennessee's county abbreviations.[25] Lastly, the trinomial includes the site number in sequential order, which is "assigned as sites are recorded."[26] Given the

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[20] A.R. Lunn, "WPA Archaeology at the Slayden Site, Humphreys County, Tennessee," 2013, 147–64.
[21] Lunn, "WPA Archaeology."
[22] "Survey Methods," accessed March 31, 2023, https://la.utexas.edu/users/denbow/labs/survey2.htm.
[23] For 1930's See: Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS23," n.d., Tennessee Division of Archaeology, accessed March 13, 2023. For 1940's See: Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS22," n.d., Tennessee Division of Archaeology, accessed March 14, 2023.
[24] "Site Numbers in Archaeology," MSU Campus Archaeology Program, October 29, 2013, http://campusarch.msu.edu/?p=2475.
[25] Kevin Smith, "Information by County: Tennessee Archaeology Network," accessed April 10, 2023, https://capone.mtsu.edu/kesmith/TNARCH/coname.html.
[26] Smith, "Information by County: Tennessee Archaeology Network."

organization of this system, 40HS22 and 40HS23 roughly identify the two sites' locations and tell archaeologists when they were first surveyed.[27]

In order to gain a better understanding of the WPA's work at these sites, historians and archaeologists like Anna R. Lunn offer valuable reinterpretations of WPA archaeology projects and reports in the book *Shovel Ready: Archaeology and Roosevelt's New Deal for America*.[28] Each chapter is a different essay illustrating the history of New Deal archaeology and providing a clearer understanding of the period's methods and findings than what the original WPA site files and field notes offer. The chapter titled "WPA Archaeology at the Slayden Site, Humphreys County, Tennessee," presents an archaeological report based on the notes and field journals of WPA archaeologists who conducted excavations in the area near the location of U-1-T.[29] This report is essential for contextualizing WPA archaeological work at 40HS22 and 40HS23 (U-1-T) because it reflects the structure of modern archaeological reports. This report is also helpful because the Slayden site was excavated by Charles H. Nash, the same archaeologist who surveyed 40HS22 and 40HS23.[30] It is important to examine the conclusions from the Slayden site, as its location is very close to 40HS22 and 40HS23. With similar locations and artifacts at both sites, the WPA's findings can be used to draw informed conclusions about pre-Columbian life at 40HS22 and 40HS23. Given the extensive excavations as the Slayden site, which provided a good understanding of the area's settlement, Nash and Foster likely only lightly surveyed

[27] It is important to point out a small anomaly in the naming of the two sites. As stated above, archaeological sites are ordered within a county numerically as they are recorded. According to the site files from the WPA, 40HS23 was recorded in 1939, and 40HS22 was recorded in 1942. It is not clear why the two site numbers are out of order.

[28] Bernard K. Means, *Shovel Ready: Archaeology and Roosevelt's New Deal for America*, Book, Edited (University of Alabama Press, 2013).

[29] Lunn, "WPA Archaeology."

[30] Lunn, "WPA Archaeology."

40HS22 and 40HS23 to make sure no unexpected findings emerged that would offer new information.

The "site survey forms" for 40HS22 and 40HS23 are typical for simple archaeological surveys on any given site. These forms are two to three pages long and provide basic information about the site such as its "geographical location," "dimensions," and "type of soil." A small section in the lower half of the page for the archaeologists' notes about surface material gathered and a small map depicting the two islands. Charles Nash noted that at 40HS22, "Foster [the second archaeologist on the survey] found one cm sherd. I saw only flint spalls scattered over the surface. No depth to deposit." The two WPA archaeologists labeled the site as a "village" and added that "considerable" erosion had occurred, likely due to wave action from the lake.[31] At the 40HS23 site, Nash provided the same information as for 40HS22 and only noted "a few specimens scattered over surface" as any indication of man-made artifacts on the site.[32] Since the island's shores are more or less inundated depending on when the TVA dams release, it is possible that Nash did not see many artifacts on the surface at the time of his survey. Nash's WPA site report was the only information the public has about the pre-Columbian population that lived here until Mr. Anderson pulled his boat on the shore.

In his personal files, Mr. Anderson compiled an eighty-seven page report in a paper folder held together with brass folding pins; something very different from what we expect to find in an archaeological archive. His report contains sections titled, "Site Location and Description," "Lithic Materials," "Artifact Inventory," and "Summary and Conclusions." Mr. Anderson provides information on how deep the site was under water during the winter versus

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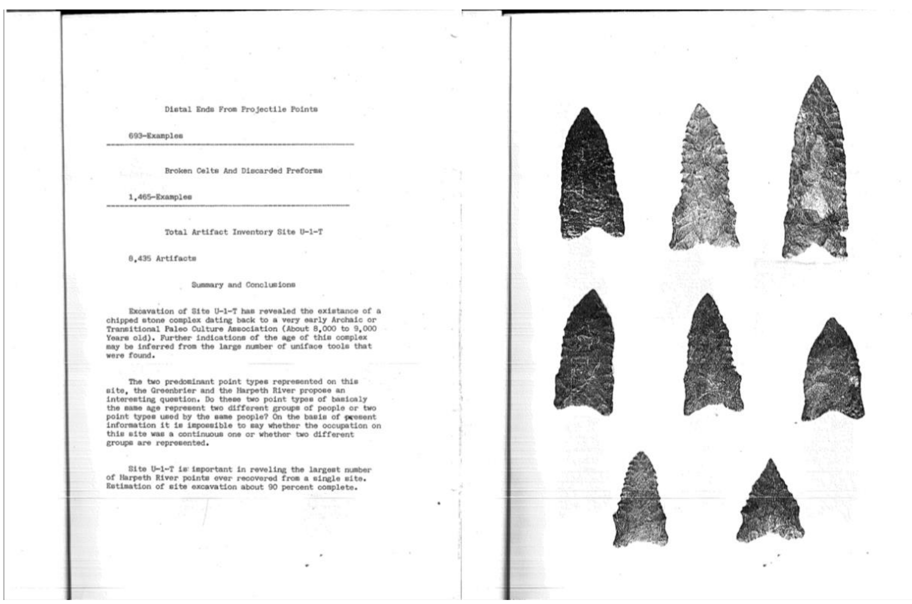
[31] Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS22," n.d., Tennessee Division of Archaeology, accessed March 14, 2023.

[32] Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS23," n.d., Tennessee Division of Archaeology, accessed March 13, 2023.

the summer. He describes the quality of the rock and flint that the artifacts are made from and even locates how far the outcropping of flint is from the U-1-T site. The section called "artifact inventory" is four pages long, separating categories of artifacts into artifact type and the name of the period in which the tools were produced.[33] In total, Mr. Anderson collected 8,435 artifacts from this site, which are all now at the state repository at Pinson Mounds.[34] In his conclusion, Mr. Anderson claims this site "revealed the existence of a chipped stone complex dating back to a very early Archaic or Transitional Paleo Association (About 8,000 to 9,000 Years old)." He concludes that U-1-T is significant because it contains the "largest number of Harpeth River points ever recovered from a single site."[35] After his summary and conclusions, the rest of the report contains scanned images of projectile points and other stone tools that represent a small sample of the artifacts Mr. Anderson collected at this site (See Figure 2).



Distal Ends From Projectile Points

693-Examples

Broken Celts And Discarded Preforms

1,465-Examples

Total Artifact Inventory Site U-1-T

8,435 Artifacts

Summary and Conclusions

Excavation of Site U-1-T has revealed the existance of a chipped stone complex dating back to a very early Archaic or Transitional Paleo Culture Association (About 8,000 to 9,000 Years old). Further indications of the age of this complex may be inferred from the large number of uniface tools that were found.

The two predominant point types represented on this site, the Greenbrier and the Harpeth River propose an interesting question. Do these two point types of basicaly the same age represent two different groups of people or two point types used by the same people? On the basis of present information it is impossible to say whether the occupation on this site was a continuous one or whether two different groups are represented.

Site U-1-T is important in reveling the largest number of Harpeth River points ever recovered from a single site. Estimation of site excavation about 90 percent complete.

33 Richard Anderson, "U-1-T," n.d.

34 For artifact count, see: Richard Anderson, "U-1-T," n.d. For state contract accepting the donation, see: Bryan McDaniel, Jim Fields, and Leona M. Zastrow, "Fair Market Value Appraisal Report for Non-Cash Charitable Contribution for IRS Tax Purposes," April 30, 2022, Tennessee Division of Archaeology.

35 Richard Anderson, "U-1-T," n.d.

Figure 2: Mr. Anderson's "Summary and Conclusions" page with the first page of scanned images of projectile points.[36]

The content of Mr. Anderson's report is variable, mixing professional collections methods with what a layperson would want to know from an archaeological report. As previously mentioned, initial archaeological reports typically include information such as a site description, soil type, and topography that indicate the geological setting of the site. If archaeologists collect or record artifacts and leave them behind, further reports will expand on the kind, material, dimensions, and location of these objects.[37] Often, archaeologists publish secondary reports months or even years after initially recording the site due to the time it takes to process and record accurate information about human life there. Because of the time gaps between the initial report and the subsequent reports expanding on the site's interpretation, files are not often kept together, forcing the public to search for all of them to gather the full picture of the site. However, in Mr. Anderson's reports, he includes the site report, artifact count, and initial interpretations all in one place (See Figure 3).[38] These characteristics differentiate Mr. Anderson's reports from typical archaeological reports, making them more accessible to the general public. He uses is understandable language for readers without formal education in archaeology and communicates his interpretations in one condensed place. His work with professional archaeologists in Tennessee likely influenced the categories of information he presents, while his lack of formal training likely affected his presentation style.

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[36] Ibid.

[37] Dennis Stanford et al., "Clovis Blade Manufacture: Preliminary Data from the Carson-Conn-Short Site (40Bn190), Tennessee," *Current Research in the Pleistocene* 23, no. 145 (2006): 145–47. This is an example of an archaeological report from a site in Tennessee which was discovered by and named after avocational archaeologists. The professional archaeologists who wrote the article, John Broster, Dennis Stanford, Elmo León Canales, and Mark Norton worked with the avocational archaeologists to gather information about artifacts at this site and slowly published their findings as the research was conducted. This article is cited to show what an archaeological report may look like as the collection of artifacts is processed, after the initial site report is given to the state.

[38] Richard Anderson, "U-1-T," n.d., Tennessee Division of Archaeology, accessed March 9, 2023.

Site U-1-T
Site Location And Description

This site is located in Humpherys County Tennessee were Big Richland Creek empties into the Tennessee River. On the south side of the mouth of Big Richland Creek at an elevation of 350 the site runs along the west side of a wide ridge that sets parallel with the Tennessee River.

On TVA Navagation Chart 106 Site U-1-T is near mile mark 89. Site U-1-T covers an area 50 yards long and 25 yards wide. Due to the construction of the Kentucky Dam this site stays under water year round. About 3 to 4 feet in winter and 8 to 9 feet in summer.

Lithic Materials

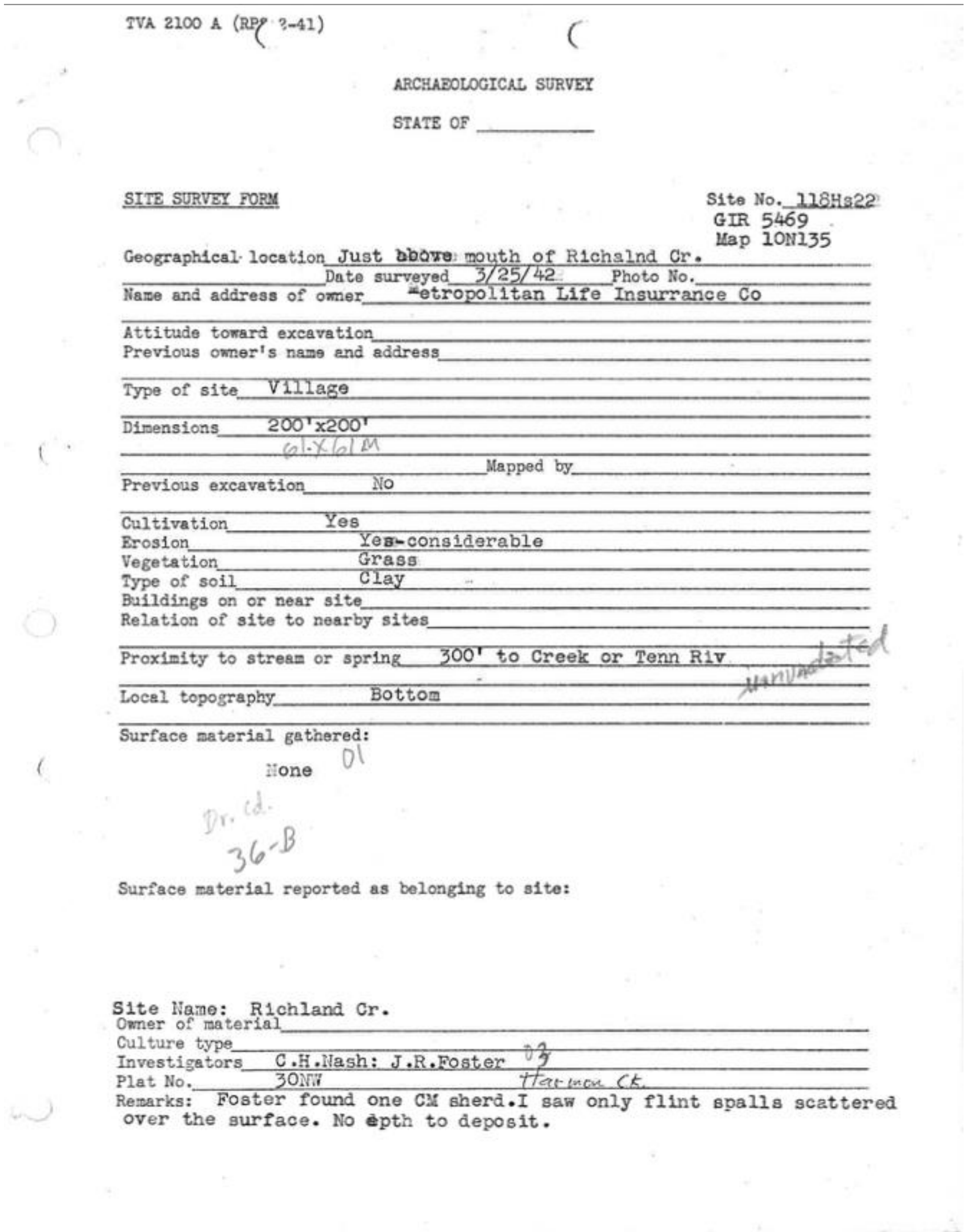
Most of the flint on this site is of good quality, and a majority of the artifacts were made from brown and black Dover Flint. (The Dover Flint mines are about 27 miles away). The rest of the artifacts were manufactured from nodular flint avaliable locally.

Site Work By:

Richard Anderson

Louise Anderson

Wayne Crabtree
David Thomas
Gary Conn



TVA 2100 A (RP 3-41)

ARCHAEOLOGICAL SURVEY

STATE OF ____________

SITE SURVEY FORM

Site No. 118Hs22
GIR 5469
Map 10N135

Geographical location Just above mouth of Richalnd Cr.
Date surveyed 3/25/42 Photo No.
Name and address of owner Metropolitan Life Insurrance Co

Attitude toward excavation
Previous owner's name and address

Type of site Village

Dimensions 200'x200'
61x61 M
Mapped by
Previous excavation No

Cultivation Yes
Erosion Yes-considerable
Vegetation Grass
Type of soil Clay
Buildings on or near site
Relation of site to nearby sites

Proximity to stream or spring 300' to Creek or Tenn Riv

Local topography Bottom

Surface material gathered:
None 01

Dr. cd.
36-B

Surface material reported as belonging to site:

Site Name: Richland Cr.
Owner of material
Culture type
Investigators C.H.Nash: J.R.Foster 03
Plat No. 30NW Harmon Ck.
Remarks: Foster found one CM sherd.I saw only flint spalls scattered over the surface. No epth to deposit.

Figure 3: First image: "U-1-T" first page of Mr. Anderson's report. Second Image: 40HS22 "Site Survey Form" first page of the WPA report. As a side-by-side comparison, Mr. Anderson's report provides easily understandable information about the location he describes. The report from the WPA may be easily understood by a trained archaeologist but does not convey any interpretation or detailed site description. (See also Figure 3 for summary and conclusion section.)[39]

[39] Image one: Richard Anderson, "U-1-T," n.d. Image two: Charles H. Nash and J.R. Foster, "Site Survey Form for 40HS22," n.d., Tennessee Division of Archaeology, accessed March 14, 2023.

When comparing the information gathered by the WPA archaeologists and by Mr. Anderson, it becomes clear how avocational archaeology can add to the knowledge of archaeological sites. Without Mr. Anderson's materials, we would understand this site only through Nash's 1937 and 1942 reports of one pot sherd and scattered flint. No one would have realized that this location contains the largest concentration of Harpeth River points in one place. This information is significant since Harpeth River points are generally thought to come from occupational sites in the northern Highland Rim area, and U-1-T is in the southwest Coastal Plain area of Tennessee.[40] Researchers must further verify Mr. Anderson's conclusions, but if he is correct, his collection will expand the accepted boundary of Harpeth River occupational sites. Additionally, this knowledge will expand the language used to describe pre-Columbian Indigenous life around U-1-T. Harpeth River points are part of a larger "fluted point" stone tool technology group that is diagnostic of regional "mobility and land use strategies," helping archaeologists describe early settlement patterns and activities in North America.[41]

The expansion of language to describe pre-Columbian life in this area is important because prehistorians often tend to describe Indigenous groups of people they are studying as if they are physical anthropologists describing non-human primates. While descriptions of subsistence and migration patterns are critical to understand how pre-Columbian tribes moved across the United States, these data offer little information about their humanity. If Mr. Anderson's conclusions are correct, archaeologists can begin to draw connections between U-1-T and known Harpeth River sites to the northeast. They can explore these connections using Harpeth River points and other artifacts to create a narrative around pre-Columbian social

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[40] Jesse Tune, "The Paleoindian and Early Archaic Record in Tennessee: A Review of the Tennessee Fluted Point Survey," *Tennessee Archaeology* 8 (January 1, 2016): 24–41.

[41] Jesse Tune, "The Paleoindian and Early Archaic Record in Tennessee: A Review of the Tennessee Fluted Point Survey."

patterns or trade networks that deepen the public's understanding beyond the basics of subsistence and migration patterns.

Throughout this research, I have worked with Bill Lawrence, a current archaeologist with the TDOA, to curate the artifacts from this site.[42] One Thursday, while we were organizing the collection, we made a surprising discovery. As we opened and emptied Mr. Anderson's original storage containers, we found a small human shaped figurine (See Figure 4). The figurine, almost two centimeters in length and about a centimeter wide, depicts what looks like a little girl. After photographing the object and researching its origin, we discovered it is a figurine known as a "Frozen Charlotte Doll," made from 1850-1920.[43] Every artifact from this site, except this one, is pre-Columbian, and Mr. Anderson does not note it in his U-1-T report. This doll points to another avenue of research of human settlement in the area before it became a lake. Without Mr. Anderson's collection, researchers would only know what the WPA report provides and might not realize a potential historic site lies beneath the water. The Frozen Charlotte Doll is another layer to examine humanity within the archaeological record. Although the doll is not an artifact of pre-Columbian life at the site, it indicates parts of the human experience related to entertainment and connections to folk stories from other parts of the country.

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[42] I came across this topic initially as a volunteer with the Tennessee Division of Archaeology and saw a perfect opportunity to write my master's thesis on the collection. Since then, I have been curating the collection with Bill Lawrence as part of my volunteer hours for the TDOA and as part of my internship for the public history program. Part of the research for this paper has come from my work while curating the artifacts from U-1-T, so the third person to first person change is in reference to that work.

[43] "Frozen Charlotte Doll - Kansas Memory - Kansas Historical Society," accessed April 4, 2023, https://www.kshs.org/index.php?url=km/items/view/440391. The Frozen Charlotte doll refers to a poem and fold ballad about a little girl on the way to a party during a cold carriage ride. The story says she refuses to put on a coat during the ride because she does not want to cover up her new dress and unfortunately freezes to death before she arrives to the party.

Figure 4: Object found in assemblage of artifacts from Mr. Anderson's U-1-T archaeological collection presumed to be a Frozen Charlotte Doll made between 1850-1920.[44]

Mr. Anderson's work on U-1-T requires more research before archaeologists can confirm and publish his conclusions for public knowledge. Before starting additional research, archaeologists at the TDOA need to fully curate the collection of artifacts associated with the

[44] AnnaLevi Chavis, Photograph, Pinson Mounds State Archaeological Park, March 23, 2023.

site. This process will take time before results are shared with the public. Without the Anderson collection, researchers and archaeologists would rely solely on the WPA's reports to understand life in this area before the TVA's reservoir. In this case, Mr. Anderson's avocational practices demonstrate how private collections, housed in public institutions like the TDOA, can expand the publicly accessible archaeological record and produce useful records for future research. However, because of the collection's background briefly discussed at the beginning of this chapter, the TDOA considered it carefully before accepting the Anderson family's donation offer.

Archaeologists at the TDOA faced the dilemma of leaving this collection to the archaeological black market and trade circuit or accepting it despite its questionable ethical historical background. If the TDOA had decided not to accept the collection, private markets would have split it up. These environments often lack professional care and interpretive methods, which reduce the artifacts into fascinating objects with little to no educational or research value. Objects in this context violate many principles in the Society for American Archaeology's code of ethics for professional archaeologists, principles that chapter two will discuss at length. Keeping this in mind, the TDOA chose to accept the Anderson Collection to prevent its deterioration into a collection without professional research potential.[45]

Chapter three will discuss this in detail; however, it is important to now point out that the Anderson family made their donation in 2020 during the Covid-19 pandemic. In 2021, the TDOA hired their first collections manager, Macie Orrand, who developed some of their first

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[45] "Ethics in Professional Archaeology," Society for American Archaeology, accessed April 17, 2023, https://www.saa.org/career-practice/ethics-in-professional-archaeology.

policies and procedures for future donations after acquiring the Anderson Collection. In a Tennessee Archaeology Awareness Month blog post, Macie compared developing these policies to "learning to fly a plane while in the air."[46] The acquisition of this collection is complicated not only due to its many intersections with history, anthropology/archaeology, and stakeholder interests, but also because the TDOA was not as prepared as the archaeologists on staff would have preferred at the time of the collection's donation. This situation is unfortunate but very real, facing many institutions and museums all over the country. Acknowledging the poor condition of many repositories/collections and developing policies to prevent future issues are the first steps to avoid the perpetuation of these conditions and to begin remedying the curation crisis faced by archaeologists, historians, and museum professionals today.

Following this chapter's introduction of the Anderson Collection's research potential, the next chapters will discuss the collections management practices it has undergone since the TDOA accepted it. As noted at the beginning of this chapter, the Anderson Collection serves as a multilayered case study in collections management, requiring a recommended set of thorough, ethical, and mutually acceptable practices that examine and consider many topics. Chapter two delves into literature on national heritage laws, public history and public archaeology, Native sovereignty and advocacy for Native rights, Tennessee state laws, and TDOA policies. Voices in these sources vary and sometimes disagree. Therefore, the recommendations in chapter four emphasize the voices calling for widespread decolonization in collections management practices at institutions like the TDOA. For example, I prioritize practices such as placing authority and legitimacy in Indigenous interpretations of the collection and collaborating with Indigenous

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[46] Macie Orrand, "'Learning to Fly: The TDOA's Collections Program and New Collections Manager,'" *Tennessee Council for Professional Archaeology* (blog), September 15, 2022.

descendants and other stakeholders on future public projects. The research and recommendations throughout this thesis aim to leverage the collection's complex background and its intersections with a diverse body of literature. My goal is to develop practices that prioritize and collaborate with the Indigenous descendant voices represented in the artifacts while still following the requirements in state and national laws.[47] This approach aims to produce useful and applicable research for the TDOA and other institutions facing similar challenges.

[47] Viv Golding, "Collaborative Museums: Curators, Communities, Collections," in *Museums and Communities: Curators, Collections and Collaboration*, Book, Section vols. (London: Bloomsbury Academic, 2013).

Chapter 2

An Examination of the Existing and Intersecting Literature and Laws

The academic fields of history and archaeology are governed by laws that the ways in control, preserve, and regulate the kinds of material culture used in public education. These laws, categorized under the umbrella of heritage legislation, are designed to "govern [the] recovery, use, protection, and possession of elements of the physical or conceptual world produced by a particular human culture."[48] This definition broadly affects how public historians and archaeologists interpret and disseminate information held by objects of the past, such as those found in the Anderson Collection. This section will provide a brief timeline of the development of American heritage legislation and discuss its interaction with the growth of cultural resource management (CRM) and its influence on avocational archaeology. Also on this timeline are codes of ethics that have provided guidelines for the practices in professional archaeology since 1976.[49] Professional archaeologists adopted and amended these codes over time, which influenced their relationship with avocational archaeologists and heritage legislation. This relationship changed based on the issues addressed in popularly accepted ethical codes and the discipline's response to the latest legislative additions.

This literature is often divided in two groups: non-Native scholars discussing the applications of these codes and laws, and Native scholars discussing how history and archaeology can affect both internal and external perspectives of Indigenous identity, history, and claims of authority over their cultural heritage.[50] This section aims to put these bodies of

[48] Thomas W. Neumann, "Heritage Legislation, The Introduction of: Disciplining Through Law," ed. Claire Smith, *Encyclopedia of Global Archaeology* (New York, NY: Springer New York, 2014).

[49] Mark J. Lynott, "Ethical Principles and Archaeological Practice: Development of an Ethics Policy," *American Antiquity* 62, no. 4 (1997): 589–99.

[50] Native scholars who discuss how these codes and laws affect their communities include authors like Amy Lonetree, "Exhibiting Native America at the National Museum of the American Indian: Collaborations and

work in conversation with one another. However, to maintain an organized presentation of information, much of the literature by Native scholars will be more detailed in the section on decolonization.

Heritage Legislation's Timeline

Much of today's heritage legislation originates from the United States government's interest in preserving and protecting archaeological resources. This interest was solidified and developed through the Bureau of Ethnology, established in 1879 and nested within the Smithsonian Institution.[51] The bureau later became the Bureau of American Ethnology, which designated Casa Grande Ruins as the "first federally protected archaeological site."[52] After this designation, pressure from professional organizations of the time "increased public awareness of the destruction of archaeological ruins" in the United States. Ultimately, this pressure led to the passage of the 1906 American Antiquities Act.[53]

For the first time, this act required professionals in the discipline, usually affiliated with a museum or university, to obtain permits for excavation. These permits protect archaeological sites from improper excavation methods. Since archaeology is inherently destructive, archaeologists must excavate and document sites with great care and attention to detail. The records developed during an excavation must function as a paper version of a site for future researchers, as the site loses its original preservation once it is excavated. Without these permits,

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Missed Opportunities," in *Decolonizing Museums: Representing Native America in National and Tribal Museums* (The University of North Carolina Press, 2012), Paul Chaat Smith, *Everything You Know About Indians Is Wrong*, Indigenous Americas (University of Minnesota Press, 2009), and Waziyatawin Angela Wilson and Michael Yellow Bird, *For Indigenous Eyes Only: Beginning Decolonization*, ed. Waziyatawin Angela Wilson and Michael Yellow Bird. (Santa Fe: School of American Research, 2005).

[51] Francis P. McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society," in *Cultural Resource Management in Contemporary Society*, 1999, 40–54.

[52] McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."

[53] Ibid.

anyone, regardless of training, could excavate or collect from an archaeological site without facing legal consequences. The consequences in the Antiquities Act include fines, jail time, and the "seizure" of artifacts collected from "lands owned or controlled by the United States, without a permit."[54] These penalties deter the potential destruction and loss of valuable information due to illegal collecting.

The Antiquities Act signified the importance of material culture, solidifying it as a shared resource that should be protected and maintained for all U.S. citizens. This act set a precedent for protecting historic and archaeological sites on federal land from looters and acts of vandalism, and it left room for future protection of National Monuments.[55] The Historic Sites Act of 1935, passed under the authority of the Antiquities Act, broadened the land and cultural resource protections in the Antiquities Act by expanding protection to "historic sites, buildings, and objects of national significance."[56] In 1966, the National Historic Preservation Act of 1966 (NHPA) once again expanded and specified these protections, extending federal protection to local archaeological and historic sites that may not be significant on a national level, and detailing "six kinds of actions or activities" the federal government can take to conserve protected properties.[57]

Historically, each new piece of heritage legislation has become more specific, while the list of protected resources has broadened to include more sites and cultural material. However, some Indigenous scholars argue that despite the updated language and broadened scope of

[54] "Uniform Rules and Regulations Code of Federal Regulations Title 43--Public Lands: Interior Subtitle A--Office of the Secretary of the Interior Part 3--Preservation of American Antiquities Revised Dec. 23, 1954 (U.S. National Park Service)," March 6, 2023, https://www.nps.gov/articles/lee-story-rules-regs.htm.

[55] "The Proclamation of National Monuments Under the Antiquities Act, 1906-1970 (U.S. National Park Service)," March 6, 2023, https://www.nps.gov/articles/lee-story-proclamation.htm.

[56] "Historic Sites Act," 16 U.S.C. § § (1935), https://uscode.house.gov/statviewer.htm?volume=49&page=666.

[57] Francis P. McManamon, "The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society.," in *Cultural Resource Management in Contemporary Society*, 1999, 40–54,

protected resources, these acts ignore Native peoples' interest in their cultural objects and ancestral remains.[58] Similarly, others argue that heritage legislation has reinforced Euro-American claims to Indigenous heritage within the national identity.[59]

The criticism that heritage legislation reinforces U.S. claims to Native heritage and identity can be seen in the development of the Archaeological Resources Protection Act of 1979 (ARPA). ARPA was designed to protect the "irreplaceable part of the Nation's heritage" that is public and "Indian" land. It aimed to provide avenues of communication between institutions and private collectors who removed cultural objects from federal Native land before 1979.[60] This act remains significant for its continued authority over archaeological practice; however, it is controversial in Native scholarship for co-opting Indigenous objects into a largely non-Indigenous national heritage.[61] ARPA defines an archaeological resource as "any material remains of past human life or activities which are of archaeological interest" and at least 100 years old.[62] As it is written, this definition allows the United States to claim all Indigenous history and artifacts as part of the nation's collective cultural heritage, which some Indigenous scholars see as the perpetuation of "colonialist power structures."[63]

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[58] Amy Lonetree, *Decolonizing Museums: Representing Native America in National and Tribal Museums*, First Peoples: New Directions in Indigenous Studies (University of North Carolina Press, 2012).

[59] Discussed in Catherine Bell and Val Raven, "Recovering from Colonization: Perspectives of Community Members on Protection and Repatriation of Kwakwaka'wakw Cultural Heritage," in *First Nations Cultural Heritage and Law: Case Studies, Voices, and Perspectives*, Law and Society Series xv, 521 (Vancouver, BC: UBC Press, 2008), 33–91 from a Canadian perspective, and in Joe Watkins, "Private Property Rights Versus Heritage Ownership: The Conflict between Individual and Collective Rights," *The SAA Archaeological Record* 15, no. 5 (November 2015): 14–16.

[60] "Archaeological Resources Protection Act," 16 U.S.C. 470aa-470mm § (1979), https://www.govinfo.gov/content/pkg/STATUTE-93/pdf/STATUTE-93-Pg721.pdf.

[61] Discussed by Indigenous authors such as, Watkins and Bell and Raven cited in n47, and in Chip Colwell, "Curating Secrets," *Current Anthropology* 56, no. S12 (2015): S263–75, as this idea also applies to the Native American Graves Protection and Repatriation Act (NAGPRA).

[62] Archaeological Resources Protection Act.

[63] Colwell, "Curating Secrets."

ARPA continues to play a central role in protecting archaeological resources and is a necessary piece of education for future public historians and archaeologists. Students studying ARPA and other pieces of heritage legislation often read literature that discusses concerns about the laws raised by Native academics. Joe Watkins, an Indigenous archaeologist from the Choctaw Nation of Oklahoma, criticizes the law for only protecting Native objects found on federal land and tribal reservations. This is because ARPA does not protect Native objects found on private property, despite their potential to contribute to American Indian history and heritage. The law provides a legal answer to the question of cultural heritage ownership, but as Watkins and other scholars point out, it fails to consider Indigenous "items of cultural importance." This argument is evident in the categorization of human remains as archaeological resources, and the exclusion of their repatriation until 1990.[64] These criticisms rest on the idea that removing Native objects from their original contexts weakens Native ties and claims to ancestral lands and separates Native people from their history.[65] To address this issue, Watkins argues for a clear distinction between Indigenous artifacts from before and after European arrival, suggesting that U.S. claims to cultural heritage should reflect that distinction.[66]

Heritage legislation reflects the idea that two things can be true at once: ARPA is an important piece of heritage legislation but fails to fully protect the objects of which it claims ownership. Despite ARPA's criticism, discussing its requirements is necessary for understanding this literature in relation to the Anderson Collection. To conduct an archaeological excavation on

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[64] For "items of cultural importance," see: Joe Watkins, "Laws Protecting American Indian Cultural Resources," in *American Indian Values and Scientific Practice* (Walnut Creek, CA: Alta Mira Press, 2000), 37–50. For "repatriation," see: Robert V. Davis, "Native American Graves Protection and Repatriation Act," in *The Search for the First Americans: Science, Power, Politics.* (University of Oklahoma Press, 2021), 112–21.

[65] Chip Colwell-Chanthaphonh and T.J. Ferguson, eds., *Collaboration in Archaeological Practice: Engaging Descendant Communities* (AltaMira Press, 2008).

[66] Watkins, "Private Property Rights Versus Heritage Ownership: The Conflict between Individual and Collective Rights."

land under ARPA's jurisdiction, a qualified archaeologist must apply for a permit stating the archaeological importance and purpose of the excavation, including "the time, scope, and location" of excavation. According to the American Antiquities Act of 1906, a qualified archaeologist can obtain a permit if they are associated with any "reputable museums, universities, colleges, or other recognized scientific or educational institutions." ARPA maintains this requirement, emphasizing the importance of having a trained professional excavate a site to protect objects and information from destruction or the private collection. Following this step, the Federal Land Manager or government agency with "authority" over the land will determine if the work will be destructive to Native cultural sites. If there is potential for such destruction, federally recognized tribes with an ancestral connection to the site must be notified. However, notifying a tribe does not give them authority to request that the excavation be stopped. Under ARPA, Tribal governments can deny a permit for excavation on tribal land, and the permit itself must "include such terms and conditions" requested by tribal government. Public land controlled by the federal government is not included in a Tribe's power to deny a permit.[67]

Violations under ARPA include any excavation, vandalism, or other damage, to archaeological resources, or the attempted sale of artifacts with a "commercial or archaeological value" of "$500" from ARPA-protected land. These violations can result in a fine of "$100,000" and imprisonment for "not more than five years" after a second offense. The first violation can result in a fine of "$10,000" and imprisonment for "not more than one year." If a person provides information that "leads to the finding of a civil violation," they are entitled to "an amount equal to one-half of such penalty or fine, but not to exceed $500."[68] The law does identify the

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[67] Ronald F Lee, "The Antiquities Act of 1906" (National Park Service, 1970), http://npshistory.com/publications/antiquities-act-1906.pdf.

[68] Lee, "The Antiquities Act of 1906."

enforcing body individuals can utilize to report infractions. Most violations are not pursued or punished to the full extent of the law and usually result in a slap on the wrist.

ARPA is the first piece of heritage legislation to explicitly protect the location of sites on public and federal Indian reservations. To prevent damage by unpermitted individuals, exact locations are kept confidential. However, this does not mean the public is kept in the dark about the importance of archaeological resources on public land. The law requires Federal Land Managers to develop programs that educate the public on the importance of protecting the archaeological resources found on their sites. ARPA also designates the Secretary of the Interior as responsible for "communication, cooperation, and exchange of information" between private citizens with archaeological material collected before ARPA was enacted and institutions and Tribes interested in the information contained within the artifacts. This responsibility is an option for the Secretary of Interior, the law does not mandate them carry it out or provide a process for doing so.[69] Although ARPA does not mandate the Secretary of Interior to exchange information between archaeologists and the public, its inclusion of this possibility is noteworthy for subsequent legislation.

ARPA emphasized the "importance of cooperation" among professional and avocational groups, institutions, and agencies working together protecting the "nation's heritage." This cooperation can be combined with the legal frameworks of the National Museum of the American Indian and the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990.[70] In response to decades of Native activism against American archaeologists' handling

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[69] Ibid.

[70] For "importance of cooperation," see: McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society." For "Native American Graves Protection and Repatriation Act (NAGPRA) of 1990," see: "Native American Graves Protection and Repatriation Act, 1990," 25 U.S.C. § 3002. § (1990), https://www.govinfo.gov/content/pkg/STATUTE-104/pdf/STATUTE-104-Pg3048.pdf.

of Indigenous artifacts and sites, Congress passed the National Museum of the American Indian Act in 1989. This act established the first national museum "devoted exclusively to the history and art of cultures indigenous to the Americas," and required all Smithsonian institutions to transfer Native Ancestral remains to the new museum's care.[71] The details and legal requirements for transferring Ancestral remains formed the basis of NAGPRA. While some scholars praise the National Museum of the American Indian Act for its legislative accomplishment in repatriation, it faces criticism for being too little too late. Amy Lonetree, a Native historian at the University of California, Santa Cruz, argues that the credit this act receives for beginning to repair the relationship between the U.S. government and Tribal nations is "presumptive" because the government has not formally apologized to Indigenous communities or began a process of reparations.[72] Other Indigenous scholars, such as Paul Chaat Smith, align with Lonetree's criticism, calling the museum "absurd" and "impossible" due to the irony between the federal treatment of Native people and the National Mall's messages of freedom and morality. Despite this, both Smith and Lonetree agree that the museum is urgently needed to provide a space for "memory, memorial, hope, and grief."[73] These three laws – ARPA, the National Museum of the American Indian Act, and NAGPRA – remain major pieces of heritage legislation today, working together to safeguard historical, cultural, and archaeological resources. Their critics hold the laws accountable, ensuring that the application of their regulations maintain a balance between colonial and Native power structures.

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[71] For "devoted exclusively to the history," see: "National Museum of the American Indian Act," 20 USC 80q-1 § (1989), https://americanindian.si.edu/sites/1/files/pdf/about/NMAIAct.pdf. For "transfer Native Ancestral Remains," see: Amy Lonetree, "Exhibiting Native America at the National Museum of the American Indian: Collaborations and Missed Opportunities," in *Decolonizing Museums: Representing Native America in National and Tribal Museums* (The University of North Carolina Press, 2012).

[72] Lonetree, "Exhibiting Native America at the National Museum of the American Indian: Collaborations and Missed Opportunities."

[73] Paul Chaat Smith, *Everything You Know About Indians Is Wrong*, Indigenous Americas (University of Minnesota Press, 2009).

Often taught as an adjacent law to ARPA, NAGPRA was written to expand heritage legislation's unique protection for federally recognized tribes and to define these protections for culturally specific and sacred objects, such as burial goods and ancestral human remains. NAGPRA expands Tribal authority outlined in ARPA and designates Native ownership over "cultural items" found on both federal Native reservations and public federal land. The law provides a process for achieving repatriation, defined as the "return of possession or control" of Native sacred objects and Ancestral remains.[74] However, it does not include all Indigenous objects. The details of this process are lengthy and constantly debated. Aside from the requirement of consultation discussed later in this section, the debates are not necessary to understand the importance of this law. In the timeline of heritage legislation, NAGPRA represents the culmination of decades of Native activism and legislative efforts by Congress to give effective legitimacy to the "concerns of American Indians, Alaskan Natives, and Native Hawaiians." The law "signals a new relationship" between Native governments and the larger archaeological community, including federal agencies.[75]

NAGPRA is the first law to provide unique definitions of "cultural items" specific to Indigenous American communities, categorizing them as "human remains," "associated funerary objects," "unassociated funerary objects," and "sacred objects."[76] Since January 2024 however, NAGPRA no longer gives professional archaeologists the final authority on the application of these definitions for Indigenous objects. Previously, associated funerary objects, unassociated funerary objects, and sacred objects were determined based out of the context of their archaeological provenience, In January 2024, new regulations were passed that defers to the

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[74] Native American Graves Protection and Repatriation Act, 1990.
[75] McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."
[76] Native American Graves Protection and Repatriation Act, 1990.

authority of traditional tribal knowledge while identifying these objects.[77] Provisions under NAGPRA are significant to the history of heritage legislation because they extend protection to objects outside the boundaries of physical landscapes. NAGPRA applies not only to Indigenous objects and ancestral remains found on federal Native reservations and public federal land but also to those in the "possession or control of any institution or State or local government receiving Federal funds."[78] NAGPRA expands Tribal authority by requiring consultation with tribes who may have ancestral affiliation to the sites, objects, and ancestors found on federal land and in institutions who receive federal money. The consultation process is defined as an "exchange of information, open discussion, and joint deliberations with respect to potential issues, changes, or actions by all interested parties."[79] This requirement is crucial for achieving cultural affiliation and eventual repatriation. The consultation process is a vital part of modern heritage legislation and is heavily discussed in academic literature on decolonizing, or decentering Western knowledge structures in academic spheres, which will be addressed in the following section.

One problem with this law, like many pieces of heritage legislation, is that it has no teeth to execute the included punishments for violating its regulations. Section four in NAGPRA reflects punishments outlined in ARPA, mandating fines "in accordance with this title" and or jail time between one and five years for individuals, institutions, or agencies in possession of or

[77] "43 CFR Part 10 -- Native American Graves Protection and Repatriation Regulations," December 13, 2023, https://www.ecfr.gov/current/title-43/part-10. See also: "Guidance on the Native American Graves Protection and Repatriation Act (NAGPRA) 43 CFR Part 10" (National Park Service, January 2024), https://www.nps.gov/subjects/nagpra/upload/Duty-of-Care-FAQ.pdf.

[78] "Native American Graves Protection and Repatriation Act, 1995," 43 CFR Part 10 § (1995), https://govinfo.gov/content/pkg/FR-1995-12-04/pdf/95-29418.pdf. When talking about what NAGPRA covers, I am combining the 1990 and 1995 versions of the law in my language as the 1995 version includes what is laid out in the 1990 version. I am only citing the 1990 version of the law where I use quotations specifically from the language in the 1990 version of the law.

[79] "Glossary - Native American Graves Protection and Repatriation Act (U.S. National Park Service)," accessed November 27, 2023, https://www.nps.gov/subjects/nagpra/glossary.htm.

attempting to sell objects and ancestral remains protected by this act.[80] Section fifteen, titled "enforcement," gives "United States district courts" jurisdiction to enforce NAGPRA's requirements, but it does not specify a procedure or designated body to handle infractions.[81] Despite the progress made by heritage legislation like NAGPRA and ARPA in protecting and preserving Native material culture, the theft of Indigenous ancestral remains and objects continues due to weak enforcement measures and a failure to protect archaeological resources and ancestral remains on private land. Heritage legislation is filled with contradictions, gaps, and remaining questions for Indigenous scholars, despite its historical accomplishments. These issues are closely tied to colonization and its historical effects on Native people. Critiques from Indigenous scholars like Watkins and Colwell-Chanthaphonh have led to increased advocacy from both Native and non-Native academics for the need to decenter Western authority in interpretations of history and archaeology.

Codes of Ethics

Archaeologists and academics initially recognized a need for ethical codes in 1976 with the founding of the Society of Professional Archaeologists.[82] Modern ethical codes developed in the early 1990's when major American archaeological organizations, such as the Society for American Archaeology (SAA) and the Society for Historical Archaeology (SHA), instituted their first codes of ethics.[83] These codes were implemented as a response to the National Museum of the American Indian Act and NAGPRA. During this period, the World Archaeological Congress (WAC) was established to unite the international archaeological community and create methods,

[80] Native American Graves Protection and Repatriation Act, 1990.
[81] Ibid.
[82] Mark J. Lynott, "Ethical Principles and Archaeological Practice: Development of an Ethics Policy," *American Antiquity* 62, no. 4 (1997): 589–99.
[83] "Archaeology Law & Ethics," Society for American Archaeology, accessed March 3, 2024, https://www.saa.org/about-archaeology/archaeology-law-ethics.

ethics, and ideas that include the voices of "less-advantaged colleagues," such as "Indigenous caretakers of sites" who were regularly excluded from international conferences and debates. In 1990, The WAC established a code of ethics to work against the "institutionalized views that serve the interests of a privileged few to the detriment of disenfranchised others."[84]

Collectively, the codes developed by the SAA, SHA, WAC, and other smaller organizations acknowledged that heritage legislation only consider legal issues, omitting important ethical protocols in an ever-changing world of archaeology. This acknowledgement also responds to the discussion in historical and archaeological literature authored by Indigenous people. Each piece of heritage legislation specifies parameters for protecting against looters and destruction and clarifies ownership and control of sites and objects. However, these laws do not provide guidelines for the ways in which archaeologists should interact with diverse communities, disseminate their findings to the public, or protect collections from being sold on private markets; the application of ethical codes address these gaps. The codes established by organizations like the SAA, the SHA, and the WAC include principles such as stewardship over archaeological sites and collections, prevention of commercialization and sale of objects or collections, and a responsibility to collaborate with and include the public throughout the archaeological process of excavation, curation, and education.[85] These codes, along with the solutions presented in the February 2024 SAA journal directly relate to the Anderson Collection and will influence the best practices I develop in chapter four of this thesis.

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[84] "The History of World Archaeological Congress – World Archaeological Congress," accessed March 3, 2024, https://worldarchaeologicalcongress.com/history-wac/.

[85] This statement combines and summarizes the similarities in the ethical codes from the SAA, the SHA, and WAC. See each set of codes here: "Ethics in Professional Archaeology," "SHA Ethics Principles," *Society for Historical Archaeology* (blog), accessed March 3, 2024, https://sha.org/about-us/ethics-statement/., and "Code of Ethics – World Archaeological Congress," accessed March 3, 2024, https://worldarchaeologicalcongress.com/code-of-ethics/.

An early example of applying ethical codes to a descendant-led historical project is Carol McDavid's use of collaboration methods to a "both/and" approach at a plantation site in Texas. She argues this method is an effective way to explore the "interaction of dominant and non-dominant groups" within historic "societal restraints to form ideologies, identities, and behaviors to empower themselves."[86] Archaeologists and historians working with descendant and stakeholder communities should ask if they are aware of these codes and if they would like to know how the ethics apply to a project. Indigenous scholar Leigh Kuwanwisiwma argues that starting this line of communication respects the "cultural and political dominions" of stakeholder groups and opens researchers up to learning the "processes that the tribe can offer" to the project.[87]

CRM and Heritage Legislation

In public archaeology and public history, heritage legislation is central to preserving and maintaining the "nation's archaeological heritage" so the public has access to it through research and education.[88] This includes the work of practitioners in federal agencies working in cultural resource management, as well as those in avocational groups working to protect and preserve archaeological resources. Cultural resource management (CRM) manages archaeological and historical resources such as "folkways, arts, crafts, architecture, belief systems, and the integrity of social groups." It is important to note that private and federal agencies who conducted CRM work in the 1960's and 1970's influenced the development of heritage legislation, leading to new

[86] Carol McDavid, "Descendants, Decisions, and Power: The Public Interpretation of the Archaeology of the Levi Jordan Plantation," *Historical Archaeology* 31, no. 3 (1997): 114–31.

[87] Leigh Kuwanwisiwma, "Collaboration Means Equality, Respect, and Reciprocity: A Conversation about Archaeology and the Hopi Tribe," in *Collaboration in Archaeological Practice: Engaging Descendant Communities* (AltaMira Press, 2008), 171–202.

[88] McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."

laws including the National Historic Preservation Act in 1966, and the National Environment Policy Act of 1969.[89] Both laws have "moved archaeologists into the planning process" by requiring detailed plans for handling archaeological resources found in the field.[90]

In this field, the book *Cultural Resource Management in Contemporary Society: Perspectives on Managing and Presenting the Past* outlines the history and development of heritage legislation through public archaeology and argues that these laws help preserve the past for the enjoyment and education of the future.[91] As these laws evolve and become more effective in preserving archaeological resources, it is important for groups developing heritage legislation and CRM professionals to stay "committed to their long-term" view of protection and preservation. Throughout the book, McManamon et al. emphasize that "decisions that might deny…future generations" access to the history and knowledge held by archaeological resources "must be taken very seriously."[92] I argue that the arguments in this book are deeply connected to literature discussing the use of avocational archaeologists in the field, as ethical avocational archaeology aims to preserve the past for future generations of both non-Native and Native publics. Ethical is the key term here; referring to the ethics of decolonization, avocational archaeologists following ethical practices should gain permission from Indigenous communities before collecting from sites and refrain from keeping objects they have not been permission to keep. They should also work with Indigenous communities and professional archaeologists

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[89] For "folkways, arts, crafts, architecture, belief systems, and the integrity of social groups," see: Charles R. McGimsey III and Hester A. Davis, eds., "The Management of Archeological Resources: The Airlie House Report.," *Southwestern Lore* 45, no. 4 (December 1979): 29–30. For "the development of NHPA in 1966, and in the National Environment Policy Act of 1969," see: McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."

[90] McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."

[91] Francis P. McManamon and Alf Hatton, *Cultural Resource Management in Contemporary Society: Perspectives on Managing and Presenting the Past.*, One World Archaeology: 33 (Routledge, 2000).

[92] McManamon, "Chapter 4: The Protection of Archaeological Resources in the United States: Reconciling Preservation with Contemporary Society."

before sharing any information from their collections. These practices maintain Native authority over their own cultural heritage and its public interpretation.

Ethical avocational archaeology centers around public outreach and public education to expand the access of knowledge in the discipline, causing it to overlap with similar literature in public archaeology. Three different approaches dominate academic discussions on the practice. The first approach is the voice of avocational archaeologists who advocate for the practice.[93] The second approach includes professional archaeologists who advocate for the widespread use of avocational archaeology.[94] Lastly, a third approach consists of professional archaeologists who oppose the practice and support firm boundaries between avocational and professional work.[95]

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[93] Authors included in this group: William D. Hyder and Lawrence L. Loendorf, "The Role of Avocational Archaeologists in Rock Art Research," in *Discovering North American Rock Art*, ed. Lawrence L. Loendorf, Christopher Chippindale, and David S. Whitley, x, 334 vols. (Tucson, AZ: University of Arizona Press, 2005), 228–39., Kevin Smith and Michael Moore, "Professional and Avocational Partnerships: Alive and Well in Middle Tennessee," *The SAA Archaeological Record* 13, no. 2 (March 2013): 18–23., Jennifer Goddard, "Anticipated Impact of the 2009 Four Corners Raid and Arrests," *Crime, Law and Social Change* 56, no. 2 (September 1, 2011): 175–88., and Carl M. Wright, "Avocational Archaeology: The Obvious," *Central States Archaeological Journal* 45, no. 2 (April 1, 1998): 56–57.

[94] Authors in this group include: Robert Connolly, "Avocational Archaeologists and the Designation of A World Heritage Site," *The SAA Archaeological Record* 15, no. 5 (November 2015): 20–24., Cathy Poetschat, Marcel Kornfeld, and James D. Keyser, "Avocational Archaeology: A Half -Century of Increasing Contributions," *The SAA Archaeological Record* 12, no. 3 (May 2012): 5–11., John B. Broster, Mark R. Norton, and Richard Anderson, "Clovis and Cumberland Sites in the Kentucky Lake Region," *Current Research in the Pleistocene* 8 (1991): 10–12., Anderson, the primary avocational archaeologist discussed in this thesis, worked with John Broster and Mark Norton, two professional archaeologists, indicating that they would support the promotion of avocational archaeology and shared authorship between the professional and non-professional archaeologists.

[95] For the third approach see: United States Congress House Committee on Interior and Insular Affairs Subcommittee on General Oversight and Investigations, *The Destruction of America's Archaeological Heritage: Looting and Vandalism of Indian Archaeological Sites in the Four Corners States of the Southwest: An Investigative Report / Subcommittee on General Oversight and Investigations of the Committee on Interior and Insular Affairs of the U.S. House of Representatives, One Hundredth Congress, Second Session*. (Washington: U.S. G.P.O.: For sale by the Supt. of Docs., Congressional Sales Office, U.S. G.P.O., 1988, 1988), This committee hearing was specifically targeted toward the issue of looting. However, I am including it in the third approach's literature because of the strict adherence to ARPA that this source discusses. Many of the panel members are professional archaeologists who I believe would not advocate for avocational archaeological practices given their concern for the destruction of archaeological sites without professional supervision., Cathy Poetschat, Marcel Kornfeld, and James D. Keyser, "Avocational Archaeology: A Half -Century of Increasing Contributions," *The SAA Archaeological Record* 12, no. 3 (May 2012): 5–11. The third school of thought is not often written as an argument separate from the other two schools of thought. Professional archaeologists who argue that avocational archaeology should not be practiced comprise a strong but hidden group within published works. Archaeologists who feel this way often do not publish articles on the topic, however, they will speak about it openly with

Archaeology innately holds public interest, as much of the recovered material does not belong personally those doing the excavation or their ancestors. Due to this public interest, articles explicitly arguing that the public should not be involved in the excavation or interpretation of these objects is not well received.[96]

In the United States, avocational archaeology has been widely practiced and written about since the 1970s. However, Bruce W. Masse and Linda M. Gregonis provided a framework for inviting the avocational community to archaeological digs or surveys with their groundbreaking article on the subject.[97] Masse and Gregonis, both professional archaeologists, acknowledge that professional archaeologists often struggle to relay information in a relatable way to the public. They argue that avocational archaeologists could bridge this gap.[98] Disseminating information to the public about archaeological findings is important not only for promoting preservation, but also for preventing site destruction through pothunting and looting. In Tennessee, this idea was implemented through elementary school programs in 1987.[99] Wayne Roberts, a professional archaeologist from Tennessee, argues that starting education on archaeology as early as elementary school is critical for preventing future looting, providing more funds for excavation and preservation, and deepening an interest in the material past by educating more people on systematically recording methods.[100] Masse and Gregonis, along with

collogues. One must read between the lines of published work on the topic or be present for the conversations that express this sentiment.

[96] The scope of the historiography of avocational archaeology is limited to discourse from the United States, primarily the Southeast and Tennessee. There is a plethora of literature about avocational archaeology in the United Kingdom, but because of difference in the relationships between professional and avocational communities in both areas, that literature will not be included in this discussion.

[97] W. Bruce Masse and Linda M. Gregonis, "The Art, Science, and Ethics of Avocational Archaeology," *Journal of the Southwest* 38, no. 3 (1996): 367–83.

[98] Masse and Gregonis, "The Art."

[99] Wayne D. Roberts, "Public Education in Archaeology: An Archaeological Program for Elementary Students," *Tennessee Anthropologist* 12, no. 2 (Fall 1987): 139–45.

[100] Roberts, "Public Education."

Roberts, represent the approach of professional archaeologists advocating for avocational practice and education.

Many articles on avocational archaeology often blend of the different approaches. Masse and Gregonis highlight the rift between avocational and professional archaeologist, pointing out that professional archaeologists regularly claim that "personal artifact collecting" is unethical and that refusing to participate in the practice separates them from avocational archaeologists and looters. However, they argue that a visiting a professional archaeologist's house is likely to turn up "personal collections" they have picked up over their career.[101]

Other scholars attribute the divide between avocational and professional archaeology to two main factors. One factor is seen in the recognized degree of professionalization between "degreed practitioners" and those who treat archaeology as if it were a "second unpaid career." The second factor is the perceived destruction avocational practices can cause if they are not systematic enough.[102] Robert Connolly addresses the first factor in his article about his work in Poverty Point, Louisiana, to classify it as a World Heritage Site. He argues for the intentional inclusion of avocational archaeologists, stating that with the proper kind of engagement and support, they can become the ground-floor effort needed to connect professional archaeologists to sites on private property. Connolly cites the fourth principle in the SAA's code of ethics which states that archaeologists should "participate in cooperative efforts with others interested in the archaeological record" to improve "the preservation, protection, and interpretation" of the material past.[103] He supports his argument by incorporating avocational archaeologists, whom he

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[101] Masse and Gregonis, "The Art."

[102] For "degreed practitioners," and "second unpaid career," see: Connolly, "Avocational Archaeologists and the Designation of a World Heritage Site." For "perceived destruction," see: Mary L. Kwas, "Antiquarians' Perspectives on Pinson Mounds," *Tennessee Anthropologist* 21, no. 2 (1996): 83–124.

[103] "Ethics in Professional Archaeology."

credits as co-authors, as members of the public who bridge the gap between professional archaeologists and the larger public.[104]

In a synthesis of notes, letters, and reports by Mary Kwas, a professional archaeologist, characterizes the work of an avocational archaeologist at Pinson Mounds in West Tennessee work as "disappointing" due to the amount of work and destruction at the site with little results. However, her synthesis of notes, letters, and reports contain a small balance here. Kwas notes, the man's "work was not a total loss" because it was the first systematic excavation of the site and marked the first public advocacy for Pinson Mounds to be become a public park.[105] These articles support avocational archaeology in varying degrees but also offer cautionary warnings for poor avocational work. While arguing the usefulness of avocational archaeology, the archaeologists also provide reasons why the two groups may not always get along. More recent literature often presents all three approaches without necessarily choosing a clear side. Some such articles involve shared authorship between avocational and professional archaeologists and occasionally name archaeological sites after the avocational archaeologists who discovered them.[106]

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[104] Connolly, "Avocational Archaeologists and the Designation of a World Heritage Site."

[105] Kwas, "Antiquarians."

[106] Matthew Reeves, "Sleeping with the 'Enemy': Metal Detecting Hobbyists and Archaeologists," *Advances in Archaeological Practice* 3, no. 3 (August 2015): 263–74. For shared authorship see: William Michael Balco, Christopher Phillip Worick, and Clifford Alpheus Shaw, "It Takes a Community to Bridge the Professional-Avocational Divide: Collaborative Archaeology at the Yahoola High Trestle," *Journal of Community Archaeology & Heritage* 5, no. 1 (May 8, 2017): 30–44. For naming archaeological sites after avocational archaeologists see: John B. Broster and Mark R. Norton, "The Carson-Conn-Short Site (40BN190): An Extensive Clovis Habitation in Benton County, Tennessee," *Research in the Pleistocene* 10 (1993): 3–5. The Carson-Conn-Short site is not the most recent site to be named after the avocational archaeologists who discovered it. However, since the historiography is limited to southeastern North American literature, I am citing it as the example in this case because the site represents one of the first sites in Tennessee to take up this practice. Broster and Norton's work represents the desired norm for professional archaeologists looking to maintain trust with the avocational community.

One complicating factor in these discussions is the varying opinions within archaeology on who is and is not considered a professional. Nick Shepherd, an archaeology professor at the University of Cape Town, explains this issue saying, "Disciplines like archaeology developed and continue to practice in a complex relation to both the law and the market."[107] Shepherd's statement alludes to the proximity of avocational archaeology to the black market for buying and selling artifacts, which professional archaeologists consider unethical.[108] Professional and avocational archaeologists tend to use very similar excavation and collection practices. However, because a market for artifacts has grown out of avocational practice, academically trained archaeologists generally do not view avocational training or practice as a professional.

In the context of this debate, the term *avocational archaeologist* can sometimes be a thinly veiled, polite way to refer to an individual or collector as a looter. Within the discipline, some people draw a hard line between practices that qualify as avocational archaeology and the practices that qualify as criminal behavior. This research focuses specifically on one private collector from Tennessee and uses the terms "avocational archaeologist" and "professional archaeologist" to distinguish between those who have formal academic training and those who have received their training from volunteering on public excavations.[109]

Archaeologists in the 1960s through the 1980s often asked members of the public to participate in their digs. This strategy effectively gained manpower when professional archaeologists were few and far between. Early American archaeology, primarily "influenced by European interest in Classical world discoveries," lacked professional archaeologists familiar

[107] Nick Shepherd, "The Law, The Market, and the Discipline of Archaeology," in *Challenging the Dichotomy*, ed. Les Field et al., (University of Arizona Press, 2020), 23-40.
[108] "Ethics in Professional Archaeology," Society for American Archaeology, accessed April 17, 2023, https://www.saa.org/career-practice/ethics-in-professional-archaeology.
[109] In this thesis, an avocational archaeologist is not a looter.

with Indigenous objects and sites.[110] The members of the public who responded to these advertisements often collected Native objects in their area and were familiar with Indigenous sites. This practice was so widely accepted that archaeological societies provided programs for "avocational archaeological certification," making it easier for these individuals to help excavate.[111] As more professional archaeologists with training and academic degrees in prehistoric North America entered the scene, this practice declined, and avocational archaeology became the ugly duck of archaeology. However, the professionalization in the field did not stop avocational archaeologists or looters from illegally collecting.

Mr. Anderson's work discussed in chapter one on U-1-T is an example of an avocational archaeologists continued practice, even though many professionals likely looked down on his work. Now that this collection is in the hands of the state and will eventually be presented to the public, it must be situated among many different conversations occurring in academic literature. Since the Anderson collection is overwhelmingly made up of Indigenous objects, any analysis must consider Indigenous perspectives and desires. The following discussion will focus on these voices found in literature on the idea of decolonization.

Literature on Decolonization

Starting in archaeology and spreading to public history through museum studies, many social science fields now engage in the conversation about decolonizing their practices. Decolonizing a practice, at a basic level, includes acknowledging the harmful impacts of imposing Western structures of knowledge on non-Western cultures. It also includes recognizing non-Western systems of knowledge as legitimate and incorporating them, along with their

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[110] Jennifer Goddard, "Anticipated Impact of the 2009 Four Corners Raid and Arrests," *Crime, Law and Social Change* 56, no. 2 (September 1, 2011): 175–88.

[111] Cynthia Irvin-Williams, ed., "Program for Avocational Archaeological Certification Announced," *Anthropology News* 20, no. 3 (March 1, 1979): 10.

traditional beliefs into the larger discipline.[112] In a practical sense, the literature on decolonization asks descendants of colonizing populations to engage with Indigenous communities, return Indigenous objects taken without consent, and allow these communities to make their own decisions regarding their heritage and cultural resources. Indigenous voices in this literature ask archaeologists and historians to obtain permission and significant input before starting excavation and interpretation projects. This thesis will only focus on the conversation about decolonization as it relates to American museums, archaeology, and avocational archaeologists.

Academics in this space recognize voices like Vine Deloria Jr. as some of the first modern Indigenous advocates for incorporating Indigenous beliefs and beliefs systems into history, anthropology, and archaeology practices.[113] Deloria Jr.'s words are important for bringing Indigenous anger and mistrust of Western academics to the main conversations in these fields. Ignoring his impact would show a significant gap in the understanding of the origins of these conversations from an Indigenous perspective. Indigenous voices have since built on Deloria Jr.'s platform, updating some of his ideas and bringing them into modern conversations. This section will focus on these academics and other non-Native scholars who add to this conversation. Themes within decolonization literature include methods for collaboration, repatriation, and addressing questions about property and intellectual and cultural ownership.

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[112] Sonya Atalay, "Indigenous Archaeology as Decolonizing Practice," *American Indian Quarterly* 30, no. 3/4 (July 1, 2006): 280–310.

[113] Vine Deloria Jr., "Indians, Archaeologists, and the Future," *American Antiquity* 57, no. 4 (1992): 595–98. Vine Deloria Jr., *We Talk, You Listen* (The Macmillan Company, 1970)., Vine Deloria Jr. and Daniel R. Wildcat, *Power and Place: Indian Education in America*. (Fulcrum Resources, 2001)., Vine Deloria Jr., "Chapter 28. We Were Here as Independent Nations," in *Say We Are Nations: Documents of Politics and Protest in Indigenous America since 1887*, H. Eugene and Lillian Youngs Lehman Series (The University of North Carolina Press, 2015).

To participate in decolonized practices, researchers must begin by dismantling Western structures of knowledge production that exclude and silence non-Western ways of knowing.[114] The overarching themes and narratives in this literature overlap with Watkins' and others' criticisms of heritage legislation. Watkins finds the idea of a national heritage ambiguous, as many objects classified as national heritage have historical significance from "a time depth that extends for centuries before" the United States existed.[115] From an Indigenous perspective, Indigenous philosophies and ways of producing knowledge are "complex and they form the basis of how Native people see the world," and this ambiguity stems from the United States' binary approach to what is and is not considered national heritage.[116] The theory, practices, and calls for decolonization aim to restructure the emphasis on and authority in public interpretations of non-Western histories.

In her book, Linda Tuhiwai Smith states that even the word "research" has deep histories of violence, oppression, and "excesses of colonialism" tied to it. For Indigenous communities, research has a "history that still offends the deepest sense of our humanity." Smith argues that harmful ideologies and knowledge from the Western world have forced their way into "every aspect" of Indigenous people's lives. She explains that this is a history of harm "legitimated by research, informed more often by ideology" produced by travelers and amateur researchers across time and space. Deconstructing these ideologies is just one step in the larger picture of

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114 Linda Tuhiwai Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*, 5th Printing edition (Zed Books, 2002).

115 Watkins, "Private Property Rights Versus Heritage Ownership: The Conflict between Individual and Collective Rights."

116 Lonetree, "Exhibiting Native America at the National Museum of the American Indian: Collaborations and Missed Opportunities."

decolonization. It may help explain how we got to this point, but it does not stop the perpetuation of the ideas. Decolonization does not stop at deconstruction.[117]

In addition to emphasizing deconstruction, Smith centers her book on the practice of collaboration between non-Native academics and Native communities, another overarching theme within this literature. Collaboration frequently appears in this body of literature as the main practice Indigenous communities request from academics in history and archaeology. Collaboration involves inviting Indigenous participants, with or without academic backgrounds, to participate in every step of historical or archaeological research.[118] Many Indigenous academics call for collaboration, emphasizing the importance of deconstructing colonial power structures to reflect the community that a project represents. Well-designed collaboration shows Indigenous communities that researchers truly believe that knowledge comes from more than Western archaeological or historical research. Asking Indigenous communities for knowledge they are willing to share is an "authentic voice," and academics "need to contextualize those voices in archaeology." [119] However, as Smith argues, academics should also recognize that "Centuries of genocide and ethnocentrism are not going to be wiped away over a single phone call." Non-Indigenous researchers should keep this in mind as they develop the necessary relationships for successful collaborative projects.[120]

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[117] Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*.

[118] Sonya Atalay, *Community Based Archaeology: Research with, by, and for Indigenous and Local Communities* (London, England: University of California Press, 2012).

[119] Alan D. Kelley, Angela J. Neller, and Carlton Shield Chief Gover, "Some Indigenous Perspectives on Artifact Collecting and Archaeologist–Collector Collaboration.," *Advances in Archaeological Practice* 10, no. 1 (February 2022): 10–13.

[120] Kelley, Neller, and Gover, "Some Indigenous Perspectives on Artifact Collecting and Archaeologist–Collector Collaboration."

A researcher planning a collaborative project should also plan to give their community partners a "researcher" title.[121] Smith argues that the work community partners do *is* research, and all their work "is informed by a theory, regardless of whether they can talk about that theory explicitly."[122] Collaboration should be guided by respect and reciprocity between both the academic researcher(s) and the community researchers(s).[123] Each step of the collaborative process, beginning with deconstruction, should include space to incorporate Native "cultural protocols, values and behaviors" as essential components for the research outcomes.[124] Atalay argues that combining the strengths of Western archaeology and Indigenous epistemologies can help address concerns over repatriation, cultural versus intellectual property, "and the history and role of museums, collections and collecting."[125]

Each theme presented in the literature on decolonization builds on the previous one. Scholars must first work to deconstruct Western systems of knowledge before beginning a collaborative project. A collaborative project, in turn, helps build the relationships needed for a smooth process in the next theme, repatriation. Repatriation, or the legal transfer of ownership and control over an object or collection, is a hotly debated topic archaeology and museums. The legal mechanisms for repatriation, the Native American Graves Protection and Repatriation Act (NAGPRA), are discussed above in the heritage legislation section.

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[121] Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*, and Sonya Atalay, "Indigenous Archaeology as Decolonizing Practice," *American Indian Quarterly* 30, no. 3/4 (July 1, 2006): 280–310. Both authors talk about this in their work to respect and legitimize the work from community partners.

[122] Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*.

[123] Almost all the literature on this topic emphasizes this point. See Atalay, *Community Based Archaeology: Research with, by, and for Indigenous and Local Communities*, Chip Colwell, *Plundered Skulls and Stolen Spirits: Inside the Fight to Reclaim Native America's Culture.* (The University of Chicago Press, 2017), and Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*, for examples of this in Indigenous academic's work.

[124] Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*.

[125] Atalay, "Indigenous Archaeology as Decolonizing Practice."

Repatriation alone is not considered full decolonization within an institution, Native scholar James Riding In argues that Indigenous communities must "assume the responsibility for the proper care of ancestral remains" in museums, and of those still in the earth. NAGPRA is not fully decolonized nor is it an absolute act of decolonization because some non-Native academics are still holding on to their power over Indigenous bodies in any way they can.[126] However, the law has changed museums all over the country. Chip Colwell argues that the push for repatriation began long before NAGPRA was enacted in 1991. He states that Indigenous communities have pushed to change the way museums display and hold onto collections since the Zuni initiated the first repatriation efforts in 1978. Because of their work, Indigenous communities have changed the public's perception of museums and how museums see themselves. Colwell claims these voices and efforts have "extinguished" the previously held belief that museums could store and showcase Native American objects and Ancestors "without any input from Native Americans themselves." As a physical reminder, Colwell states that repatriation efforts have the most impact when display cases remain empty after returning an object to its rightful cultural owners. Empty spaces serve as a "symbol for change" and are part of a larger effort to educate the public on what repatriation is and what it represents.[127]

The debate over repatriation centers on issues of ownership and control. Academics pushing for repatriation efforts argue that museums should no longer be the sole "keepers of culture."[128] This statement extends into conversations about avocational archaeologists and collections management. Indigenous voices, speaking on issues in avocational collecting and

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[126] Waziyatawin Angela Wilson and Michael Yellow Bird, "For Indigenous Eyes Only: Beginning Decolonization Introduction," in *For Indigenous Eyes Only: Beginning Decolonization*, ed. Waziyatawin Angela Wilson and Michael Yellow Bird, Book, Section vols. (Santa Fe: School of American Research, 2005), 1–7.
[127] Colwell, *Plundered Skulls and Stolen Spirits: Inside the Fight to Reclaim Native America's Culture.*
[128] Ibid.

professional relationships, echo Joe Watkins question about an individual's right to own cultural heritage. While the literature around cultural heritage and avocational collecting does not directly cultural heritage and avocational archaeology, they share common themes and sentiments.

Bonnie Pitblado, a non-Native archaeologist, bridges the gap between literature on decolonization and its effects avocational archaeology. Avocational archaeologists do not have to follow the SAA's code of ethics, or the requirements laid out in NAGPRA, and they continue to collect objects from sites. Pitblado argues that professional archaeologists must work not only with Indigenous communities but also with avocational archaeologists to set an example of practices that follow heritage legislation and decolonized practices. Like Connolly, Pitblado states that the "ethical collaboration between archaeologists and artifact collectors not only can be achieved, but also should be viewed under many circumstances as its own ethical mandate."[129] Her statement reflects Indigenous communities' demands for a seat at the table and for their input and collaboration to be taken seriously. This article demonstrates the intersection between the practices requested by Indigenous authors and avocational archaeologists' desire to be included in professional practice.

Pitblado argues that professional archaeologists can and should include both Indigenous communities and avocational archaeologists, framing it as an ethical obligation to do so. The suggestions Pitblado's article, combined with the statements shared by Indigenous archaeologists in Kelly's article, begin framing solutions for the future of avocational archeology and Indigenous collections. Instead of turning a blind eye to avocational archaeologists or pretending their work does not affect academic practice, professional archaeologists could encourage

[129] Bonnie L. Pitblado, "An Argument for Ethical, Proactive, Archaeologist-Artifact Collector Collaboration," *American Antiquity* 79, no. 3 (July 1, 2014): 385–400.

avocationalists to document a site and bring trained archaeologists to the area.[130] Since avocational archaeologists often lack the training to recognize features, defined as non-portable human made mark in the earth, or an Indigenous sacred object, it is better for them to document potential sites and leave the excavation and interpretation to trained archaeologists. From there, professional archaeologists can either leave the site undisturbed if excavation is not necessary or, if the site is significant, begin a project that identifies, gains the permission of, and includes its Native descendant communities. This approach ethically involves avocational and Indigenous communities, ensuring sites are only disturbed when necessary.

Archaeologists should only disturb a site after contacting affiliated Native groups and carefully considering the information that can be gathered from excavation and research on the objects and area. Prioritizing Native voices by allowing them space to decline the project ensures respect for their perspective and ideas of cultural significance highlighted by Joe Watkins[131]. If they give permission and wish to participate, researchers can cultivate better relationships with tribal participants by sharing authority and interpreting multiple systems of knowledge.[132] In addition to Indigenous collaboration, researchers should keep the ongoing curation crisis in mind, consider the potential new information from a site, and have a plan for the collection produced from excavation. According to the SAA's code of ethics, archaeologists must ensure that objects are safely stored and maintained in perpetuity.[133] The crisis stems from discipline collecting more artifacts than most archives or repositories can store. The last section of this

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[130] This sentence combines the discussion from each of the following cited articles and turns the discussion into a practical solution for best practices when working with each of these communities. See: Kelley, Neller, and Gover, "Some Indigenous Perspectives on Artifact Collecting and Archaeologist–Collector Collaboration." And Pitblado, "An Argument for Ethical, Proactive, Archaeologist-Artifact Collector Collaboration."

[131] Watkins, "Laws Protecting American Indian Cultural Resources."

[132] Jace Weaver, "Indian Presence with No Indians Present: NAGPRA and Its Discontents," *Wicazo Sa Review* 12, no. 2 (June 18, 2024): 13–30.

[133] "Ethics in Professional Archaeology."

historiography will cover the most recent literature on the issues in collection and curation management and discuss some of the current solutions to this crisis, which will help build my final best practice recommendations in chapter four.

Collections Management Issues and Policy

A collections management policy is a "written document" approved by a museums or repository's "governing authority, that specifies how objects will be acquired, accessioned, documented, stored, used, cared for, and disposed of." They provide guidance for the "what," "how," and "why" museums and repositories acquire certain objects.[134] These policies define the kinds of collections that align with a museum or repository's mission and are meant to limit the acquisition of too many collections that do not align with their overarching theme or purpose as a public institution. A collections management policy is needed to emphasize what responsibilities the museum or repository management, staff, and volunteers have to the collections, "and to tell donors and users how the museum," or repository, "fulfils its duties."[135] These policies are an opportunity for institutions to be transparent toward the public about how collections are handled in their care, and for the museum or repository management and staff to be held to a set of standards for object acquisition and care.

Academic literature which participates in direct observation or critique of collections management policies over time is slim. Until Hannah Turner released her book, *Cataloging Culture* in 2020, no one had put together a history of the collections management policies in American museums.[136] Before this book, the gap in this literature left the responsibility of

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[134] Timothy Ambrose and Crispin Paine, *Museum Basics: The International Handbook*, 4th Edition (New York, NY: Routledge, 2018).

[135] Timothy Ambrose and Crispin Paine, *Museum Basics: The International Handbook*, 4th Edition (New York, NY: Routledge, 2018).

[136] Hannah Turner, *Cataloguing Culture: Legacies of Colonialism in Museum Documentation* (Vancouver, BC: UBC Press, 2020).

covering this change over time to the introductions of museum management manuals such as *Things Great and Small* and *Museum Basics,* with both most recent editions published in 2018.[137] For the purpose of this thesis, I will focus mainly on the contributions to this historiography from Turner and other museum anthropologists and practitioners who have added to her work in their own articles. However, it is important to first briefly discuss the contributions made by the previously mentioned manuals.

Even though these books are not traditional academic articles or academic press books, they contribute to the larger historiography of collections management policies by providing an overview of the combined best practices in the field and by demonstrating how these accepted practices developed over time. Both manuals are critical to understand the other literature discussed in this section as their purpose is to standardize curational practice across this discipline. Within these texts are outlined standardized practices for curation such as keeping the original field records with a collection, housing artifacts together according to the excavation contexts, and writing the basic excavation information on individual artifact bags. These standards are meant to be redundant so that the context, which is destroyed in an excavation, can be recreated through the original field contexts. Losing this information can turn a valuable collection into an assemblage of objects that can no longer give a researcher detailed information about the past.

Another important part of this literature are the policies that cover donated collections like Mr. Anderson's. Many collections often come to museums and repositories in the form of a donation or a gift, and it is up to the staff and administration to decide if the donation fits into the

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[137] Simmons, *Things Great and Small: Collections Management Policies*, and Ambrose and Paine, *Museum Basics: The International Handbook*.

institution's scope. At the Tennessee State Museum, for example, donors must fill out a form detailing a description, history and known provenance, a "history of the origin and ownership" of the artifact or collection along with any other information the donor may have.[138] If the museum decides to accession the donation into their collection, they will follow their collections management policy for the remaining steps of acquisition. Similarly, new collections acquired by the Tennessee Division of Archaeology must be curated to certain standards before the Division will accept it. These standards include having all materials housed in new two-millimeter-thick polyethylene zip-lock bags, labeled with information such as the site name, site number, provenience information, collection date, and each box should not weigh more than twenty pounds.[139] Provenience information tells future archaeologists the geographic location of where the artifacts were found on the site.[140] The word provenience can be contrasted with the word provenance, defined earlier in this paragraph. In an archaeological setting, provenience informs an archaeologist on the spatial context of a found object like provenance informs a historian or museum professional on the context of the object's ownership. Typically, once a museum or repository accepts a donation into their care, following the procedure as framed in a collections management policy is straightforward. However, as this thesis will cover in chapters three and four, this is not the case for the Anderson Collection.

These manuals and standards are important source material for future research in this area. As more editions of manuals and standards like this are released, researchers who study the

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138 "Artifact Donation," accessed February 20, 2024, https://tnmuseum.org/artifact-donation. For definition of "provenance," see: Simmons, *Things Great and Small: Collections Management Policies*.

139 Macie Orrand, "Division of Archaeology Curation Requirements" (Tennessee Division of Archaeology, 2022), https://www.tn.gov/content/dam/tn/environment/archaeology/documents/collections/TDOACurationRequirements_2022.pdf.

140 Mark Q. Sutton and Brooke S. Arkush, *Archaeological Laboratory Methods*, 5th ed. (Kendall/Hunt Publishing Company, 2009).

change over time in collections practice will have a clear timeline to view such changes. This particular study is an emerging avenue of further research as historians, museum professionals, and the public become more aware of how collections management practices effect source communities; a topic discussed in Turner's book and more widely in recent online news publications.[141]

As the conversation of decolonialization expands, calls for dismantling dominant Western structures of knowledge production are being heard even deep down in the depths of archives and repositories. In response, Hannah Turner's research tracks the history of "museums and their documentation technologies" to understand how collections management policies and practices have perpetuated the dominant narratives of colonialism and silenced Indigenous context and knowledge around objects. She focuses her research as a case study on National Museum of Natural History (NMNH) to critique widespread collections organizational practices that perpetuate harmful colonial structures. These practices include the continued use of "out of date" or "racist" language in the lexicon of digital catalogs, despite this institution working with Indigenous groups to update their practices and become more culturally sensitive. As Turner states, the continued use of colonial language is harmful because it solidifies the erasure of valuable ethnographic information in an institution that influences the standards and practices of many other institutions across the country.[142] Since the NMNH is a Smithsonian institution, this case study approach is not as limited as it could have been if she chose a different museum for her focus. The Smithsonian is a trusted public institution which holds itself to very high

[141] Turner, *Cataloguing Culture: Legacies of Colonialism in Museum Documentation*. For "recent online news publications," see: Grant, "How Museums Acquire Antiquities Is Changing," Observer, January 9, 2024, https://observer.com/2024/01/how-museums-acquire-antiquities-is-changing/. This is one example of many where this conversation is reaching public audiences.

[142] Turner, *Cataloguing Culture: Legacies of Colonialism in Museum Documentation*.

standards, prompting other museums and institutions to follow its lead in applied museum practices. Therefore, these standards make Turner's arguments about the NMNH widely applicable to collections management practices across many other repositories and institutions.

To situate the reader in the context of the arguments she eventually makes, Turner first provides a brief history of how collections management policies have changed over time. The book begins by discussing how the Smithsonian began gathering their collections with "circulars" which were early versions of "collecting or field guides." These circulars outlined what the Smithsonian was looking for in terms of "desiderata (desired things)," assigning value to objects, information and even human remains of "extinct" populations and cultures. Immediately, the Smithsonian began their collections practices with an assumption of "European primacy and progress" which helped build an "infrastructure of oppression" that the institution now must dismantle.[143] Turner follows many different forms of these circulars through the 1890's when ledger books became the "trusted media" of record keeping, to the emphasis on pragmatic organizational systems in the 1970's, all the way to the modern forms of collections management which she focuses her critique. She states that collections management practices have changed over time in response to the human desire to organize and simplify complicated data into systems that can be controlled and replicated throughout time and across everchanging technology.[144]

Turner uses this context to argue that if museums want to participate in dismantling the colonial structures which limit the ways knowledge is produced and reproduced from the study of objects, they need to fundamentally change who is responsible for cataloging objects and how

[143] Ibid.
[144] Ibid.

they are doing so. Instead of giving the job of cataloging to the "least experienced worker," such as an intern or volunteer, this job should be given to an individual who is specifically trained to look at how objects and their records are "created and managed – historically and today." This training is to ensure that databases have the ability to hold "nuanced cultural information" that is often erased in the process of condensing information for such platforms. Turner advocates for providing more funding in this area of museums so the practice can move "beyond a purely pragmatic approach to collections documentation to a focus on the protection and appropriate use of knowledge broadly."[145] These arguments represent the first attempts at using the practices framed in decolonization literature and applying them specifically in a collections management setting. This book is an important piece in the collections management literature, however, beyond her suggestions for best practices described above, Turner does not develop a comprehensive list for other best practices moving forward. Because this field of literature is currently developing, curators and collections managers must keep a close eye on publications from the SAA, on current workshops held by universities and museums, and on the most recent versions of handbooks and manuals to stay informed on what is considered best practice.

Turner's contribution to this historiography is expanded upon in a 2023 article by Christopher Berk, a museum anthologist studying Aboriginal Tasmanian artifacts also held in the NMNH.[146] This article combines literature in the anthropological sphere with Turner's research to argue that the museum is a "kind of activity" that changes how meaning and value is assigned to objects held within a collection. [147] Berk focuses on a collection of stone tools found on an online database without any indication to their Tasmanian Aboriginal contexts. He follows the

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[145] Ibid.
[146] Christopher D. Berk, "On Stone Tools and the 'Prehistoric': The Value of Tasmanian Aboriginality at the Smithsonian," *History and Anthropology*, July 14, 2023, 1–20.
[147] Nicholas Thomas, "The Museum as Method," *Museum Anthropology* 33, no. 1 (2010): 6–10.

tools' institutional paper trail follows through their museum process, focusing on the "accession files, the card catalogue, ledger books, and online database." Throughout this process the tools experience "an alchemical process of value transformation that involves erasures, silences, and indeterminate potentialities."[148]

Berk emphasizes Turners points by demonstrating how museums can become powerful historical silencers in their processes of object curation and data consolidation. The tools came to the museum with value assigned to them because they were from an "extinct" culture. Immediately, the tools lost their context because the people who made them were not in fact extinct. However, during the transfer of data from one catalog to another, the objects became completely removed from even their Tasmanian identity and the museum participated in further silencing the existence of a contemporary culture from which these objects stemmed.

The article concludes that objects in museums like the Tasmanian stone tools can "give voice to groups and objects" commonly "silenced by dominant narratives and structures" because of the inherent potential that rests within a museum. Once a museum accepts an object or group of objects into their collections, they are placed in a "container committed to infinity." Researchers can examine and re-examine the objects, leaving them with the potential to step away from their original socially assigned meanings and give voice to silences in the historical record. Berk makes an important historiographical connection stating that there is a "delicate relationship between history, anthropology, and Indigenous objects in contemporary collections."[149] As the field of study on collections management practices expands, it is important to keep this in mind. Similar to the arguments in the decolonialization literature, new

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[148] Christopher D. Berk, "On Stone Tools and the 'Prehistoric': The Value of Tasmanian Aboriginality at the Smithsonian."

[149] Ibid.

practices that develop must be interdisciplinary in their approach in order to achieve the most effective and ethical results.

As recently as February 2024, the Society for American Archaeology released an issue of their journal dedicated to addressing the issues in collections management practices. The articles represent the first time archaeologists have a collection of literature covering this topic, in one place. Finally, these articles offer practical solutions to address the problems that have come up within the collections management space. Authors in this issue broadly agree that there is a need to approach archaeological training and education from a collections-based perspective to begin resolving some of the issues that the previously cited literature has discussed.[150] Eichner et al. argues that the issue surrounding the "presumption of exclusivity" between the avocational and professional community can be solved by taking actions that make non-Indigenous or otherwise sensitive collections more available and visible to the public. For facilities that have the ability, they suggest that this can be achieved by creating "visible storage" where collections are displayed to a lesser extent of a full exhibition, but available for public view.[151] Their argument suggests that placing collections in a repository that the public does not have access to is an act of reburying the collection and explains the history of distrust between professional archaeologists, tribal communities, and avocational archaeologists.

Another article in this journal issue focuses on solving collections management issues from an educational and training perspective. Warner and Cofield argue that the core of many of the discipline's problems is the "dig first" mentality many archaeologists hold. From their perspective, the discipline has reached the point of having too many collections and not enough

[150] Jenna Domeischel and S. Terry Childs, "A Collections-Based View of the Future of Archaeology," *Advances in Archaeological Practice* 12, no. 1 (2024): 1–4.
[151] Katrina C. L. Eichner, Renae J. Campbell, and Mark S. Warner, "Archaeological Collections and the Public—It Isn't All about Us," *Advances in Archaeological Practice* 12, no. 1 (2024): 43–52.

space to care for them because of the presumption adopted by the discipline that one must have an active excavation to be a "real" archaeologist. To begin fighting against this presumption, they argue that the whole profession should accept that archaeological training and education does not stop once a student achieves their undergraduate or graduate degree. The problems that the discipline currently face will take change within old and new archaeologists who no longer look to produce new collections to address research questions and instead, use existing collections to conduct their research.[152]

Warner and Cofield argue that the "dig first" mentality has caused professors and professional archaeologists to become unaware of the true cost, both in time and money, of taking care of a collection for its whole lifespan. Once research questions have been addressed, archaeologists tend to send their collections off for storage without a direct influence on its continued care. Because of this, they argue, existing archaeologists and educators are not properly training the upcoming practitioners and the issue of producing too many collections without proper storage plans will continue until the cycle is broken. As a solution, professional archaeologists and professors should seek training on the current costs of curating and storing collections to become aware of the reality of caring for a collection in a long-term scope.

Following their own re-education, Warner and Cofield argue that professors should incorporate their new knowledge into their classes and require students to build realistic budget plans while working on legacy or orphaned collections. The authors of this article state that when incorporating collections care into a class syllabus, the messier the better. Ideally, if students are exposed to poorly managed collections, they will be less likely to produce more poorly managed

[152] Mark S. Warner and Sara Rivers Cofield, "'Lies My Teacher Told Me': Overcoming the Ideal–Real Divide in Archaeological Collections Training," *Advances in Archaeological Practice* 12, no. 1 (2024): 5–12.

collections in their future profession. On top of this step, this article advocates for the establishment of partnerships between universities and museums, repositories, and other institutions with collections for recurring internship opportunities to provide on-the-job exposure to collections management practices outside of the classroom. The articles in this journal issue are designed to combat the "five-year plan" approach that the discipline has begun adopting which the authors see as "not enough to solve the cumulative impact of decades of relative neglect of collections."[153] Hopefully this SAA issue and the popularization of criticizing collections management practices, as seen Hannah Turner's book, will mark the beginning of a collective turn toward taking realistic measures to address practices that mistreat collections, silence minority voices, and create distrust between archaeologists and the communities which contain valuable information for the archaeological record.

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[153] Warner and Rivers Cofield, "'Lies My Teacher Told Me': Overcoming the Ideal–Real Divide in Archaeological Collections Training."

Chapter 3

Emergency Intake, Triage, and Care

The first chapter of this thesis introduces the Anderson Collection, the focus of this case study on collections management practices and demonstrates its research potential as a privately collected donation that represents many intersecting topics. The second chapter discusses the relevant literature addressing this intersection as it relates to the collection's artifacts, their sites of origin, and their eventual use in public research, education, and outreach. In this chapter, I will focus on the story of how the collection found its way to the TDOA and describe the work to curate and care for it since then. This discussion centers on collections management from the perspective of collections care. Using the language of care instead of management emphasizes the role of curators or collections manager as custodians of historical and archaeological remains as they carefully and intentionally use practices to preserve and maintain this material for future generations. Viewed as an emergency intake rather than an organized facilitation of management, the atypical practices applied to the collection's initial curation become triage and care, immediate responses to the unusual circumstances of its donation process. This chapter will provide the context that shapes the best practices and recommendations discussed in chapter four.

Three TDOA staff members are crucial to the development of the narrative in the following sections. Introducing these individuals and their job titles provides the framework for their actions and decisions. First, I discuss is Phil Hodge, State Archaeologist and Director of TDEC's Division of Archaeology. Appointed in 2020, he oversees the final decision to accept new objects and collections for the Division, among many other responsibilities. Next is Bill Lawrence, a long-time TDOA staff archaeologist who has been with the Division since 1988. He primarily assists Tennessee State Parks with archaeological reviews and resource management. Lastly, Macie Orrand, TDOA Collections and NAGPRA Care Specialist, is TDOA's first full-time collections manager hired in 2021. She oversees the curation, transfer, and display of state-owned collections.

Emergency Intake

In early spring of 2021, Mrs. Mitzi Anderson, the wife of Mr. Richard Anderson, contacted the TDOA to offer Mr. Anderson's collection as a donation. Mr. Anderson amassed this collection from a life of gathering objects from all over Tennessee. Mrs. Anderson explained that they were downsizing to a small condominium and could not take the collection with them. Mr. Hodge received Mrs. Anderson's inquiry and sent Mr. Lawrence to assess the collection because he had an established connection with Mr. Anderson after meeting him at the Waverly Artifact Show in the late 1980s. During his visit at the Anderson's home, Mr. Lawrence was impressed by Mr. Anderson's dedication to keeping the collection well-documented with detailed notes about each site from which he collected. Mr. Anderson's organizational method grouped artifacts from the same site together, providing site-level provenience information for most of the artifacts. This approach is enough for basic comparative, chronological, and distributional research in the future. Given the varying levels of training and knowledge of field methods among the avocational and collector community, such collections often lack site-level proveniences and thus have limited research potential.

Typically, professional archaeologists provide provenience information for their collections down to the stratigraphic layer of excavation, the feature(s) the artifacts are associated with, and the location of the artifact within the larger site grid. As I briefly mentioned in chapter two, the provenience information recreates an artifact's three-dimensional context within a site and used to interpret potential connections and associations with artifacts and features uncovered during the excavation process. These interpretations add to the knowledge about a site where written documents leave informational gaps or, in a pre-Columbian setting, may not exist in the first place. In the context of the Anderson Collection, provenience refers only to the site level, unless otherwise noted.

Mrs. Anderson guided Mr. Lawrence through their house, showing him all the shelves and containers that Mr. Anderson built to keep each site organized. In an interview I conducted with Mr. Lawrence, he noted that he was shocked by the small percentage of unprovenienced artifacts Mrs. Anderson showed him. Mr. Lawrence emphasized that the level of provenience documentation Mr. Anderson kept, though lacking stratigraphic context and grid locations, is still unusually precise for private collections. However, he also noted that the percentage of completely unprovenienced material (without any site-level associations) grew after the TDOA moved the collection to Pinson and started the curation process.

After the initial assessment, Mr. Lawrence reported his findings back to Mr. Hodge, and after a discussion about it, Mr. Hodge decided TDOA would accept the collection. This decision began the donation process. They felt the collection's research and educational potential along with the opportunity to prevent it from being split up, sold, or lost entirely outweighed the risks of Mr. Anderson's improper collecting methods. After the decision to accept the donation was made, Mrs. Anderson notified the TDOA that the collection needed to be moved within thirty days because they had just sold their house and needed to move out within that period. This timeline became more complicated when the buyers of the Anderson home offered the family a large sum of money to move out in ten days instead of thirty, significantly shortening the window to pack and safely move the collection. Two issues surfaced when the timeline unexpectedly condensed. First, the allotted time for moving the collection unexpectedly condensed; the TDOA decided to accept the donation on a Monday and suddenly, it had to be moved to Pinson the following Friday. The second issue was that the donation agreement had not yet been finalized or signed.[154] As the TDOA addressed the issues, new issues and obstacles and unexpected benefits arose from moving the collection in these unusual conditions. The remainder of this chapter will provide context and details of these problems and discuss the work done to stabilize and curate the Anderson Collection.

The Anderson collection contains over 25,000 artifacts, making it impossible to move the collection, build a full inventory, and repack each site in less than five days.[155] Mr. Lawrence recruited every available TDOA staff member as well as available staff from Pinson Mounds State Archaeological Park to help move the collection in one day given this new, abbreviated timeline. While the TDOA staff packed all the trucks and trailers, Mrs. Anderson introduced a new portion of the collection stored in plastic buckets under their porch that she had not shown Mr. Lawrence during the initial assessment. She insisted that the TDOA take it, and despite not knowing the bucket's contents, Mr. Lawrence agreed. He felt it would be unethical and irresponsible to leave this portion of the collection for the new homeowners.

Before signing the donation agreement, Mrs. Anderson added an additional condition. She requested an appraisal on the collection for tax purposes and stated that the family would not donate without it.[156] The appraisal request conflicts with the SAA code of ethics, which prevents archaeologists from assigning monetary value to archaeological artifacts because monetary gain

[154] Phil Hodge, Interview with Phil Hodge, In person, March 20, 2024.
[155] Bryan McDaniel, Jim Fields, and Leona M. Zastrow, "Fair Market Value Appraisal Report for Non-Cash Charitable Contribution for IRS Tax Purposes," April 30, 2022, Tennessee Division of Archaeology.
[156] Bill Lawrence, Interview with Bill Lawrence - Story of the Anderson Collection, Audio Recording, February 24, 2024.

is not the purpose of collecting them. Code number three emphasizes that assigning value to artifacts and collections contributes to "the destruction of the archaeological record on the American continents and around the world."[157] The TDOA agreed to give the Anderson's time to obtain an appraisal but declined to participate in the process. The Anderson family pursued the appraisal through the IRS and other avocational archaeologists. By not collaborating on the appraisal, the TDOA avoided violating the SAA's code of ethics. The tax appraisal, however, provided one of the first unexpected latent benefits from the collection's obstacles; it created the first inventory of the collection, which the TDOA did not have time to complete in the rush of the move.

In our interview, Mr. Lawrence reflected on moving the collection to Pinson, saying he wished had been more time use better practices, such as packing all the artifacts in archival quality boxes with adequate padding and support to limit the risk of damage in the move. He stated that there "were no casualties," referring to the possibility of artifact damage, while moving the collection to Pinson in "less than ideal" conditions. However, during the travel, some artifacts in the shelves Mr. Anderson built fell from one drawer to another and lost their site-level provenience.[158]

Mr. Hodge's first saw the collection in person after it arrived at Pinson, before writing or signing the donation agreement. Physically moving a collection from the donor's possession into an institution is not a normal practice in this field. However, the circumstances surrounding the collection made this the best decision for the safety and security of the collection. [159] After

[157] "Ethics in Professional Archaeology," Society for American Archaeology, accessed April 17, 2023, https://www.saa.org/career-practice/ethics-in-professional-archaeology.
[158] Bill Lawrence, Interview with Bill Lawrence - Story of the Anderson Collection, Audio Recording, February 24, 2024.
[159] Lawrence, Interview with Bill Lawrence - Story of the Anderson Collection.

assessing the collection's artifacts, Mr. Hodge added a NAGPRA clause to the donation agreement. This ensured that the TDOA could fulfill their legal and ethical responsibilities under federal law, despite the Andersons' request to keep the collection together "to the greatest extent reasonably practicable."[160] Mr. Hodge's opportunity to assess the collection without a signed donation agreement became another unexpected but positive latent benefit of the condensed timeline. This benefit will be discussed further in the following pages. Only a few weeks passed between moving the collection to the Pinson repository and the start of my own volunteer work curating and organizing it according to state standards.

Triage and Initial Care

When I began volunteering in 2021, Mr. Lawrence and I met regularly to go through the shelves Mr. Anderson built, bagging the artifacts by site. We started with sites that had smaller amounts of artifacts, taking each drawer out one by one and bagging each artifact individually. Most of the collection in Mr. Anderson's shelves and drawers held stone tools, so bagging them individually added an extra layer of protection from damage. As we worked through the sites, Mr. Lawrence began developing a small exhibit about the collection and Mr. Anderson's work. This required some of the objects to be removed from our curation system for display. To confirm we did not lose the provenience of the artifacts on display, we photographed each one and recorded each site from which they were removed. Our working sessions lasted from late summer into early winter that year, and we process objects of only four sites. With over 25,000 individual artifacts in this collection, organizing it was difficult.[161] According to the TDOA curation standards, each curated box of artifacts should not exceed twenty pounds, and artifacts

[160] "Donation Agreement between State of Tennessee Department of Environment and Conservation Division of Archaeology and Mr. Richard L. Anderson," 2021, Tennessee Division of Archaeology.

[161] McDaniel, Fields, and Zastrow, "Fair Market Value Appraisal Report for Non-Cash Charitable Contribution for IRS Tax Purposes."

should be carefully packaged to avoid damage.[162] After three weeks of meticulous organizing and curating, my colleagues and I had only completed a third of the collection.

One day after we started curating the Anderson collection, Mr. Hodge came to Pinson to drop off the tax appraisal, which we used as a rudimentary inventory while working through the curation. He stored it in a binder and left it in the hall outside the room where the TDOA kept the Anderson Collection. About three months passed between the time Mr. Hodge left the appraisal and when Ms. Orrand could return to the repository and keep working. When she got back, she discovered the binder covered in mold. This discovery led Ms. Orrand to request an air quality test, which pushed the State to begin repository renovations.[163]

A brief description of the Pinson repository and its renovation is necessary to understand the conditions in which TDOA archaeologists and I have been working while curating and organizing the Anderson Collection. In 1964, Pinson Mounds was designated a National Historic Landmark and established as a state archaeological park in 1974. After much debate and almost a decade of planning and building, the museum and repository opened to provide the public an opportunity to experience archaeology in real time, allowing them to visit open excavations on the site and watch the curation process unfold in the newly built museum and repository.[164] Designed to look like a platform mound, the building reflects the site's significance as the

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[162] Macie Orrand, "Division of Archaeology Curation Requirements" (Tennessee Division of Archaeology, 2022), https://www.tn.gov/content/dam/tn/environment/archaeology/documents/collections/TDOACurationRequirements_2022.pdf.

[163] Macie Orrand, Interview with Macie Orrand, In person, February 28, 2024.

[164] Robert C. Mainfort, Jr., "Appendix 2: Politics and Prehistory: The Making of Pinson Mounds State Archaeological Area," in *Pinson Mounds: Middle Woodland Ceremonialism in the Midsouth* (University of Arkansas Press, 2013), https://www.tn.gov/content/dam/tn/environment/archaeology/documents/staffpubs/arch_Mainfort%202013.pdf.

"largest Middle Woodland mound complex in the United States."[165] When completed in the 1980's, the building was considered state of the art.[166] From today's perspective, a structure covered in dirt and grass does not provide suitable conditions necessary for a holding archaeological material, such as the ability to easily control humidity levels or prevent mold growth. After Ms. Orrand requested an air quality test in 2023, renovations began at Pinson to address these issues. At this same time, much of TDOA's priority was placed on curating the Anderson Collection.

The renovations address humidity and mold issues by adding industrial dehumidifiers and enhancing security with swipe access to doors and cameras in key access areas. The State is also upgrading the Wi-Fi access in the repository, allowing the staff to work more efficiently and effectively while at Pinson.[167] Adding Wi-Fi will significantly improve communications, eliminating the need for TDOA staff to travel to the outdoor parking lot to receive emails, texts, and phone calls. To provide space for tribal partners to relax during NAGPRA consultations and transfers, TDOA is adding a lounge area. Ms. Orrand has prioritized designing a private space for Indigenous visitors to work with their Ancestors during repatriations. TDOA aims to revitalize the Pinson repository as an archaeological lab, as well as space for workshops and trainings. This will allow engagement with the collections in a comfortable, modern space without risking their safety by transporting them to TDOA's Nashville offices.

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165 "Pinson Mounds State Archaeological Park," accessed February 26, 2024, https://www.tn.gov/environment/program-areas/arch-archaeology/state-archaeological-parks-areas/pinson-mounds-state-archaeological-park.html.

166 Mainfort, Jr., "Appendix 2: Politics and Prehistory: The Making of Pinson Mounds State Archaeological Area."

167 "Archaeological Advisory Council TDEC Division of Archaeology Annual Report for Calendar Year 2023" (Tennessee: Tennessee Department of Environment and Conservation Division of Archaeology, January 31, 2024), https://www.tn.gov/content/dam/tn/environment/boards/documents/aac/2024-meetings/aac_2023-annual-report_jan-26-2024.pdf.

Since the repository underwent its first major renovation since being built in the 1970's, the goal while curating the Anderson Collection was not to prepare it for its final state for storage.[168] We needed to move the collection out of the way as quickly as possible, so we organized the artifacts into boxes by site. Beyond the work Mr. Lawrence and I conducted in the fall and winter of 2021, we did not take the time to bag each artifact individually. Making the collection available for education and outreach is an ongoing project. The work that the TDOA staff and I have done, along with this thesis, are the first steps in doing so.

Another latent benefit that arose from moving the collection on a tight timeline was that it allowed Mr. Hodge to consider potential NAGPRA implications and add language to the donation agreement that allows the TDOA to follow the law without having to notify the Anderson family. This clause helped avoid a major obstacle that emerged while Ms. Orrand and I were curating objects in the buckets. As we sorted through these buckets, mostly containing large stone tools and sherds of ceramic vessels, we came across multiple isolated elements of Ancestral human remains. Discovering human remains unexpectedly while curating a collection somewhat common due to larger systematic issues. While this issue is unfortunate and part of larger conversations on ethics and decolonization discussed in chapter two, it provided a process to follow for this discovery in the Anderson Collection. Following NAGPRA regulations and using previous experience, Ms. Orrand and I immediately separated the remains from the objects, placed the remains in new boxes, and moved them to a secure space. Because of the NAGPRA clause Mr. Hodge added to the donation agreement, the TDOA will not need to consult with the Anderson family before starting consultation with their tribal partners. The agreement stipulates

[168] For the date of the Pinson Repository's construction, see: "Pinson Mounds State Archaeological Park," accessed February 26, 2024, https://www.tn.gov/environment/program-areas/arch-archaeology/state-archaeological-parks-areas/pinson-mounds-state-archaeological-park.html.

that the TDOA must receive the Anderson family's permission before deaccessioning any piece of the collection, but this does "not apply to any action TDOA is required to take under" NAGPRA as a federal law.[169]

Since that day, Ms. Orrand has identified the original location of the Ancestral remains on a county level (see table 1). Table 1 shows both counties where Mr. Anderson collected the remains and identifies the tribal partners with historical and geographical interest in their repatriation. The partners in Table 1 will receive a letter for consultation to begin the process of repatriation. Identifying the county where the remains were found involved using a database built by the TDOA. The database links Mr. Anderson's sites with sites already established by the state and identifies others that need an official site designation in the future. The TDOA built the database out from the maps Mr. Anderson kept to visually record places he visited. Adding Mr. Anderson's notes and maps to the state's paper records is necessary to stabilize the collection through curation and for further research on this collection. Including the sites Mr. Anderson visited to the state archive of archaeological sites allows archaeologists to conduct official research on the area and supports the protection of these sites through monitoring programs. The TDOA also plans to add Mr. Anderson's records to a different database called the Site Information File (SIF), which contains documents detailing excavations, surveys, site reports and other forms of notes like Mr. Anderson's, available to researchers upon request.

[169] "Donation Agreement between State of Tennessee Department of Environment and Conservation Division of Archaeology and Mr. Richard L. Anderson."

Benton County:	**Haywood County:**
• Absentee-Shawnee Tribe of Indians in Oklahoma • Cherokee Nation • Chickasaw Nation • Coushatta Tribe of Louisiana • Eastern Band of Cherokee Indians • Eastern Shawnee Tribe of Oklahoma • Jena Band of Choctaw Indians • Muscogee (Creek) Nation • Osage Nation • Shawnee Tribe • Thlopthlocco Tribal Town • United Keetoowah Band of Cherokee Indians in Oklahoma	• Absentee-Shawnee Tribe of Indians in Oklahoma • Cherokee Nation • Chickasaw Nation • Coushatta Tribe of Louisiana • Eastern Shawnee Tribe of Oklahoma • Jena Band of Choctaw Indians • Muscogee (Creek) Nation • Osage Nation • Shawnee Tribe • Thlopthlocco Tribal Town • United Keetoowah Band of Cherokee Indians in Oklahoma

Table 1: TDOA Tribal Partners with geographic or historical interest in the isolated elements of ancestral remains.

The Anderson Collection is not a Unique Situation

The TDOA began a new collections management project by accepting the Anderson Collection and aiming to make it available for public outreach and education. This project is the first in recent TDOA history where a collection's primary application is to benefit many public groups, including elementary students and regional archaeological/historical societies. In the world of collections management, it is common for private collectors to donate collections with difficult or sometimes unknown histories and origins. This sort of situation happens often, yet there is limited information or publication on the eventual fate of these collections once they are acquired by repositories and museums. Two publications on two different private collections illustrate the spectrum of outcomes that can result from such donations.

The first example is from the Harry Osborn Collection, recovered from a housing development in Memphis, Tennessee.[170] Donated to the University of Arkansas Museum in 1967, the collection was later rediscovered by Bob Mainfort during his research on other collections at the museum. It caught his eye because the objects dated to the period he was focused on for his research, but they presented an unusual assemblage of Indigenous and European artifacts that archaeologists and historians had not previously associated with one another. Intrigued, Mainfort looked into the collection's provenance and found only one short paragraph describing its acquisition by the University of Arkansas Museum. According to this paragraph, Harry Osborne and his son discovered "a large circle of black earth" in an area that had been disturbed for suburban development near their home.[171]

Osborn, an avocational archaeologist familiar with the area's history as a large plantation during the early settlement of Memphis, traveled down to the circle with his trowel. He collected Indigenous and European ceramics representing at least six vessels, "three badly corroded iron objects," and 58 fragments of faunal remains. The significance of this collection's discovery is that, after analysis, archaeologists found evidence for the persistent use of Indigenous ceramics made with traditional clay bodies using pre-Columbian construction, and decoration techniques "into the first quarter of the nineteenth century" which is well beyond the point of European contact.[172] This conclusion indicates that the transition from precolonial to postcolonial life in Tennessee was not as distinct as the terms used to define these historic periods may suggest. Without the avocational work, donation, and subsequent analysis on this collection, there would

[170] Mary Evelyn Starr and Robert C. Mainfort, Jr., "The Harry Osborn Collection: An Early Nineteenth Century Artifact Assemblage from Memphis, Tennessee," *Mississippi Archaeology* 34, no. 1 (1999): 1–14.
[171] Starr and Mainfort, Jr., "The Harry Osborn Collection: An Early Nineteenth Century Artifact Assemblage from Memphis, Tennessee."
[172] Ibid.

not be any historical evidence demonstrating the continued manufacture and use of traditional Indigenous ceramics concurrent with the use of European ceramics around Memphis in the early nineteenth century. Despite having very little information about the provenience of these artifacts, the donation of the Harry Osborn Collection was made useful by adding to the historical knowledge of the Memphis area. Unfortunately, the only publication that discusses the narrative of this collection's discovery was written in 1999 and does not mention the role of descendants in its educational use.

Donated collections from an avocational archaeologist do not always have happy endings like the Harry Osborne Collection. The Tunica Treasure provides one of these stories about an avocational donation gone wrong. In 1969, an avocational archaeologist named Leonard Charrier began looking for buyers for a collection he gathered using a metal detector outside Angola State Prison in Louisiana. On private property next to the prison, Charrier looted hundreds of graves from a village and burial site for the Tunica Biloxi Tribe.[173] After shopping the collection around and failing to receive the amount of money he wanted, Charrier agreed to loan the collection to Harvard University for analysis. To properly conduct the loan agreement, Harvard required a legal document from the landowner relinquishing any of their claim to the ownership of the collection, which Charrier could not produce.[174] Six landowners held conflicting beliefs over what should be done with the collection, leading to a court case that from 1974 until 1985. The courts decided the collection belonged to the Tunica Biloxi, who maintain control today. Before the courts became involved, the Tunica Biloxi did not know that one of their burial grounds had been destroyed or that a collection of their burial objects was being sold off. The Tunica-Biloxi

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173 Michael F.P. Doming, "The Tale of the Tunica Treasure | News | The Harvard Crimson," October 13, 1983, https://www.thecrimson.com/article/1983/10/13/the-tale-of-the-tunica-treasure/.

174 Brain, *Tunica Treasure.*

document that provides a history of this collection does not say if the tribe intervened during the court battle. However, tribe reacquired the collection and they still maintain and preserve it today.[175]

The significance of this collection lies in the Tunica-Biloxi's close relationship with French settlers in the eighteenth century that produced unique French-Indigenous objects found only in this area. Due to the drama and controversy surrounding this collection, along with the poor excavation and documentation methods used by Charrier, Harvard archaeologist and author of the two-volume *Tunica Treasure* books, Jeffery P. Brain "estimates that researchers have lost about half of the information they could have gained from the discovery."[176] This collection and its story warn archaeologists about the risks of working with members of the public interested in the archaeological record, specifically those interested in collecting objects with the intent of financial gain.

The Anderson Collection will fall somewhere on the spectrum between examples like the Harry Osborn Collection and the Tunica Treasure. Understanding history of collections like Mr. Anderson's is crucial for building a set of practices to follow now the TDOA control it. The Harry Osborn collection teaches us that significant additions can be made to the historical and archaeological record if handled with the proper care, while the Tunica Treasure illustrates what happens if they are not. The following chapter will analyze the Anderson Collection as a case study in collections management using the practices implemented during the donation, transportation, and curation of the collection to provide recommendations for best practices

[175] Joey P Barbry, "The Tunica Treasure 'Takuhpanitetimili Yoroni': A Museum Companion to One of the Largest Archaeological Collections of 18th-Century American Indian Relics Ever Discovered" (Tunica Biloxi Tribe of Louisiana, 2016), https://www.tunicabiloxi.org/wp-content/uploads/Tunica-Treasures-Handbook-2016-final.pdf.

[176] Doming, "The Tale of the Tunica Treasure | News | The Harvard Crimson."

moving forward. These recommendations will offer next steps for the continued basic stabilization and care of this collection, suggestions for its future use in public research, education, and outreach, and discuss procedures designed to avoid creating obstacles like those detailed throughout this chapter.

Chapter 4

Continued Care: Best Practice Recommendations and Conclusions

In this chapter, I continue my analysis of the work on the Anderson Collection with a focus on the idea of collections care as opposed to collections management, using a medical analogy to emphasize this approach. This focus on collections care reinforces current attitudes in curation literature that highlight the need to provide significant resources and attention to legacy collections. The discipline has shifted its focus from prioritizing the production of new collections to recognizing the value of overlooked collections left to gather dust on repository shelves. As a response to the curation crisis, this shift is extensively discussed by many academics over the last twenty years. By using language of care framed in a medical analogy, the last two chapters in this thesis aim to communicate the urgency in an emergency collection intake that incorporates thoughtful, intentional, and ethical curation practices.[177]

Having completed emergency intake and triage on the Anderson Collection, the TDOA must now create a plan to fulfill the donation agreement's requirements. The agreement requires that the donation be used for education, research, and outreach. The TDOA must first inventory, fully curate, and organize the collection before they can use toward this requirement. This work is imperative for the Anderson Collection and for others like it. Documenting and publishing best practices for collections storage provides guidance that amateur archaeologists like Mr. Anderson can use in their own practice. It also mitigates the risk of improper collections storage, like buckets under a porch.

This chapter provides a practical example of how collections management practices have changed over time looks like. As discussed in chapter two, archaeology has traditionally focused

[177] Cauvin, "Collection Management: Archives, Manuscripts, and Museums."

on excavations and fieldwork, often leaving curatorial work as an afterthought. In the last five to ten years, archaeologists calling for a better balance between the two have finally been heard. The response can be seen in more job openings for curators and collections managers, increased panels and workshops for collections care at conferences, and more published literature on this topic, such as the SAA issue discussed in chapter two and three. The TDOA embodied this shift in 2020 by hiring Ms. Orrand, their first collections manager in fifty years as a state division. With these points in mind, this chapter uses the research I have conducted to develop a set of best practices for the continued curation and upcoming use of the Anderson Collection in public education. These practices reflect current archaeological and historical literature on collections care, decolonization, the ethics of working with Indigenous descendants, and shared authority.

The first section of this chapter develops a plan for the continued care of the Anderson Collection and recommend practices for the TDOA to make this collection available for public education, academic research, and outreach. The second section discusses how the Anderson Collection fits into the literature of decolonization and shared authority, connecting ideas in anthropology, archaeology, and public history. The third section applies this literature to the recommendations I develop for the public use of the Anderson Collection. Lastly, the fourth section details an interview I conducted with Mr. Hodge that develops a template for other institutions to refer to before accepting a collection like Mr. Anderson's.

Continued Care and Best Practices for the Anderson Collection

Curation of the Anderson Collection has already begun. Mr. Lawrence, Ms. Orrand, and I have transferred the artifacts into new archival boxes, which are now stored on the repository shelves. These boxes are organized numerically by the original site numbers from Mr. Anderson's maps and records, U-T-1 for example. Most of the artifacts are not bagged individually or organized within these boxes according to artifact type, material, time-period, except for the small portion that Mr. Lawrence and I bagged individually. Before this collection is made available to the public, the TDOA must stabilize the artifacts, organize the boxes, and develop an official inventory. My recommendations for the Anderson Collection will address the remaining curatorial work, its use in a public setting, and adherence to the donation agreement. Additionally, I will include information on local and national grants that can provide extra funding to support these recommendations.

Following the TDOA's curation requirements and focusing on the preservation of the collection, I recommend first identifying and addressing boxes that contain mold or other hazardous material. While moving the collection away from ongoing repository renovations, Ms. Orrand and I discovered the spread of mold and the of rat poison in a couple of buckets that were originally stored under Mr. Anderson's back porch. The first stage of renovations at Pinson installed industrial dehumidifiers, so the presence of mold in this case is not a major threat to the rest of the collection in terms of its spread. However, mold can be hazardous for individuals using the Anderson Collection in the future and should be eliminated before it is ready for long-term storage.

Before bagging or organizing, all artifacts should be cleaned and thoroughly dried, as recommended in TDOA curation policies.[178] Cleaning artifacts to address mold growth is simple and straightforward must be done carefully to prevent mold from spreading into other areas of the repository. The National Park Service recommends using a vacuum with a high-efficiency

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[178] Macie Orrand, "Division of Archaeology Curation Requirements" (Tennessee Division of Archaeology, 2022), https://www.tn.gov/content/dam/tn/environment/archaeology/documents/collections/TDOACurationRequirements_2022.pdf.

particulate air (HEPA) filter to remove mold from archaeological material.[179] A vacuum with a small brush attachment helps lift mold spores from the artifacts' surface, and the HEPA filter prevents spores from spreading throughout the room. For personal protection, the individual cleaning these artifacts must wear an N95 or N100 face mask and disposable gloves until all the mold is removed. The gloves, face mask filter, vacuum filter, and boxes used to store the moldy artifacts should be thrown away in an outdoor dumpster and the vacuum brush should be cleaned before using it in another area of the repository.

Fortunately, only one bucket stored under Mr. Anderson's back porch contained rat poison. Literature that provides direct guidance on dealing with this situation for archaeological collections is scarce. Therefore, recommendations that address this draw from research by the Center for Disease Control (CDC), the National Pesticide Information Center's (NPIC), the Duty of Care clause included in the updated NAGPRA regulations, and a 2010 master's thesis on contaminated taxidermy in museum collections. To begin, I recommend creating a detailed inventory of the objects contaminated with rat poison and sealing them in polyethylene zip-lock bags which the TDOA already has on hand. These bags will prevent the rat poison from being absorbed into the cardboard storage boxes. The inventory of these objects functions as a substitute for working directly with them and limits the amount of exposure to dangerous chemicals in rat poison. While bagging these materials, individuals should work in a well-ventilated area, and use N95 or N100 respirators and disposable gloves. They should avoid

[179] "Preservation Matters: Disasters - Mold on Cultural Resources and Collections (U.S. National Park Service)," accessed March 23, 2024, https://www.nps.gov/articles/000/preservation-matters-disasters-mold-on-cultural-resources-and-collections.htm.

touching their face, door handles, or other surfaces while gloved, and wear lab coats, shoe covers, and hair coverings to prevent contact with rat poison dust.[180]

The CDC cites the NPIC, emphasizing the danger of keeping porous objects after exposure to the chemicals in rat poison because they cannot be effectively treated.[181] The exposed objects in the Anderson Collection include faunal remains, ceramic sherds, lithic tools, and lithic flakes produced during tool production which are all porous or semi-porous material. The CDC states this material cannot be cleaned with water because of a chemical reaction between water and zinc phosphide in rat poison that creates phosphine gas.[182] In situations where contaminated material must be cleaned instead of discarded, both the CDC and NPIC recommend using professional cleaning services that specialize in toxic chemicals. However, given the prevalence of similar object types in the Anderson Collection, a professional cleaning service may not be necessary. My second recommendation is to compare the inventory of contaminated objects with the inventory of the whole collection. This comparison will help determine if the contaminated artifact types are repeated throughout the collection, which would justify their deaccession. To reduce the amount of time needed for this process, the inventory created by the IRS appraisal can be used to assess the amount of repeated artifact types and inform a decision about deaccessioning the contaminated artifacts.

This process should include two major steps before beginning. First, notify Mrs. Anderson about the rat poison and provide her with the inventory of contaminated objects, along

[180] Leslie Omstein, "Poisonous Heritage: Pesticides in Museum Collections" (Thesis, Seton Hall University, 2010), https://scholarship.shu.edu/cgi/viewcontent.cgi?article=1255&context=theses.

[181] The NPIC provides guidance for dealing with the presence of rat poison in a household context, however, the practices they suggest can be applied to a collections management context in combination with other collections-based literature. National Pesticide Information Center, "Cleaning Up After Indoor Pesticide Misuse," accessed March 23, 2024, http://npic.orst.edu/factsheets/cleanup.html.

[182] "What Should I Know About Phosphine?" (Center for Disease Control, n.d.), https://www.atsdr.cdc.gov/docs/Phosphine_Factsheet_508.pdf.

with any documentation that explains why deaccessioning these objects may be necessary and justified. The donation agreement includes a "restrictions" clause prohibiting the TDOA from deaccessioning any part of the collection "without prior written permission" from the Anderson family.[183] This step will keep Mrs. Anderson informed on the process of curation as a primary stakeholder and ensure alignment with the terms of the donation agreement.

In addition to notifying Mrs. Anderson and obtaining her permission, the TDOA should also inform their tribal partners of the presence of hazardous material as required by NAGPRA in the Duty of Care clause, if the decision is made to deaccession these contaminated objects. The new NAGPRA regulations, which took effect in January 2024, require institutions subject to this law to report "the presence of any potentially hazardous substances used to treat any of the human remains or associated funerary objects, if known."[184] This bucket did not contain objects directly subject to NAGPRA. However, the presence of this hazardous material should be reported during the consultation process because of its proximity to the isolated elements of Ancestral remains found in the other buckets. While the law only requires reporting hazardous material that have been in direct contact with human remains or sacred objects it is an ethical practice to consider tribal partners (see Table 1) as primary stakeholders who should have this information regardless of the law's requirements Including this information in the consultation process will allow them to provide input on the TDOA's practices and decisions for the contaminated artifacts.

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[183] "Donation Agreement between State of Tennessee Department of Environment and Conservation Division of Archaeology and Mr. Richard L. Anderson," 2021, Tennessee Division of Archaeology.

[184] "Native American Graves Protection and Repatriation Act Systematic Processes for Disposition or Repatriation of Native American Human Remains, Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony," Rule (Department of the Interior, Office of the Secretary, December 13, 2023), https://www.govinfo.gov/content/pkg/FR-2023-12-13/pdf/2023-27040.pdf.

After addressing the hazardous materials, the primary focus should shift toward organizing the artifacts within their archival boxes. I recommend an organizational plan that works through the collection one site at a time while simultaneously developing an official collection inventory. This process will be time consuming, and must consider the other projects and obligations on the TDOA staff's schedule. Therefore, I suggest working through each site numerically, as Mr. Anderson originally named them, rather than using their corresponding trinomial designations. This approach will make it easier to track the organizational progress and allow for smooth transitions between TDOA employees who will likely share this workload to accommodate other projects on their schedule.

The TDOA's curation requirements provide clear parameters to follow for this process. Guided by this TDOA document and the practices laid out in the 2017 SAA publication, "Guidelines for Preparing Legacy Archaeological Collections for Curation," I recommend beginning the organizational process by defining categories that best fit the future use of the Anderson Collection.[185] The Anderson family and the TDOA share the desire to educate Tennesseans on the State's prehistoric past with this collection. To align the collection's organizational categories with this goal, artifacts from each site should be grouped according to their archaeological time periods, cultural diagnostics, and material type. For example, Archaic Period artifacts should be grouped in association with one another, but different diagnostic categories of lithic tools, such as Greenbrier or Big Sandy projectile points, should be bagged separately. The same process can be followed to separate material types and keep lithic and

[185] For TDOA curation requirements, see: Orrand, "Division of Archaeology Curation Requirements." For SAA publication, see: Michelle K. Knoll and Bruce B. Huckell, "Guidelines for Preparing Legacy Archaeological Collections for Curation" (Society for American Archaeology, 2017), https://documents.saa.org/container/docs/default-source/doc-careerpractice/saa-guidelines-for-preparing-legacy-arch-collections.pdf.

ceramic artifacts apart from one another. This way, the collection is curated and ready to be used for educational purposes.

This recommendation is influenced by the importance Knoll and Huckell place on caring for a collection according to its intended use. This organization makes it easy to locate the appropriate artifacts for specific lesson plans and hands-on teaching activities if part of the Anderson Collection is loaned out for educational purposes. It also follows the TDOA's guidance for large collections which states that it is "acceptable to box by material or artifact class rather than by provenience."[186] Since the Anderson Collection has only site-level provenience information, it is essential maintaining the artifacts' association to its site-level provenience for future research. Using a collection's organizational system that is structured by archaeological site, archaeological time periods, diagnostic groups, and material type, future academics can produce research based in methods such as chronological or comparative analyses. Due to the Anderson Collection's size, it holds the potential to be used in a myriad of educational contexts at different levels. This proposed organizational system reflects the potential for a practical and dynamic application of the collection toward the goal of teaching Tennesseans about the state's Indigenous past.

Throughout the process of organizing the collection, TDOA archaeologists should replicate the methods in the physical act of grouping the artifacts in their corresponding categories and bags, and in the task of labeling, documenting, and inventorying the collection. Replication in these practices is crucial to maintain high-quality curation and educational engagement, given the Anderson Collection's size and current lack of professional organization. Each bag produced during the organizational process should have labels following TDOA's

[186] Orrand, "Division of Archaeology Curation Requirements."

curation requirements as close as the collection's limited provenience information allows. Labels should include the "state site number, site name (if applicable), state accession number, catalog number," organizational category description and count, and the collection's name in place of a collection date or associated archaeologist or organization. Additionally, each bag should be numbered "in relation to the total number of" bags contained within an organizational category; for instance, "Bag 2 of 5." The labels on the collection's boxes should include the "state site number(s), site name" and/or collection name, "state accession number(s)," and a box number reflecting the total number of boxes within the collection.[187]

Organizing the Anderson Collection is a major step toward preparing it for public use. This step includes documenting and inventorying the artifacts while the repository workspace is prepped and dedicated this meticulous work. Documenting and inventorying can be achieved simultaneously. As TDOA archaeologists work through the collection's organization, they should document any artifacts that may be fragile and require extra care, any new presence of hazardous material, and new information about the collection that is learned while categorizing the objects from each site. Currently, Mr. Anderson's records are the only set of notes on this collection. As an untrained collector, his notes are not expected to contain a professional analysis of the artifacts. For this reason, it is important for archaeologists to write down their initial observations and thoughts while going through the artifacts as these notes could point to avenues of research on the collection in the future.

As documentation on the collection builds, the TDOA can decide how detailed to make the inventory. I recommend creating an inventory for each box that includes the state site number and corresponding site number from Mr. Anderson's naming system, the archaeological time

[187] Ibid.

periods represented within the site, an artifact count, and artifact description based on the diagnostic characteristics and category. Lastly, I recommend adding an explanation of the collections organizational system to the documentation and inventory. This documentation will provide future TDOA archaeologists with the context in which this collection was acquired and curated. Two SAA publications, one on legacy collections and another for sustainable curation methods, suggest this practice as a simple strategy to give future curators and researchers "a complete understanding" of how and why the collection is curated with particular intentions in mind.[188]

Revisiting Decolonization Through Shared Authority

Once the collection is stabilized and the TDOA has an official inventory, additional steps and considerations are needed to prepare it for public education, research, and outreach. First, there should be a connection between the next set of recommendations and literature on decolonized practices discussed in chapter two. The push to decolonize practices in disciplines working with minority or non-Western cultural groups began in archaeology and moved into public history through museum studies. Vine Deloria Jr. is known as one of the first academics who loudly advocated for a widespread decolonization movement. In archaeology, academics such as Linda Tuhiwai Smith, T.J Ferguson, Chip Colwell-Chanthphonh, and Michael Blakey are credited for establishing decolonized practices as a permanent set of the discipline's methods.[189] The fields of archaeology, museums studies, and public history overlap because, in

[188] For publication on legacy collections, see: Knoll and Huckell, "Guidelines for Preparing Legacy Archaeological Collections for Curation." For publication on sustainable curation methods, see: S. Terry Childs and Danielle M. Benden, "A Checklist for Sustainable Management of Archaeological Collections," *Advances in Archaeological Practice* 5, no. 1 (February 2017): 12–25.

[189] Michael Blakey is not discussed outside of this mention. I chose to include him because, as a prominent figure in historic archaeology in slavery and African diaspora studies, his work with descendant communities is an active body of work in this field. See: Michael L. Blakey, "The New York African Burial Ground Project: An Examination of Enslaved Lives, A Construction of Ancestral Ties," *Transforming Anthropology* 7, no. 1 (1998),

one way or another, each field is concerned with interpreting and presenting tangible sources in the historical record. Through this overlap, and authors like Amy Lonetree, the decolonization movement spread through archaeology to public history.[190] There, the practice of sharing authority grew out of Michael Frisch's book *A Shared Authority: Essays on the Craft and Meaning*.[191]

As the first project and publication to coin the term, Frisch is credited for establishing the practice within the decolonization movement. since its spread, sharing authority between researchers and communities that inform research has become a widespread, almost expected practice for archaeology and public history. The concept developed out of a need to "understand the ways in which authorship is shared" in oral history and what that meant for the generation of historical knowledge. Traditionally, the relationship between the interviewer and the subject was viewed simply as a source of information for the historian. Frisch flips the dynamic asking, who is responsible for the production of history in an oral interview, and who has the power in this dynamic to interpret it? He argues that this approach can redefine and expand "intellectual authority," allowing access to broader audiences. Additionally, it has the potential to reshape the power dynamics and hierarchical structures inherent in traditional methods of knowledge creation. Sharing authority empowers communities and allows them to interpret their own narratives that have been overlooked due to the "assumptions about who and what matters" in academic scholarship.[192]

Colwell-Chanthaphonh and T.J. Ferguson, *Collaboration in Archaeological Practice: Engaging Descendant Communities*, and Smith, *Decolonizing Methodologies - Research And Indigenous Peoples*.

[190] Lonetree, *Decolonizing Museums*.

[191] Michael H. Frisch, *A Shared Authority: Essays on the Craft and Meaning of Oral and Public History*, SUNY Series in Oral and Public History (State University of New York Press, 1990).

[192] Michael H. Frisch, "Introduction," in *A Shared Authority: Essays on the Craft and Meaning of Oral and Public History.*, SUNY Series in Oral and Public History (State University of New York Press, 1990).

As Linda Tuhiwai Smith states, acts of decolonization in academia and in other forms of research for public benefit start with the acknowledgement that most research in Western institutions reproduce forms of colonial "power and domination."[193] Another historian, Carol McDavid, expands on this idea in the article "Descendants, Decisions, and Power: The Public Interpretation of the Archaeology of the Levi Jordan Plantation." McDavid argues that it is imperative for historians to understand how collaborative stakeholders "view themselves and their histories" before trying to interpret it for them. She adds that this requirement generates a setting of "shared power," which is the only setting that can bring out sensitive and difficult history.[194] As this conversation and the ethics of practicing shared authority developed, the article, *Everyman His Own Historian* by Katharine Corbett and Howard Miller, added the term "shared inquiry" to define and frame how historians should shape their research questions. They argue that with or without a historian's interpretation, the public uses information from their personal and cultural histories to navigate their lives. In Corbett and Miller's view, historians and archaeologists approach the past with different motivations compared to the general public. Therefore, historians must adapt public interpretations of history to what the public is interested in, not the other way around.[195]

More modernly, Lonetree expands this conversation further in her book, Decolonizing Museums: Representing Native America in National and Tribal Museums. Centered around museums like the National Museum of the American Indian, she argues that shared authority is

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[193] Linda Tuhiwai Smith, *Decolonizing Methodologies - Research and Indigenous Peoples*, 5th Printing edition (Zed Books, 2002).

[194] Carol McDavid, "Descendants, Decisions, and Power: The Public Interpretation of the Archaeology of the Levi Jordan Plantation," *Historical Archaeology* 31, no. 3 (1997): 114–31.

[195] Katharine T. Corbett and Howard S. (Dick) Miller, "A Shared Inquiry into Shared Inquiry," *The Public Historian* 28, no. 1 (2006): 15–38.

influenced by the post-modernism era and broader human rights issues. These two factors caused anthropologists and archaeologists to self-reflect and consider the influence of colonial power over the ways they interpret and display objects. Lonetree immediately warns that postmodernism and decolonization can get confused, causing practices with too much influence from postmodernist thought to become performative and reinforce colonial power on Native history. Indigenous historical narratives produced by a non-Indigenous researcher should not be asking what is or is not included in Native history, they should ask what parts of history Indigenous people want to share. [196]

Addressing this literature is critical for the Anderson Collection because it represents the cornerstone of historical change in Tennessee's archaeological practices. Given its association with a state government at the TDOA, the Anderson Collection must use shared authority to integrate recognition and comprehension of the persistent structural violence affecting Tribal communities and their relationship with the United States.[197] TDOA archaeologists should recognize that, as employees of Tennessee's state government, any interaction with Indigenous people happens against a backdrop of colonization. This backdrop makes sharing authority on decisions for the collection's use extremely important to rebalance the power between the non-Native TDOA archaeologists and Native descendants. Already, the TDOA is working toward this by setting flexible deadlines that allow for thorough tribal consultation and by asking for meetings that are accessible to tribal members in terms of both time and financial investment.[198]

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[196] Lonetree, *Decolonizing Museums*.

[197] Katrine Barber, "Shared Authority in the Context of Tribal Sovereignty: Building Capacity for Partnerships with Indigenous Nations," *The Public Historian* 35, no. 4 (November 1, 2013): 20–39.

[198] Barber, "Shared Authority in the Context of Tribal Sovereignty: Building Capacity for Partnerships with Indigenous Nations."

Previously, legal considerations were the primary set of standards for collections involving Indigenous communities. Now, it is equally important in the disciplinary shift of ethics dealing with Indigenous collections to consider ethical factors such as involving Indigenous stakeholders in decisions regarding accession, interpretive decisions, and research questions about prehistory and Native history. Methods of shared authority that exist within a respectful and collaborative relationship between the TDOA and tribal communities develop broader implications for Indigenous groups in Tennessee and around the United States.

Applying Shared Authority to Recommendations for the Anderson Collection

Shared authority between the TDOA, Indigenous partners, and the Anderson Collection can take a few different forms. During consultations related to the repatriation of objects through NAGPRA, tribal representatives now have the final authority to use traditional tribal knowledge to identify sacred objects and burial goods within collections during NAGPRA consultations. This shift in authority makes the collection's lack of professional provenience information irrelevant in these decisions, allowing for a wider, Native centered definition of culturally significant artifacts. It also aids in the ethical issues of non-Native domination over the objects that are and are not subject to federally required repatriation. Archaeologists no longer have the power to say that an object is culturally unidentifiable in an effort to maintain control over Indigenous objects and collections. The TDOA is actively working to adhere to these changes since new NAGPRA regulations took effect in January 2024 by reexamining their collections and opening new consultation requests to identify and repatriate these objects.[199]

For generalized collections practice unrelated to ongoing consultations for Ancestral remains and sacred objects, tribal authorities will refer the TDOA back to the new NAGPRA

[199] "43 CFR Part 10 -- Native American Graves Protection and Repatriation Regulations."

regulations to limit the amount of inquiries about their preference in curatorial care.[200] Archaeologists working with Indigenous groups must respect the fact that Tribes are often overloaded with many other archaeologists and institutions around the country contacting them for consultation on NAGPRA and collaborative research projects. To maintain a respectful relationship toward the many demands on a Tribe's plate, the TDOA should include questions surrounding a Tribe's set of preferred practices in caring for the Anderson Collection during an established consultation process. The consultation process is a good opportunity to collaborate on the TDOA's policy and process regarding Indigenous material. In the future, the TDOA should plan a meeting with Tribes who have an ancestral connection to Tennessee and ask them to review the Division's larger collections policies, institutional missions, and gather their priorities for considerations before accepting another large collection. At this point, if all parties are interested, the door can be left open for future collaborative projects.

Practices of shared authority can also be extended to non-Indigenous communities, as the TDOA is a publicly funded institution. Currently, another MTSU student is working on their PhD residency with the Division to identify other public stakeholders. Their project aims to develop new methods for the TDOA to be more responsive to public research questions. Depending on the nature and historical context of the public's interest, the Anderson Collection can be used to answer some of the research questions that emerge from this student's project.

In conversation with the literature working to rebuild public trust in archaeology, an online exhibit provides an accessible opportunity for the public to interact with and learn from the Anderson Collection.[201] A website displaying the collection's artifacts and interpreting new

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[200] Macie Orrand, Interview with Macie Orrand, In person, February 28, 2024.
[201] Katrina C. L. Eichner, Renae J. Campbell, and Mark S. Warner, "Archaeological Collections and the Public—It Isn't All about Us," *Advances in Archaeological Practice* 12, no. 1 (2024): 43–52.

perspectives on Tennessee's precolonial history reaches the shared goal of the TDOA and Anderson family to use the collection in public education. This form of public engagement also acts as a practice in shared authority if the website provides a place for visitors to voice their preferences on the collection's care, use, and dissemination of new information. A public comment page on the exhibit website, such as a forum or survey, creates a localized space that the TDOA can reference in the effort to be more responsive to public stakeholder's ideas, concerns, and new ideas for research topics.

However, the process of developing an online exhibit for the Anderson Collection should begin with a conversation guided by the descendant Tribes identified in the repatriation process that started with the discovery of Ancestral remains. Following the methods discussed in the literature on decolonization, I recommend starting with these Tribal stakeholders because of their ancestral connection to the collection. True shared authority requires incorporating Indigenous voices in every step of new projects involving Indigenous collections; it is not a practice that includes them after a project is developed.[202] During the upcoming consultation process for the Ancestral remains, the TDOA should share their ideas for the collection's use in public education and outreach. This conversation should establish a plan for separate consultation and collaboration to develop an online exhibit. The TDOA should be prepared to answer why they want to create an online exhibit and identify the benefits and potential risks of presenting it to the public.[203] Following these recommendations will produce an online exhibit that respects the perspectives and culture of the Indigenous stakeholders.

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[202] Atalay, *Community Based Archaeology: Research with, by, and for Indigenous and Local Communities*.

[203] The knowledge on what questions the TDOA should prepare to answer in conversations with Tribal partners came from Ms. Orrand's previous experience in consultation and collaboration with these groups. Macie Orrand, Interview with Macie Orrand, In person, February 28, 2024.

Once the exhibit is published online, the TDOA can respond to and incorporate other stakeholder voices within a framework that reflects the discipline's shift prioritizing Indigenous communities' voices. Including stakeholders at different times reflects Joe Watkins' discussion on shifting tensions in relationship dynamics between Tribes and institutions.[204] Acting locally, the recommendation to publicly present the Anderson Collection using a framework developed with a priority on tribal preference illustrates a shift in decision-making power regarding the interpretation of Indigenous history for the public.[205] This approach responds to Watkins' points in chapter two about needing to fill the gap between the protection of cultural heritage found on private property, balancing the tension in Tribal and institutional relationships.

An online exhibit provides public access to the Anderson Collection beyond individuals located in Tennessee. However, a public introduction to this collection in a setting such as the Current Research in Tennessee Archaeology (CRITA) conference strengthens the TDOA's effort in public outreach. Professional archaeologists, avocational archaeologists, and members of the public come to this conference every year to hear new developments in Tennessee's archaeological story. The conference lasts the whole day and is free to attend.[206] CRITA serves as an established setting for people of all archaeological backgrounds to come together and share their research. Introducing the Anderson Collection at CRITA provides an opportunity to identify more stakeholders and share ideas for potential research avenues. It also allows for discussions on plans for the collection's use in public education. The structure of information in a

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[204] Watkins, "Looting the Oklahoma Past: Relationships and 'Relation Shifting.'"

[205] The idea to "think globally, act locally" in terms of collections practices is brought up to convey the application of large disciplinary discussions around collections management in small scale efforts adapted to the resources in individual institutions and best applications for individual collections in: Eichner, Campbell, and Warner, "Archaeological Collections and the Public—It Isn't All about Us."

[206] "Current Research in Tennessee Archaeology (CRITA)," accessed April 10, 2024, https://www.tn.gov/environment/program-areas/arch-archaeology/current-research-in-tennessee-archaeology--crita-.html.

conference presentation on the Anderson Collection should follow the procedures developed during tribal collaboration on the presentation of an online exhibit. There are many different forms of research, exhibitions, and outreach projects the TDOA can employ when the time comes to use the Anderson Collection in a public setting. Introducing the collection to the audience at CRITA can help the TDOA decide which projects to start with based on public feedback and gauge the practices of shared authority in which the public is most interested.

The following paragraphs provide a few examples of how the TDOA can use current best practices in projects that use the Anderson Collection for public education. Since the donation agreement has strict parameters around deaccessioning artifacts, creative responses are needed to ensure an effective use of the collection that do not leave whole groups of artifacts to collect dust on the repository shelves. With prior permission from the Anderson family and descendant Tribes, one way to utilize reoccurring objects that would typically be deaccessioned in other collections is to build teaching kits for history classes that cover Tennessee history.

In May 2017, the Senator Douglas Henry Tennessee History Act was passed to mandate "that a required Tennessee history course be taught in grades K-12." As early as first grade, students begin learning about Tennessee's context within the U.S. examining material culture, "economics, geography, government/civics, and history." Third grade education standards require students to begin studying Tennessee's pre-Columbian history, discussing the State's Indigenous history and early settlements leading up to colonial contact. Educational standards that cover topics on Indigenous history in Tennessee continue through twelfth grade.[207] These kits will give students a hands-on opportunity to engage with material culture that bridges the

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[207] "Tennessee Social Studies Standards" (Tennessee Department of Education, n.d.), https://www.tn.gov/content/dam/tn/education/standards/ss/Social_Studies_Standards.pdf.

gap of time between Tennessee's pre-Columbian past and the present landscape that lacks active Indigenous presence and culture. In an ethics of care perspective, teaching kits provide practical uses for objects that would otherwise remain in boxes until another use for them is realized.

I recommend containing the kits in no larger than five-pound boxes with lids that lock to avoid artifact damage if the box is dropped or removed too quickly from its place in storage. The TDOA should also collaborate with tribal partners to develop activities emphasizing the argument that Indigenous cultures are not extinct nor stagnant in the kit's representation of their material culture. If the TDOA's tribal partners do not have the ability to collaborate on this project due to other obligations on their schedule, I recommend using Indigenous resources on curriculum development that already exist such as the book *Pulling Together: A Guide for Indigenization of Post-Secondary Institutions*.[208] As the title states, this specific book is designed for post-secondary institutions, however, the outlined principles can be adapted to a K-12 context. The book is available for free download on the associated website which also includes information on applying their concepts outside of post-secondary institutions.[209] In addition to classrooms, these kits can be made for Tennessee State Parks in their educational services for public events, kids camps, and tours that cover Indigenous topics.

Developing different public workshops is another way the Anderson Collection can be utilized to share authority and promote education and outreach. One workshop should be directed to public stakeholders and focused on the issues with private collections. The public workshop can include a presentation on the Anderson Collection's intake and curation story paired with mini curation activities and a discussion on the complicated intersections within the collection.

[208] Asma-na-hi Antoine et al., *Pulling Together: A Guide for Indigenization of Post-Secondary Institutions* (Victoria, BC: BCcampus, 2018).

[209] Kory Wilson and Colleen Hodgson (MNBC), "Pulling Together: Foundations Guide," September 5, 2018, https://opentextbc.ca/indigenizationfoundations/.

These topics work to educate audiences on the effects of privately collecting artifacts not only in relation to consequences laid out in heritage legislation but also on the effects felt by Indigenous communities when their cultural heritage is removed from its original context. Another workshop should be directed to Indigenous stakeholders and focused on allowing access to their heritage based on research questions they would like to see answered. Sonya Atalay provides examples on successful practices to use in this kind of workshop, however, each practice is different according to different cultural audiences and institutional access to necessary resources. In planning a workshop, the TDOA should follow Atalay's examples discussed throughout her book. This involves identifying the skills required for participation and finding ways to develop those skills if they're lacking in the group.[210]

More work toward professional curation and inventory preparation, such as the steps discussed in the beginning of the chapter, is needed before the Anderson Collection is ready for public engagement. Many of the recommendations for the collection's use after it is properly curated and stabilized require input from the TDOA's tribal partners before they can be fully developed. On top of this, extra financial resources may be needed to develop the workshops and create the teaching kits. Financial resources are vital to the success of these recommendations as institutions are often restricted to a constant state of triage due to a lack in funding to provide supplies and the ability to compensate additional professionals who are called in to help.

Grants on a national and state level are available for this kind of support. On a national level, the State, Tribal, and Local Plans and Grants Division of the National Park Service provides funding to support projects centered on "place-based identity."[211] The 2024 grants are

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[210] Atalay, *Community Based Archaeology: Research with, by, and for Indigenous and Local Communities*.
[211] "State, Tribal, and Local Plans and Grants Division (U.S. National Park Service)," accessed April 11, 2024, https://www.nps.gov/orgs/1623/index.htm.

already awarded. However, the project to develop artifact kits for classroom use is eligible for these grants because they promote the preservation of Tennessee's material culture and connect students to Tennessee's state identity in a deep pre-Columbian past. Furthermore, grants from other national organizations are easily identified on the U.S. government's website for grants that can provide funding for other recommendations developed in this chapter.[212] Additional materials needed to complete the Anderson Collection's curation and successfully conduct workshops are eligible for coverage under many different grants from institutions such as the National Endowment for Humanities.[213] On a state level, the Tennessee Historical Commission has shown precedence for awarding preservation grants toward archaeological fieldwork and curatorial projects.[214] For future research on the Anderson Collection, students and professionals who are members of the Tennessee Council for Professional Archaeologists can apply for funding to support their projects. The funding will not exceed $750, however, the funds apply to "any endeavor or expense that enhances the quality of the proposed project" including travel expenses and supplies.[215]

Best Practices for Donated Collections

In a conversation with Mr. Hodge discussing the TDOA's plans for the Anderson Collection, I asked how he would have handled the donation process differently using hindsight to inform his answer. This conversation developed a checklist of considerations Mr. Hodge and I

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212 "Grants.Gov: Find, Apply, Succeed.," accessed April 12, 2024, https://grants.gov/.

213 Different grants can be found here: "Humanities Collections and Reference Resources," accessed April 11, 2024, https://grants.gov/search-results-detail/349625., "Public Impact Projects at Smaller Organizations," accessed April 11, 2024, https://grants.gov/search-results-detail/349632., and "Cultural and Community Resilience," accessed April 11, 2024, https://grants.gov/search-results-detail/349718.

214 "Historic Preservation Fund Grants Awarded," accessed April 10, 2024, https://www.tn.gov/historicalcommission/about-us/the-courier/courier-fall-2023/hpf-grants.html. Find their upcoming grant programs here: "Preservation Grants," accessed April 13, 2024, https://www.tn.gov/historicalcommission/federal-programs/preservation-grants.html.

215 "Research Awards," Tennessee Council for Professional Archaeology, January 14, 2014, https://tennesseearchaeologycouncil.wordpress.com/research-awards/.

recommend other institutions to go through before accepting a collection like Mr. Anderson's. This section will provide this list which includes questions to facilitate a process to follow for the logistics, ethics, and safety aspects in planning to accept a large collection. After this list is provided, this section will conclude with a reflection over the ways in which the Anderson Collection has changed certain practices at the TDOA. Finally, using this thesis's description and analysis on the practices used to accept the Anderson's donation, the chapter will provide a framework for the basic steps to follow for similar collections in the future. Questions to consider before accepting a donated collection are organized based on the subject of consideration and included below:

<u>Institutional Internal Questions</u>

1. Do you have physical space for it?
2. Do you have the supplies to curate it? If not, do you have or can you secure the financial support to fund the supplies?
3. Do you have the staff time to curate the collection over a course of reasonable time?
4. Does the collection align with your mission and goals?
5. Do you fully understand the volume of the collection? (e.g. parts of the collection you may not know about until donation day)

<u>Institutional Safety Questions</u>

1. What safety liabilities are you assuming by accepting the collection (e.g. rat poison in buckets)?
2. Are you bringing anything in that could spread (e.g. bugs, mold)?
3. Do you fully understand the volume of the collection (e.g. buckets under the porch)?
4. Have you made a health and safety plan for what you're bringing into the repository?

<u>Questions to Ask About the Collector/Collection</u>

1. Where does the collection come from?
2. What provenience information does the collection have? Is site level information enough for distributional research?
3. How were the objects removed from the ground? Do these methods cross ethical boundaries causing you to change your decision to accept or not accept the collection? (e.g. If the collector looted from sites, or gathered artifacts systematically, but without permission, would you decline their donation?)
4. Are you prepared for an unexpected discovery of objects subject to NAGPRA? Do you know who the potential descendant groups are in your state? Preparation for this situation includes developing strong relationships with Tribal governments and creating a plan for inadvertent discoveries that is mutually agreed upon.

5. Have you had full and honest conversations with your donor so that you understand their motivation for making the donation?
6. Do you know the historical background of the donor?
7. Do you have a donor form for them to fill out? Is this form necessary for your institution's legal protection or for providing information asked in questions 3, 4, and 5?

The list Mr. Hodge and I developed was also informed by the TDOA's collections practices that have changed as a result of the obstacles that developed out of the Anderson Collection. Upon reflection over the questions the TDOA could have better addressed before they accepted the collection, Ms. Orrand created the Artifact and Collection Donation Assessment that all inquiring donors must fill out before a donation is considered for accession. This assessment makes it clear to donors that they "must have legally obtained the artifact or collection, have the legal right to donate, and disclose the circumstances of their ownership and provenience of the artifacts or collections proposed for donation." It also includes sections for the donor to describe the object or collection and include their reasoning for coming to the TDOA with their donation.[216] This form begins to answer some of the questions on the list for institutions to consider before accepting a donation and for the donor, it establishes reasonable expectations for the subsequent donation process.

Along with the development of this form, the TDOA is beginning to reassess the determining factors in the decision to accept an artifact or collection for donation beyond the criteria of objects alignment with the TDOA's mission. In response to the Anderson Collection and to larger conversations surrounding the curation crisis, Ms. Orrand has begun looking over policies at institutions such as History Nebraska to inform updated accessioning policies at the TDOA. History Nebraska uses a scoring table to determine what should be deaccessioned from

[216] Macie Orrand, "Artifact/Collection Donation Assessment Form" (Tennessee Division of Archaeology, 2021), Tennessee Division of Archaeology.

their collections based on categories relevant to their institution's mission and priorities. These categories include "historical relevance," "potential research/loan demand," "condition" of the object, "storage" availability or current conditions, and "photographic potential." Each collection is evaluated based on these criteria and given a numerical score of one through five. If the collection receives a total score of ten or below, it becomes a possible candidate for deaccessioning.[217] During conversations I've had with Ms. Orrand, she has expressed a desire to use a model like History Nebraska's to evaluate potential donations of large collections in the future. After having to work around issues with the Anderson Collection, such as the need to creatively utilize material that cannot be deaccessioned, the TDOA is looking for more ways to conduct a detailed evaluation on a collection before it is accepted. These practices will help mitigate the dynamic and, at times, nonideal layers often embedded within large collections.

The discipline of archaeology has just begun remedying the curation crisis and effects of unethical and/or negligent practices used by private collectors and professional archaeologists in the past. As this work continues, more situations like the Anderson Collection will arise that force archaeologists to face similar dilemmas that exist in a grey area of laws, ethics, and current policies. When this happens, the TDOA and other institutions can use the lessons from the Anderson Collection's donation as a case study on how to handle these issues. As the practices develop to better address these issues, relationships between institutions and Tribes will have more room for repair. Part of addressing the curation crisis is acknowledging previous methods of excavation and subsequent storage that has damaged the trust between tribal and archaeological communities. As more of this work is continued in good faith, archaeologists will

[217] "Deaccessioning History Nebraska Archeology Collections Considerations" (History Nebraska, n.d.), History Nebraska Collections Webpage, https://history.nebraska.gov/collections/.

be able to prove their desire to mend the damage done in the past with their actions instead of their words alone.

From the collection's lessons on what not to do, my recommendations on the most important things to prepare for and consider for future donations are as follows.

1. Gather all the necessary and available information about the donor's historical or archaeological background; this will illuminate their motivations for collecting and donating in the first place. A donor's background may also highlight ethical considerations attached to the artifact or collection they want to donate.

2. Place extreme priority on obtaining a written and signed donation agreement around the time the donation's assessment begins. This way, an institution is informed on how a donation will fit within their collections, and both the donor and institution have mutually reached conclusions on its use toward fulfilling the mission of the institution.

3. Prioritize addressing the safety issues around toxic substances that may be in the collection. Gathering information about where an artifact or collection has been stored and asking the donor if they have used any chemicals to preserve the object should inform an institution's decision to accept the donation. If the donation fits all the criteria for its accession and it is subject to NAGPRA, this information should be shared with tribal partners as stated in the law's Duty of Care clause.
4. Careful planning should also consider the potential need to apply for grants to assist in accessioning and curating the donation and set reasonable expectations of time management based on grant deadlines and other projects the institution is already managing.

5. Individuals working directly with large donations or legacy collections should be aware of all the intersections that exist within a collection's history. An understanding of the current literature on the history of artifact collecting, heritage laws, decolonization practices, ethics codes, and updated collections management practices provides a background on how all these topics can intersect through collections; especially those from pre-Columbian Indigenous contexts.

An intense dedication to learn from the Anderson Collection's emergency intake and move forward with intentional, methodical, and ethical practices will secure the collection's legacy in Tennessee's educational and archaeological histories. A focus on continued care for collections like this refines the development of best practices in collections management and fosters a more inclusive interpretation of our collective historical and archaeological records.

Appendix A

Historical sources that document the presence of Indigenous tribes can be found in the following sources. These sources provide historical evidence to connect descendants of the Anderson Collection to pre-Removal contexts, proving their claim of descendancy in a state that removed their ancestors and forced them to settle on reservations across the country. Some of the secondary sources on this list provide access to primary sources such as images of Indigenous and historical maps identifying the boundaries between tribal lands and quotes from early European accounts with Native chiefdoms. I will include the page numbers and map names in these instances to direct readers toward the primary sources so they are easily located for future reference.

The book *Before the Volunteer State: New Thoughts on Early Tennessee, 1540–1800*, cites many historical documents that demonstrate Native presence in Tennessee and provides a historical discussion of their lifeways across the land.[218] The introduction of this book provides an image of a map produced by a Chickasaw man named Fanni Mingo that shows important trade routes and tribal boundaries of the Cherokee, Creek, Chickasaw, and Choctaw lands. Further interpretation of the map can be found in a chapter titled "Indian Maps of the Colonial Southeast" from the book *Indians in the Colonial Southeast, Revised and Expanded Editio*n.[219] Ray's introduction also includes an image of an early map depicting Fort Loudon, built to protect and claim British control in Tennessee's Cherokee territory.[220] Historical context and

[218] Kristofer Ray, *Before the Volunteer State: New Thoughts on Early Tennessee, 1540–1800* (Knoxville: The University of Tennessee Press, 2015).

[219] Gregory A. Waselkov, Peter H. Wood, and M. Thomas Hatley, eds., "Indian Maps of the Colonial Southeast," in *Powhatan's Mantle: Indians in the Colonial Southeast, Revised and Expanded Edition* (Lincoln: University of Nebraska Press, 2006).

[220] "Introduction," in *Before the Volunteer State: New Thoughts on Early Tennessee, 1540–1800,* by Kristofer Ray (Knoxville: The University of Tennessee Press, 2015), ix–xxii.

interpretation of the fort's purpose is further discussed in chapter two.[221] Other maps, such as those found in chapter one, demonstrate the shift from Mississippian chiefdoms to modern tribal organizations. In this chapter, Robbie Etheridge uses historical documents to create the maps images found on page six and eighteen.[222] This paragraph is a small sample of the useful sources found in this book. Throughout each chapter, authors include references and provide images of primary sources that future researchers can use to establish a claim for descendant communities that have a geographic interest in the Native collections housed in institutions across Tennessee.

Other sources can be found on the website titled "Native Land Digital," an interactive map that displays current and historic Native territory across the world. The map is created by a Canadian non-profit led by Native people and designed to provide a platform for conversations around colonialism and Indigenous knowledge structures. A disclaimer on the site states that the "map does not represent or intend to represent official or legal boundaries of any Indigenous nations," and individuals should "contact the nations in question" to learn about their official and historical boundaries. However, as a self-described work in progress, the map is produced using traditional knowledge and historical treaties. An individual interested in locating descendant communities from their area can use this map as a starting point for their research as it provides thorough documentation and links to sources for treaties, maps, and Indigenous knowledge.[223]

A list of primary sources documenting Native territory in Tennessee can be found on the first page of the following bibliography. It is not comprehensive; however, it will aid researchers

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[221] "Cherokees, Empire, and the Tennessee Corridor in the British Imagination, 1670–1730," in *Before the Volunteer State: New Thoughts on Early Tennessee, 1540–1800*, by Kristofer Ray (Knoxville: The University of Tennessee Press, 2015), 35–64.

[222] Robbie Etheridge, "European Invasion and the Transformation of the Indians of Tennessee, 1540–1715," in *Before the Volunteer State: New Thoughts on Early Tennessee, 1540–1800* (Knoxville: The University of Tennessee Press, 2015), 3–34.

[223] "Native Land Digital," Native-Land.ca, accessed July 19, 2024, https://native-land.ca/.

in establishing a historical connection between descendants and Native collections housed in Tennessee.

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“List of Tennessee Militia Volunteering to Work on the Removal of Cherokees,” May 3, 1838. GP 11 Box 3 folder 2. Tennessee State Library & Archives. [Link](https://teva.contentdm.oclc.org/digital/collection/p15138coll18/id/1893/rec/5).

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Manuscript held by the Special Collections Library, The University of Tennessee Knoxville, Penelope Johnson Allen, box 1, folder 16, document pa0014. "Duplicate account of money paid the Cherokee Nation on account of annuity, 1817." 1817. July 19, 2024. [Link](https://dlg.usg.edu/record/dlg_zlna_pa0014#item).

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