



LEVEL
YOUTH POLICY PROGRAM



POLICY BRIEF

Repatriation Over Profit

MATTHEW GARRETT PROVOST

The LEVEL Youth Policy Program takes place on the traditional and unceded territories of the xʷməθkʷəyəm (Musqueam), Skwxwú7mesh (Squamish) & sə́ilwətaʔ (Tsleil-Waututh) Coast Salish peoples.

GRAPHIC DESIGN

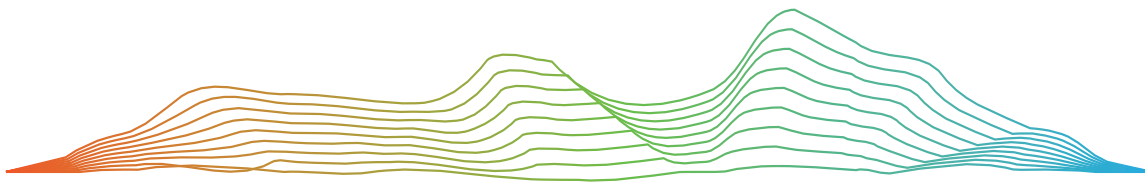
And Also Too

COVER ILLUSTRATION

Yaimel Lopez

Contents

- 3 About the LEVEL Initiative**
- 4 Biography**
- 4 Acknowledgements**
- 5 Executive Summary**
- 6 Problem Definition and Background**
- 9 Policy Options**
- 10 Conclusion**



About the LEVEL Initiative

LEVEL is a youth engagement initiative of Vancouver Foundation that aims to address racial inequity. We do this by investing in the leadership capacity of Indigenous, racialized, immigrant, and refugee youth to create more opportunities throughout the non-profit and charitable sector.

Despite being the fastest-growing youth populations in British Columbia, Indigenous, immigrant, and refugee youth don't have the same opportunities as other young people. Race continues to be a factor that hinders their ability to have a say in decisions that impact their lives.

LEVEL empowers these youth by building their capacity to challenge and change those systems that hinder their ability to build a more just world.

LEVEL consists of three pillars of work to advance racial equity

1. LEVEL Youth Policy Program
2. LEVEL Youth Organizing
3. LEVEL Youth Granting

About the LEVEL Youth Policy Program (LEVEL YPP)

The LEVEL Youth Policy Program (LEVEL YPP) brings together young people between the ages of 19 and 29 from across British Columbia who identify as being Indigenous or racialized immigrants or refugees. Indigenous and racialized Newcomer youth are dispropor-

tionately impacted by certain public policies but are rarely included in the development and implementation of public policy process. The LEVEL YPP aims to provide these youth with equitable training and leadership opportunities to better navigate the public policy landscape, and to develop new tools and skills to influence, shape, and advocate for policy changes that are relevant in their own communities. Having young people directly involved in shaping policies that impact their lives is essential to creating systemic, meaningful change. The LEVEL YPP's training is grounded from and within Indigenous peoples' worldviews, which the program acknowledges, could vary from person-to-person or nation-to-nation. Indigenous worldviews place a large emphasis on connections to the land. This perspective views the land as sacred; where everything and everyone is related and connected; where the quality of the relationships formed are key in life; where what matters is the success and well-being of the community, and where there can be many truths as they are based on individual lived experiences.¹ As such, an important premise of this training is to centre and place a particular focus on the fact that the work that has gone into developing this training, as well as the training itself, has taken and will take place on unceded (never given away/stolen) territories of the hənq̓'əmin 'əḿ-speaking Musqueam peoples, of the Halkomelem-speaking Tsleil-Waututh peoples, and of the sníchimspeaking Skwx_wú7mesh (Squamish) peoples.

1. <https://www.ictinc.ca/blog/indigenous-peoples-worldviews-vs-western-worldviews>

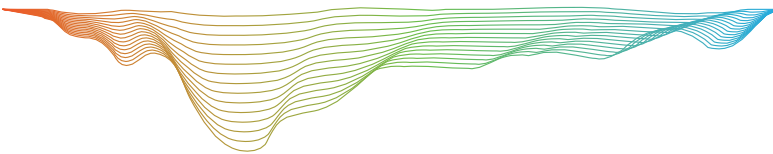


Biography

Matthew Garrett Provost



Matthew is Blackfoot from Piikani Nation in Southern Alberta. He is currently attending a post-secondary institution, and is working toward finishing his degree with a focus on public policy and Indigenous Methodologies through Simon Fraser University (SFU). Matthew works toward supporting the Indigenous Community, and has been involved in many forms of advocacy work. He has been on the Board of the First Nations Students Association, and has recently been elected to a new position at the Simon Fraser Student Society. Matthew does his best to ensure that Indigenous students are recognized within post-secondary institutions, and that they are affirmed in all aspects of their educational journey.



Acknowledgements

I want to dedicate this work to our community members who have committed their lives to bringing our relatives home.

I want to acknowledge all of the people who consistently stand beside me and support all of my endeavors. Without the support of my

family, my partner, the SFU Community, the Indigenous Student Centre, and the folks I have met on this journey, I would not be able to take on such valuable work without your teachings and guidance on how to do this in a good way. iikakiimaat.

Executive Summary

Content Warning: This summary includes dialogue around Indian Residential Schools and discussion around oppressive tactics that are impacting Indigenous communities related to repatriation work. There is mention of over-policing of Indigenous peoples and loss of culture and identity.

The repatriation process for Indigenous communities is an extraneous experience. It is something that many Indigenous Communities, if not all, are still being impacted by. In order for communities to feel whole and to find resolution from the loss and exploitation of Indigenous items across the world, the work for repatriation processes and proper community consultation needs to be prioritized so that Indigenous communities can begin to heal. The ongoing sales of Indigenous items in private collections, estate sales, and auctions in the present-day are continuing to perpetuate the harm and erasure of Indigenous people, not only within the North-American context, but globally. This policy ask will cover the issues and problematic tendencies that arise from the ongoing sale of Indigenous items, and how communities continue to advocate for the repatriation of their family and community items in order to bring them home.

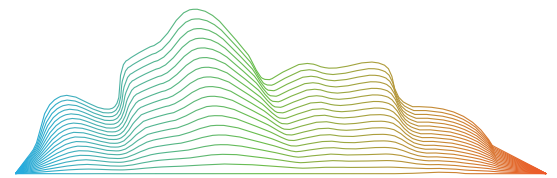
It is important to recognize the ongoing work that has been happening within communities, and I hope that this policy ask will act as a framework to hold accountable private collectors, estates, and appraisal organizations, and to end the sales of Indigenous goods that were taken between the years of 1885 to 1951. It's important to acknowledge that Indigenous items have been collected and harmfully removed from communities through

colonial tactics such as the *Indian Act*, policing Indigenous peoples, and outlawing Indigenous ceremonial practices.

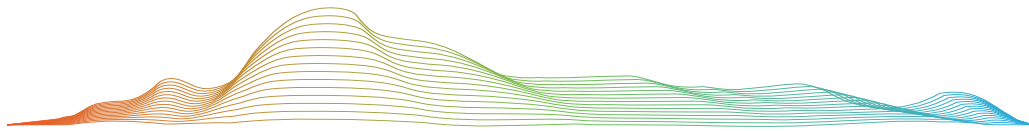
For purposes of narrowing down this policy ask, I will be focusing on cases that are specific in the so-called “Canadian” context. Within this summary, I will provide historical context and convey the significance of Indigenous ceremonial items in community, and how these items hold importance for Indigenous communities in the present day.

Indigenous ceremonial and cultural items are identifying pieces that have been forcibly removed from our communities.

I will present recommendations for an accountability process regarding the sale of Indigenous items, and underscore the importance of community involvement in the healing processes, especially when reconnecting with our ceremonial items. I write this in the hopes that this policy ask will give other Indigenous folks and/or communities the capacity to use this framework to help support or expand their repatriation efforts to secure and protect their items.



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Problem Definition and Background

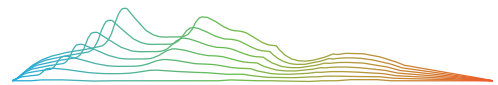
The at-hand issue to be discussed is the sale of Indigenous cultural and ceremonial items for profit.

Historically, we have seen the exploitation of Indigenous cultural or ceremonial items in various forms. Presently, we see items such as headdresses, pipes, feathers, traditional regalia, and even tipis become appropriated into Western culture, as a way of commodifying Indigenous objects. This normalization of commodifying Indigenous people's culture in the mainstream is a direct result of the complex and well-thought-out assimilation process that has been imposed on Indigenous peoples in North America.

For specific purposes, I will focus on the so-called "Canadian" context and will be drawing from so-called "Canadian" policies. The erasure of Indigenous peoples on their own territories has been an ongoing formality that is embedded in so-called "Canada's" history through policy and legislation. The *Indian Act of 1876* set precedence for the assimilation of Indigenous peoples in what is now known as "Canada."

The *Potlatch Law* came into effect in 1880, and it set the tone by making Indigenous ceremonies illegal, and outlawing the cultural and ceremonial customs that had been practiced since time immemorial. When this law came into effect, it gave Indian Agents and the RCMP

the power to confiscate ceremonial items that were used in our Traditional Ways. Section 3 of the *Indian Act of 1880* criminalized Indigenous people's practices, which included, but were not limited to ceremonies, languages, and social community gatherings. This, in turn, left a legacy of shame and resentment towards Indigenous knowledge and practices within communities across the country. We then see the implementation of the Indian Residential School system, and the detrimental impacts of how this educational system was weaponized against Indigenous children and used as a systematic process of indoctrination to settler society. All of these systems and processes played a substantial role in the loss of identity, culture, language and — most importantly — the relationship to land for Indigenous communities. Present-day Indigenous communities are continuing to piece together their community's history, stories, and they are looking to find some form of resolution and healing from the damaging ripple-effects of the *Indian Act* and colonial tactics.



This culture of recording and exploiting our knowledge, while forcing us out of traditional ways, is a concept that continues to have negative impacts on Indigenous people and communities today.

The collection of Indigenous cultural items by settlers is a phenomenon that has been practiced since contact. Historically we have seen Indigenous items obtained and collected in order to “preserve history.” This is the narrative of settlers, fur traders, and explorers to record and preserve our culture, since it was said to be believed that as Indigenous people we would become extinct and assimilate into Western society. This culture of recording and exploiting our knowledge, while forcing us out of traditional ways, is a concept that continues to have negative impacts on Indigenous people and communities today.

Indigenous ceremonial and cultural items continue to be sold without knowledge or consent from the communities in which they were obtained. The lack of acknowledgement and/or research of these items that are being sold through private collectors to estates and museums is just one problematic aspect. The sale of Indigenous items obtained from 1885 to 1951 should be an area of focus since, to our knowledge, these items would have been obtained through coercion or either intimidation. Indigenous ceremonial and cultural items that have been forcibly removed from our communities have created gaps within our Traditional Knowledge. Lack of access to our traditional items have assisted in the loss of culture, identity, and the ability to pass down traditional teaching and core values for many community members.

Lack of understanding and knowledge around sacred objects is another area that needs its own separate conversation. Indigenous cultural and ceremonial items play an integral role to the culture and identity of their communities. These sacred items hold value within commu-

nities; these items have been transferred by families or community members through traditional practices and protocol in order to ensure our own forms of societal relations among our Nations and relatives. These sacred items are not to be appraised with monetary value and should not be equated as “antiques and fine art.” Our ceremonial

and traditional items would be comparative to our relatives, as members of our families and communities. Indigenous cultural and ceremonial items played an integral part of our societal norms. Whether this be equated to governance, laws, knowledge, roles, and responsibilities in a Western context, Indigenous Ways of Knowing and relational ties to ceremonial and cultural items, play an integral role to our way of life and practices.

The ongoing sale of Indigenous items, and the lack of regard for their identification and reallocation into community, is problematic in and of itself. By not ensuring the return of these items to their communities, private collectors and appraisal organizations are continuing to disregard the damaging history of Indigenous peoples in this country, and they perpetuate the colonial narratives and the erasure of Indigenous peoples. Private collectors



Horned bonnet of weasel skins, worn by Grass Dance leader, Blackfoot, Alberta, c. 1900, with ceremonial shirt, Blackfoot, c. 1880. Exhibited at the Royal Ontario Museum in 2011. Photograph by Daderot, Wikimedia Commons



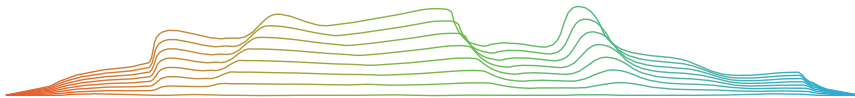
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and estates hold no accountability to Indigenous communities, and there is no action on their part to reallocate and repatriate these items, since there are no formal processes in place requiring them to do so. When Indigenous items are brought to an estate sale or private sale, there is little communication between the individuals who have collected these items and Indigenous communities. We often see ambiguity when it comes to the sale Indigenous items. Without the ability to identify, and a lack of responsibility to ensure identification is needed, we often encounter estates sales and appraisers disregarding

their accountability in the sale of Indigenous objects. Currently, there is nothing formalizing the private sales of Indigenous items, and no process to classify or deem these items as ceremonial and/or cultural.

Without a regulatory or accountability process, we will continue to see the distribution of Indigenous ceremonial and cultural items, and without formalizing any process we will continue to see the commodification of Indigenous culture and settler gaze perpetuated on Indigenous people.



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Policy Options

RECOMMENDATIONS AND NEXT STEPS

My recommendation is the development of a mandatory checklist that will ensure accountability processes for private collectors and auctioneers.

Currently, within so-called “Canada,” there are organizations that are mandated to uphold standards on the private sales of appraised goods. These privately-owned appraisal companies are members of larger organizations, such as the Canadian Association of Personal Property Appraisers (CAPPA) and the Canadian Personal Property Appraisers Group (CPPAG). These organizations fulfil a purpose, in that there is specific protocol appraisal businesses abide by, and they also give some form of legitimization and accreditation in judging the value of various items such as, but not limited to:

- Antiques and Fine Art;
- Collectibles;
- Vehicles;
- Heavy Equipment;
- Offices;
- Livestock, etc.

Typically, Indigenous items fall under “Antiques and Fine Art.” This categorization, in and of itself, is problematic and does not correlate the complex nature of the identification process of Indigenous items, and also entirely ignores the cultural and ceremonial integrity. When Indigenous items are labelled as “Antiques and Fine Art,” there are many red flags that need to be considered.

This recommendation ensures accountability and proper consultation with Indigenous communities, in order for repatriation work to occur. By holding organizations such as CAPPA and CPPAG accountable to formalized repatriation processes, as well as the recommendations from the Truth and Reconciliation Calls to Action under Business and Reconciliation, I hope to create a formal process in order to reallocate Indigenous cultural and ceremonial items.

My First Recommendation is that the government of so-called “Canada” implement an identification process, with proper consultation from Indigenous communities, for all Indigenous items deemed ceremonial or to hold cultural value that were obtained between the years of the *Potlatch law*.



By holding organizations accountable to formalized repatriation processes, as well as the recommendations from the Truth and Reconciliation Calls to Action under Business and Reconciliation, I hope to create a formal process in order to reallocate Indigenous cultural and ceremonial items.



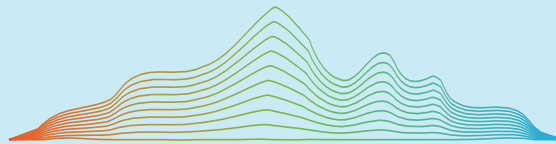
This would include the years from 1885 to 1951. Also, to properly consult with Indigenous communities to stop the private sales of Indigenous ceremonial and cultural obtained items from 1885 to 1951.

My second recommendation is that the development of a cultural competency and training be integrated into the frameworks of CAPP and CPPAG, in order to mandate that they follow the Truth and Reconciliation Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples. As well as to mandate when appraisers and estates obtain Indigenous items, they have a regulatory process that ensures their due diligence to Indigenous people, and return Indigenous items to their respected communities.

Identification process:

- If Indigenous community members come into contact with cultural items being sold they can request the items for sale to be dated;
- When Indigenous items are obtained by private appraisal businesses if they are suspected to be obtained from 1885 to 1951;
- If cultural items are being sold, they are able to be attributed to a specific community or family, and there must be a reallocation process in place to return items at no charge to the community or family;
- If there is an oral history and recollection of said cultural or ceremonial items, it should be adequate enough for the reallocation of said items.

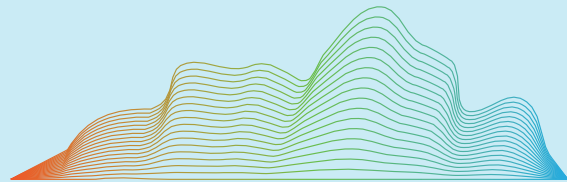
Conclusion



In summary, the repatriation process is a practice that needs to be taken seriously, and with good intention, in order to begin to correct the wrongdoings that have been inflicted on Indigenous people. Indigenous cultural or ceremonial items should not be sold for profit, or without the consent or knowledge of Indigenous communities or families. We need to recognize that this is only one aspect of the complexities of the repatriation process. Historically, the forced removal of Indigenous people and their items was one aspect that inflicted harm in order to assimilate Indigenous peoples. In order to revive and truly practice “reconciliation,” I am calling upon the government of so-called “Canada” to create an identification process, and establishment

of accountability, in order to monitor and stop the sales of Indigenous goods that are recognized and deemed ceremonial and cultural by communities. Items collected from the Potlatch and Sundance ban era are still poorly documented, and many Indigenous items have gone missing, been destroyed, or are currently being held in museums, private collections, and or sold through private sales.

The onus of repatriation can not only be placed on Indigenous people. The emotional toll and trauma that occurs through this process is triggering. This work needs to be done collectively, and responsibility needs to be taken, in order for this process to become one that is healing.



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Indigenous cultural and ceremonial items are not pieces of art for your private collections, these items hold cultural value to many communities and families.

You cannot buy our culture, you cannot monetize our knowledge, our histories, there is no price for the integrity of our culture. As Indigenous people we are currently healing from various forms of violence that have been imposed on us, I need you to understand that repatriation is a part of that healing journey. Our communities and families cannot be whole unless we ensure the return of our ceremonial items.

Repatriation over profit.

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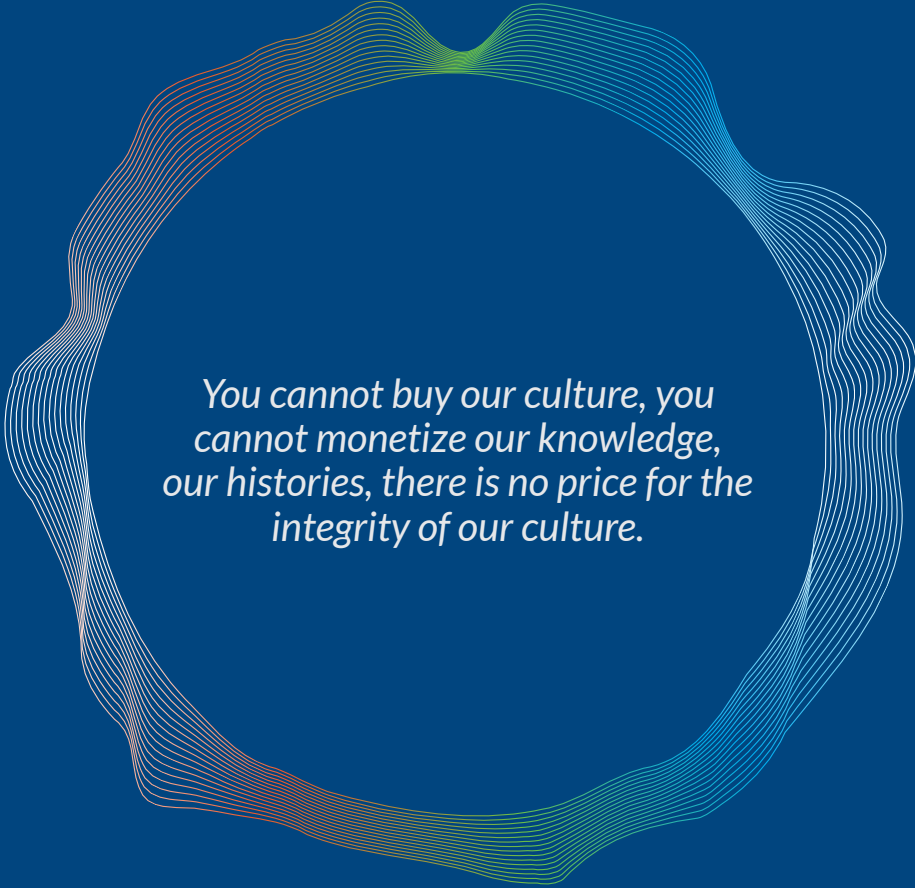
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Vancouver Foundation is Community Inspired. We are a community foundation that connects the generosity of donors with the energy, ideas, and time of people in the community. Together, we've been making meaningful and lasting impacts in neighborhoods and communities since 1943. We work with individuals, corporations, and charitable agencies to create permanent endowment funds and then use the income to support thousands of charities. We recognize that communities are complex and that collaboration between multiple stakeholders is needed to help everyone thrive and evolve. Vancouver Foundation brings together donors, non-profits and charities, government, media and academic institutions, local leaders, and passionate individuals to build meaningful and lasting change in the province of British Columbia. We see young people, their voices and experiences as part of that vision to building meaningful change.

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