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**From closed museum spaces to inclusive cultural meeting points:
connecting indigenous heritage collections and communities in the
Dominican Republic**

Alvarez, A.V.

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CHAPTER 4. Heritage issues and museums in the Dominican Republic: A diachronic perspective

4.1 Introduction

The present chapter addresses the results of research regarding the nature of heritage issues in the Dominican Republic and where Indigenous heritage collections stand in relation to the development of legislation and protection laws. The diachronic view of Dominican legislation is based on a review of institutional publications, archival data, and on interviews. The review attempts to follow a chronological path in showing by what means Indigenous heritage collections have fallen into neglect, contributing to the cultural disconnect with the communities surrounding them.

In the sections that follow, the general characteristics of Dominican society and how the broad concept of heritage are addressed as well as how general definitions of culture are featured in the legislative language of the nation's constitution and heritage laws. Next, the development of Dominican heritage legislation is reviewed departing from collecting accounts that can be recognized in early presidential decrees. The international context of heritage legislation is also described to show how the development of Dominican legislation at times ran parallel to international concerns. The chapter also presents the legislative context of the formation of Indigenous heritage collections, which helps put in perspective the status of Dominican heritage issues today, including complex heritage market issues the country currently faces.

4.2 Dominican society

Today, the Dominican Republic shares the island of Hispaniola (Figure 2) and has been continuously populated for over 6,000 years—with the Republic of Haiti (Cassá 1992; 1974). Occupying the larger part of the island, with 48,670 square kilometers, the Dominican Republic is divided territorially into three macro-regions (North, Southwest, and Southeast), ten administrative regions, 31 provinces (Figure 3), and one National District (ONE 2019). The Dominican Republic has an estimated population of 10 million people (CIA 2020; ONE 2015). In 2010, about 4 million people lived in the National District and the larger Santo Domingo Province, and Santiago Province was the second largest metropolitan area (ONE 2010). The official language is Spanish, and the most widely practiced religion is Roman Catholicism, followed by Protestantism (CIA 2020). Forty percent of its population is between 25 and 54 years of age, and 27% falls under the age of 14 (CIA 2010). Until at least

the year 2010, the majority of the population considered itself to be of mixed ethnicity—58% self-identified as *mestizo* or *indio*, and 12% as *mulato*, while 16% self-identified as black, 13% as white, and less than 1% as other (CIA 2020). The high population of *mestizo* or *indio* individuals could be considered an indicator of a strong interest in Indigenous heritage. Nevertheless, *indio* is no longer an ethnic category in the official identity document or *cedula de identidad*. The *indio* category was replaced with *mulato* by the Junta Central Electoral (Central Electoral Board), under the argument that most people did not identify exclusively with the category “black,” that the majority preferred the label *mulato*, and that the term *indio* reflected racist policies that emerged during the dictatorship of Rafael Leonidas Trujillo (Suero 2011).



Figure 2. Map of the Dominican Republic and the Caribbean/Central America region. Map by Finn van der Leden, courtesy of Nexus 1492, 2020.

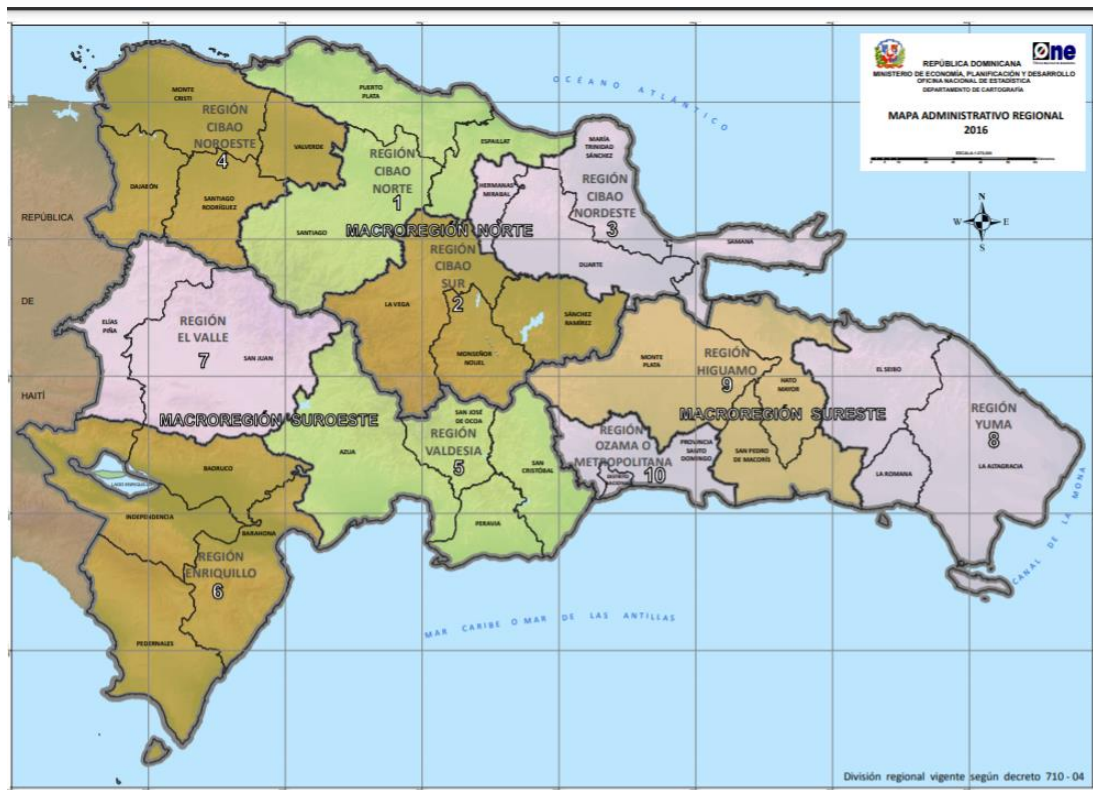


Figure 3. Administrative Regional Map of the Dominican Republic with macro-regions and political division featuring the 31 provinces and the National District. Map source: Oficina Nacional de Estadística de la República Dominicana, Macroregion, 2020.

Today, the Dominican Republic is internationally recognized as having strong, rapid economic growth in comparison to other Latin American and Caribbean countries (Banco Mundial n.d., “Dominican Republic: Panorama General” section; UNICEF n.d.; USAID 2013). There is also, however, the recognition that the country continues to face the challenges of poor quality of education (UNICEF n.d.; USAID 2019), economic inequality, unemployment, crime, violence against women, sex trafficking, discrimination, corruption, unreliable electricity, poor health, and vulnerability to climate change (USAID 2019).

Against this backdrop, heritage management issues take a back seat, and there is scarce information on investment in cultural programs to determine whether or not cultural initiatives form part of the development agenda in international governmental collaborations (Siegel 2011). The cultural diversity of the country is not a common curriculum topic in the Dominican formal educational system. The contribution of African heritage to the Dominican identity was largely unrecognized until the 1970s (Sanchez-Carretero 2005). The Museo del Hombre Dominicano has been one of the few institutions to bring aspects of intangible African heritage to international light through UNESCO’s declaration of Dominican Afro-religious music as part of humanity’s intangible heritage (Perdomo and Torres-Saillant 2007;

Sanchez-Carretero 2005). Nevertheless, the few studies that address museums as heritage products often do this briefly as a way to enrich the touristic appeal of the country (Agüera 2013; Castellanos Verdugo and Agüera 2013), and not as places where people can go to better understand the complexity of Dominican society.

4.3 Cultural heritage and Indigenous heritage collections

The concept of cultural heritage responds to changing global conditions that have shifted from contextualizing tangible cultural goods toward including intangible manifestations and traditions (Siegel et al. 2013; Baldeon 2001). Applying this concept to a local interpretation in the Dominican Republic, it is congruent with how culture is defined in the Dominican constitution, namely as the collectively assumed characteristics of a people's lifestyle (Congreso Nacional de la República Dominicana, Ley 41-00 of 2000). While cultural heritage is equated with the expression of tangible and intangible goods, values, and symbols of the nation, the definition encompasses a comprehensive list of artistic and cultural forms (Congreso Nacional de la República Dominicana, Ley 41-00 of 2000) but leaves out the recognition of Indigenous heritage from its definition.

The earliest heritage legislation also recognized the cultural value of archaeological objects, as they were considered to be “national monuments to be conserved for the glory of the Republic” (Congreso Nacional de la República Dominicana, Decreto 4347 of 1903 paragraph 1). The objects were later designated to be under the state's permanent care (Congreso Nacional de la República Dominicana, Ley 318 of 1968), regardless of whether they were in public or private hands. This designation is also found in the French legislation for historical monuments (Congreso Nacional de la República Dominicana, Ley de 1913), as well as in the Spanish legislation, where the nation's historical riches are said to constitute part of the National Cultural Treasures (Baldeon 2001). Categorizing archaeological objects as relics that require conservation to legislatively make them property of the state marked a significant shift in preserving and protecting the nation's cultural heritage.

For the purposes of the present research, Dominican Indigenous heritage collections are considered to comprise archaeological artifacts that were created by the Indigenous population of the Caribbean between 6000 and 500 years ago, can still be found in the Dominican Republic, and may be under either public or private care. This definition stems from the recognized neglect identified in the language of the first piece of heritage legislation, which declared archaeological objects the property of the state in order to

preserve them. The legislative text also recommended that the government needed to create a national museum to house the antiquities that had been underappreciated to avoid them being taken out of the country (Congreso Nacional de la República Dominicana, Decreto 4347 of 1903 paragraph 2 and 3, Articles 1 and 2). The recognition of the illegal trafficking threat indicates an early legislative attempt to minimize looting and significant heritage loss.

4.3.1 Dominican heritage legislation recounted

The history of Indigenous heritage collections in the Caribbean and the Dominican Republic starts with the brutal conquest of the Americas upon the first European invasions of the Caribbean islands. As the European nations' territorial and economic expansion took place overseas, samples of the cultural production of native populations were plundered and gifted to royal families (Russo 2011; Schnapp 2011; Vilches 2004). As royal collections were enriched with conquest goods brought to Europe, these objects served as the foundations of the seventeenth-century cabinets of curiosity that became available to the public interested in seeing what was being manufactured in the faraway conquered territories.

Studies of European collections have highlighted cultural objects from New World conquests, such as those from Margaret of Austria's early royal acquisitions (MacDonald 2002) and the Medici family collection (Keating and Markey 2011). However, except for the inventories of royal collections in European kingdoms or museums with American collections, the history of the documentation of cultural material appropriated from the island of Hispaniola is still a seldom-explored topic (Cabello Carro 2008; 2011). Furthermore, details of how Indigenous heritage collections were formed in the Dominican Republic are almost nonexistent. While the documentation practices of archaeological museums in Europe improved by the end of the eighteenth century and documentation became a more common practice (Pearce 1990), no formal practices of heritage documentation were established in the Dominican Republic until the late 1800s. Official records do not indicate how the government of the Dominican Republic addressed the ownership of archaeological objects. The earliest formed public institutions lack information on what were the cultural discussions of the time. Compilations of heritage laws do not provide the context to understand how the legislation on public ownership of archaeological objects was determined or what were the specific circumstances that led Congress to declare it (Pina 1978).

The first heritage legislation, dating to February of 1870, was formulated to declare the Alcazar de Colon (known as Columbus's house) and part of the wall of another colonial

structure as national monuments to protect them from further decay. The text of the legal disposition highlights the historical glory that monuments represent for a country, and the language used serves as evidence of the value Spanish conquistadors placed on this cultural material: “The Alcazar de Colon [...] is the first building to be constructed in all of the New World, the construction of which was supervised in person by that great man, famous for his courage, his intelligence, and his bad fate” (personal translation, paragraph 3, Congreso Nacional de la República Dominicana, Decreto No. 1164; Pina 1978). Although laws in the Dominican Republic follow the model of a democratic republic and are designed and approved by the National Congress (composed of the Senate and Deputy Chambers), the first legal attempts to protect Indigenous heritage, beginning in 1903, were solidified by executive decrees issued by the president of the republic, as other nations were doing at that time. For a summary of Dominican heritage legislation see Table 1.

Thirty-three years after the first governmental action to address heritage preservation for conquest-period architectural monuments, the government created the mandate that declared Indigenous archaeological objects—ceramics, stone, or bone—to be national property. The governmental mandate of 1903 (Decreto No. 4347) placed archaeological objects under the category of monuments. In addition, it indicated that the objects had long been underappreciated, and, even by that time, many had been taken out of the country to enrich foreign museum collections (paragraph 1–3; Pina 1978). The legislation also reflects the intention to protect any objects made by the island’s Indigenous people that could be found on any terrain or in caves, explicitly declaring them exclusive state property, not to be taken out of the country or appropriated by other people. Nevertheless, the legislation also indicated that the private collections “formed before the date of (the) decree” were exempted and were only to be listed (personal translation, Decreto No. 4347, article 2; Pina 1978), without indicating that the list of objects should be included in the national registry. It took 400 years from the time the first European government representation was established on the island to issue a legal document addressing how to report and handle Indigenous heritage objects. The reporting hierarchy placed the local authorities first, and all efforts were to contribute to the creation of the National Museum (Decreto 4347, articles 3 to 7; Pina 1978, 13–14).

Ten years later, the Dominican National Congress established the law that created the National Museum, with its seat at the Alcazar de Colón (Congreso Nacional de la República Dominicana, Ley 5207, March 1913), although the actual site is said to have been Casa

Aybar, another colonial structure next to the Alcazar de Colón. However, no significant records were found that could corroborate that the National Museum at the time was a fully functioning institution, regularly open to the public. Official historical records were searched in the files located in the Archivo General de la Nación (National Archives of the Nation). Copies of brief internal governmental communications with reports of activities and inventories mentioning the word “museum” were the only documents identified that attested to the museum’s operations at this early date.

As noted above, the legal text of the 1903 law prohibited the exportation of “archaeological objects manufactured by the Indigenous people of the island” (personal translation, Article 1; Pina 1978), with the purpose of conserving all historical artifacts distributed throughout the country. In 1927, a law was issued to create another national museum that included the national library (Congreso Nacional de la República Dominicana, Ley 666), but there is no mention of Indigenous archaeological collections or what the content of the new museum would be.

The first commission to oversee the conservation of monuments, historical and artistic pieces, and archaeological objects was created in 1932 in answer to an urgent call by the National Congress. By then, all monuments, objects, and works of historical importance throughout the country were to be under official protection (Congreso Nacional de la República Dominicana, Ley 293 of February 1932). A three-member commission, based in the capital, would have the capacity to draft its own regulations for approval by the president of the republic, and one of its first tasks was to make a list with all the buildings, works, and artifacts that needed to be conserved or officially monitored, even though the researcher could not verify the existence of this list or how comprehensive it was.

In response to another call of urgency, in 1937, the National Congress created an additional commission to act as an assessment body for the National Museum (Congreso Nacional de la República Dominicana, Ley 1341; Pina 1978). The commission existed within the former Ministry of Education and Fine Arts so that both could cooperate in the development of the National Museum. However, it acted more like a ruling body, as it oversaw overseeing the operations, including dealing with how objects were presented in the exhibitions and activities. The commission could also allow provincial boards to buy or receive private donations of historical, artistic, or scientific material and could explore or find

Type of legislation	Description	Year of creation
Decree 4347	Declares archaeological objects property of the Nation; establishes the need for a national museum	1903
Law 5207	Prohibits the exportation of archaeological objects elaborated by the Indigenous people of the island; declares the creation of a national museum	1913
Law 666	Assigns funds to the creation of a national museum and library	1927
Law 293	Creation of the first commission to oversee the conservation of monuments, and historic, artistic, and archaeological objects	1932
Law 1341	Creation of a commission to develop the National Museum	1937
Decree 222	Creation of the Dominican Commission for Archaeology	1938
Law 1400	Creation of the Instituto Dominicano de Investigaciones Antropológicas (Dominican Institute for Anthropological Research)	1947
Law 473	Creation of the first heritage-related tax exemption legislation	1964
Law No. 318	First comprehensive legislation on cultural heritage	1968
Regulation No. 4195	Concerning the Cultural Heritage office	1969
Law No. 492	Declares various national monuments of architectural nature and archaeological sites.	1969
Law No. 318	Creation of the Museo del Hombre Dominicano	1972
Law No. 564	Addresses the protection and conservation of national ethnological and archaeological objects.	1973
Decree No. 2310	Establishes the Centre for the Inventory of Cultural Properties	1976
Law No. 41-00	Creation of the Ministry of Culture (formerly known as Secretary of Culture); modified Law 318	2000
Regulations for the National Museum Network	Norms and procedures for the National Museum Network	2007
Regulation for the Archaeological Research Committee	Procedures for archaeological research in the country	2017 pending approval

Table 1. Relevant legislation related to Indigenous heritage issues in the Dominican Republic.

information regarding new objects in their immediate geography (Congreso Nacional de la República Dominicana, Ley 1341, Articles 4 to 6; Pina 1978). Most importantly, the legislation established that the commission would carry out an annual review of the

museum's inventory, making sure that each object was identified with a number, description, cost of acquisition, and commercial value, and would send a copy of this inventory to the Ministry of Education and Fine Arts every year.

A year later, in 1938, the president at the time, Jacinto Peynado, established yet another commission to handle archaeological affairs; thus, the Dominican Commission for Archaeology was formed (Decree 222 of September 1938; Pina 1978). The commission was to expand, study, and suggest standards to better organize Indigenous and colonial archaeological collections and had to draft regulations for this and submit them to the executive branch. The commission members included architect Antonio Caro Álvarez, who later became not only the designer of the Museo del Hombre Dominicano but also served as director from its inauguration in 1973 until his death in 1978 (del Castillo 2016).

Early regulations—how early heritage laws were supposed to be implemented—have not been found, and none of the documents mentioned in the different decrees or laws are listed in the resources of the Museo del Hombre's library, the National Library, the Library of the Senate, or the General Archives of the nation. The lack of accessible information on the background and context for the elaboration of decrees or how the commission carried out its responsibilities does not permit a clear understanding of the political struggles related to heritage ownership and preservation issues at that time. It is through the writings of Fewkes (1891), Krieger (1929, 1931), and Gabb (1932) that it is learnt that a significant number of important archaeological objects ended up in Europe and the United States through the visits of explorers that worked in the Dominican Republic in this period.

Almost ten years after the creation of the commission, the Instituto Dominicano de Investigaciones Antropológicas (Dominican Institute for Anthropological Research), or INDIA, was established as part of the Universidad Autónoma de Santo Domingo (Ley 1400 of 1947) to foster academic research in the areas of anthropology and archaeology. It was founded by Emil Boyrie Moya, who is considered to be the first Dominican archaeologist and the most prominent collector of it. He was also the main promoter of the legislation that prohibited the illicit traffic of archaeological material outside of the country (García et al. 1970; Boyrie Moya 1955).

The center's mandate included increasing archaeological research and preparing the classification of archaeological material found in excavations, in the National Museum archives, and in private collections. The legislation that created the institute made the

National Museum a dependency, and the commissions to oversee the museum became part of the new institution's board structure. Distinguished personnel were later brought in to run the institute, dissolving the Assessment Commission of the National Museum as well as the National Archaeological Commission. Engineers, architects, doctors, and historians (Decree 4370 of May 1947), all highly educated and members of the middle and upper economic classes of the Dominican Republic, were part of the board of the first institution, which had an academic research focus.

In 1964, the first heritage-related tax-exemption legislation was introduced to address economic responsibilities for collections in private hands (Congreso Nacional de la República Dominicana, Ley 473). It was created by the tripartite government of the time to exempt archives, libraries, and private archaeological collections from inheritance taxes (Congreso Nacional de la República Dominicana, Ley 473 of November 1964; Pina 1978). These collections would be tax-exempt if the collector's descendants agreed to maintain ownership, keep the collection together and at good conservation standards, allow authorized researchers access to the cultural material, have sporadic exhibitions for the public, and have the collection inventoried. This was the first time that management issues regarding private Indigenous heritage collections were addressed in some detail; however, no records were found to verify actual declarations of tax-exempt collections.

The first main cohesive heritage legislation was passed in 1968. It divided the country's cultural heritage into four areas: monumental, artistic, documentary, and folkloric (Congreso Nacional de la República Dominicana, Ley 318 of 1968; Pina 1978). Indigenous monuments, ruins, or cemeteries were part of the classification of monumental heritage, along with all types of colonial structures constructed before the 1800s. Any private collections that could be considered to have heritage value had to be declared within 90 days of any transaction that allowed them to gather the collections. The law reiterated that the objects could not be taken out of the country without the executive branch's proper permission, and only for a short time, for the exhibition, classification, or study of the collections. Law 318 was also the first piece of legislation to address the topic of archaeological excavations more explicitly. It prohibited excavations in search of mines and archaeological objects in any part of the country. It established the Ministry of Education and Fine Arts as the main authority extending scientific research permissions to national universities, museums, and institutions of a scientific character, or whomever the authorities felt could have such authorization. The law further stated that every find became national

heritage. Everyone who found an archaeological object was under the obligation to declare it at the National Museum or the corresponding municipality.

As tourism started to develop in the country, the Office of Cultural Heritage was created in 1967, an office that originally depended on the General Directorate for Tourism. Starting in 1962, under Law 6004 and through Decree 8446 (Pina 1978), this Tourism directorate had been part of the Corporation for Industrial Promotion. In 1969, regulations were created for Law 318, established in the previous year (Regulation 4195 of 1969; Pina 1978). This law designated the Office of Cultural Heritage as the entity overseeing the implementation of activities related to the nation's monumental and artistic heritage, specifically listing the creation of a department for archaeological excavations and designing an archaeological map of the country, or *Carta Arqueológica* (Pina 1978). An archaeological excavation was defined as the “deliberate and methodical removal of soil in respect to the previous evidence of the existence of archaeological sites” (Regulation 4195, Article 15; Pina 1978), which helped place emphasis on the need for a methodological approach to the study of sites. The archaeological department of the Office of Cultural Heritage was also in charge of keeping records and giving permits, as well as drafting and conserving the actual documents of the inventories. These records were to be as detailed and as complete as possible, aiming to have a list of all sites, ruins, caves, roads, monuments, and everything that was known or would be in the future with its precise “typographical, period, civilization, and race” categorization (Regulation 4195, Article 15, Walter Palm 1982; Pina 1978; Boyrie Moya 1955). Such documents were to be accompanied by detailed maps, drawings, photographs, and anything else that would allow for identification. However, excavation records at the Office of Cultural Heritage's library were not located, and the staff did not know these requirements, making it even harder to follow the trail on the history of collecting Indigenous heritage material.

The year 1969 also saw the creation of Law 492, which declared approximately 60 archaeological sites, many of them known to be associated with Indigenous heritage and history. The law also incorporated specific articles that addressed excavation guidelines in private properties, the valuation and sales processes for archaeological finds, and restrictions in the commercialization of heritage objects (Congreso Nacional 1969 de la República Dominicana).

In 1972, the National Museum ceased to exist and gave way to the creation of the

Museo del Hombre Dominicano (Museum of Dominican Man) (Congreso Nacional de la República Dominicana, Ley 318 of 1972). Furthermore, the mandate by the National Congress ascribed the Museo del Hombre Dominicano to the Institute of Dominican Culture, and the new institution was to be “in charge of everything related to anthropological, ethnological and pre-Columbian archaeological research in the Dominican Republic” (Congreso Nacional de la República Dominicana, Ley 318 of 1972 Article 1; Olsen Bogaert 2000; Pina 1978;). The museum was also to maintain an inventory of its cultural collections, assist the national government in matters relating to the acquisition of private collections that were considered of interest, publish research results, and issue permits for archaeological excavations in accordance with the new heritage legislation. The institution was also in charge of heading a national archaeological board that needed to include other institutions, groups, and private collectors in order to “maintain a fruitful exchange with all those entities that one way or another had a relationship with the activities represented by the Museo del Hombre Dominicano” (Congreso Nacional de la República Dominicana, Ley 318 of 1972, Article 5, point j; Pina 1978). The same year, the National Congress approved adhering to the 1970 United Nations Educational Scientific Cultural Organization’s Convention on the illicit trafficking of cultural property (which will be discussed in the next section), which meant new measures would need to be adopted to prohibit the importation, exportation, and transfer of illicit cultural property.

A year later, the National Congress issued yet another law to protect and conserve national ethnological and archaeological objects (Congreso Nacional de la República Dominicana, Ley 564 of 1973). The introduction of the law mentions the indiscriminate collection and trafficking of objects that were leaving the country. To protect and preserve ethnographical and archaeological objects, it again stipulated the definition of the archaeological heritage in question, the state’s ownership of everything found to be of historical interest, and that objects could not be transported, exhibited, or reproduced without special authorization from the executive branch through the Museo del Hombre Dominicano. The legislation specified that all work related to excavations, exploration, or discovery also had to be channeled through the museum and detailed the type of registry to be compiled (Congreso Nacional de la República Dominicana, Ley 564 of 1973, Article 4; Pina 1978). It addressed private collectors, authorizing possession as custodial “as long as they kept the registry, having to permanently maintain it on exhibit for the benefit of the people and those who study the subject” and maintain a card registry of the collection and measures for its

conservation (Congreso Nacional de la República Dominicana, Ley 564 of 1973, Article 6; Pina 1978). This legislation was the first to specifically address the concrete measures collectors would have to take to be entitled to hold collections, provided that the conditions of acquisition were met legally.

In addition, law 564 indicated that the Dominican government could acquire any object or archaeological collection through purchase, donation, by indefinite loan, or through confiscation, if needed to enrich the collections of the Museo del Hombre Dominicano and the education of the people (Congreso Nacional de la República Dominicana, Ley 564 of 1973; Pina 1978). The law also stipulated the capability of the State to declare an archaeological site as an “archaeological zone” either by purchasing or appropriating any portion of land where monuments or archaeological sites could be found (Congreso Nacional de la República Dominicana, Ley 564, Articles 8–9; Pina 1978). Finally, sanctions for violations of any aspect of the law were included, such as fines, imprisonment, and confiscation of the archaeological objects at stake (Congreso Nacional de la República Dominicana, Ley 564, Article 10; Pina 1978).

In 1973, under the Ministry of Education and Fine Arts, the Centro de Inventario de Bienes Culturales (Center for the Inventory of Cultural Goods) was created to be directed by a board of public and private sector representatives. To this day, the center is tasked with the organization and inventory of cultural goods. It is supposed to provide guidance to public and private institutions that need to create their inventories. The center also supports activities and research related to cultural goods, and it helps to raise awareness among the community at-large in the country about the value and need for the preservation of cultural goods (Congreso Nacional de la República Dominicana, Decreto 2310 of 1973; Pina 1978). The implementation of the center’s actions over time has been limited by challenging conservation issues and a shortage of personnel.

The Dominican Constitution has been modified several times (Vargas 2018), and in the process, the way cultural heritage is addressed has also been modified. At a higher legislative level, the amended constitution of 1963 was the first to attribute to the National Congress making decisions related to the custody or conservation issues for national heritage objects in private hands. The 1963 version addressed the conservation of antique monuments and archaeological objects that could be declared part of the national archaeological heritage (Congreso Nacional de la República Dominicana, Article 114 points 4 and 5, Constitución de

la Nación Dominicana 1963). Amended again in 1966, the Dominican constitution once more listed the nation's archaeological heritage as a point to highlight, stating, "All artistic and historical riches of the country, regardless of who the owner was, will form part of the cultural heritage of the nation and will be under the protection of the state, and the law will establish whatever is needed for its conservation and defense" (Gobierno del Triunvirato, Article 101, Constitución de la República Dominicana 1966). This article remained the same in the amended constitution of 1994.

In the year 2000, after years of demands from citizens active in the country's cultural life, the Ministry of Culture was created, separating the public management of culture from the Ministry of Education with law 41-00. The legislation detailed terms, definitions, fundamental principles, and conditions for the regulation and conservation of cultural heritage and the jurisdiction of the newly formed ministry. The implementation of the current heritage legislation is supposed to be overseen by the National Council of Culture, the nation's highest cultural authority (Ministerio de Cultura n.d. Manual de Funciones). Law 41-00 established the National Museum Network, which, through the General Museum Directorate, has the responsibility to protect, conserve, and develop existing museums and motivate the creation of new museums in all areas that deal with the cultural heritage of the nation (Congreso Nacional de la República Dominicana Ley 41-00, Articles 45–47, 59, 2000; De Peña 2007).

The National Museum Network determines technical, security, conservation, and management aspects of public museums and collections. The regulations for the National Museum Network were developed in 2007 and were based on the International Council of Museums' Code of Ethics, which establishes the standard practices of the museum field (ICOM n.d.). The regulations were drafted by Luisa de Peña, then director of the national network, who was also the president of ICOM's National Committee. The network creates inventories and registers all public and private museums in the country, reinforcing security issues and museography regulations, promoting programs, creating new spaces, and supervising the compliance of norms and procedures. The network's regulations address the management of cultural goods in detail, highlighting how to conduct preventive conservation, carry out restorations and reconstructions, deal with replicas and reproductions, and even transport objects. For collection management specifically, the network's regulations lay out how acquisitions, purchases, loans, or exchanges can be conducted by public and private institutions. Nevertheless, despite the available descriptive information about what the

National Museum Directorate and the Network do, it does not make clear how the network supervises the implementation of the regulations and forms part of the personnel that is to monitor the implementation of the regulations. There are few museums in Santo Domingo or outside the capital that have received support or supervision for the conservation or management of their heritage collections. There are Dominican museums that do not have inventories and complain about a lack of managerial and financial support, which they blame on the centralized decision-making hierarchy of the Ministry of Culture's top management.

The current heritage legislation at once created the Ministry of Culture and tasked it with the development of regulations for implementing the law with respect to archaeological research projects. The Ministry cemented the role of the Museo del Hombre Dominicano as the main coordinating body for national and international research projects on precolonial history. However, it was not until 2009 that a final version of the regulations was finally drafted by the National Archaeology Commission, whose members were also assigned by the Ministry of Culture. Although it is not clear to me whether the regulations have been officially adopted, the document serves as the basis for proposing projects. It presents the legislative background of the regulations and lays out the prerequisites that need to be met for the approval of archaeological research projects, the details for the presentation of reports, and the sanctions to be administered for violating the regulations. The document also indicates that approval takes place after ratification by the National Archaeology Committee—which must also be involved in the coordination-, and pending review by the vice-minister of cultural heritage (internal document obtained at the Museo del Hombre Dominicano, Ministerio de Cultura 2009).

Policy discussions regarding the legal protection of Indigenous heritage in the Dominican Republic remain an elusive issue. The efforts toward creating a broader scope for the development of heritage work are weakened by the discontinuation of projects based on partisan alliances, lack of personnel, and training for proper supervision. Despite developing the General Directorate of Museums, the organizational arm of the Ministry of Culture to support the institution's work with public and private museums, and creating regulations for the formation of cultural collections, it seems that the additional departments and governmental structures only add bureaucratic layers to a centralized system that has obstructed the development of the professional capacity to care for national heritage goods.

4.3.2 International context of Dominican heritage legislation

The legislative changes that were introduced between the 1940s and 1970s to support national preservation efforts reflect international policy discussions spearheaded by the United Nations Education, Science, and Culture Organization (UNESCO). In terms of the international context of heritage policies, heritage legislation in the Dominican Republic can be linked to discussions of the right to participate in cultural life as codified in the Universal Declaration of Human Rights (UNESCO 1948). In addition, the specific guidelines for the protection of cultural heritage, namely the Convention for the Protection of Cultural Property in the Event of Armed Conflict (UNESCO 1954), contributed to the expansion of heritage legislation. In 1959, the National Congress issued a resolution to approve the convention. Resolution 5219 is one of the few pieces of legislation whose text acknowledges connections with the international policies established to protect cultural property, and which also links the international legislation's provisions with the principles highlighted in the Hague Conventions of 1899 and 1907, as well as the 1935 Washington Pact (Congreso Nacional de la República Dominicana 1959, Resolución 5219).

The principles that guided international cultural cooperation through the Declaration of Principles of International Cultural Cooperation (UNESCO 1966) and the efforts to prevent the illicit trade of cultural property delineated by the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (UNESCO 1970), represented a fundamental push for the legal framework of the country to be better defined, at least until the establishment of the Museo del Hombre Dominicano in the early 1970s.

The convention urged member states to base their policies on cultural preservation, increase the accessibility of participation in cultural life, encourage studies on different aspects of cultural material, and increase heritage professionals' capabilities to better manage the cultural heritage of the country (UNESCO 1970). The heritage legislation of 1972 that created the Museo del Hombre Dominicano was thus aligned with the priorities identified by the convention. Although there is no direct reference to UNESCO's international policy instrument, the 13 articles that are listed in law 318 of 1972 relate to the way the convention proposed its implementation. Based on the Convention as an international framework, the museum was responsible for creating accessible programming and the necessary policies to implement for the conservation of cultural material (Pina 1978, 96–99). In the same year, a

resolution was issued explicitly to adopt all of the international guidelines established in the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (Resolution 416 of 1972; Pina 1978), and the country ratified it in 1973 (UNESCO 1970; UNESCO 2017). These two pieces of legislation are still referred to as the policies that most closely bind today's Dominican heritage institutions to the international heritage context.

The language used in Dominican legislation suggests that a problematic scenario of heritage depredation had been taking place since before the 1870s. The repeated efforts to establish a mandate to document what was being found throughout the country, what collectors were purchasing, how excavations were conducted, and how the objects found had to be made available indicates that archaeological objects were in the hands of individuals that had not reported the collections, that archaeological sites were being looted indiscriminately, that a sales market had been established, and that objects were being taken out of the country without effective control mechanisms. The creation of laws and public and private museums beginning in the early twentieth century seems to have served as a measure for both controlling the depredation of archaeological sites and increasing awareness of the historical and cultural value of the collected objects. Further laws, regulations, commissions, institutes, centers, museums, and ministries have been created in the Dominican Republic in the 144 years since the first governmental attempt to begin official protection of archaeological heritage. However, the texts of these laws, decrees, and regulations lack details about the context in which the legislation was formulated, and the texts can only be found in published compilations of laws on the topic. Despite extensive research in books, files, and digitalized newspapers at numerous sites (including the General Archives of the Nation, the library at the Museo del Hombre Dominicano, the Center for the Inventory of Cultural Goods, and the library at the National Institute for Anthropological Research), no information can be found as to what the discussions regarding heritage had consisted of when the legislation was presented to either the president or the National Congress.

Although collecting tendencies by private collectors have been studied and psychological profiles have been developed (Tanselle 1999; Stewart 1984) there is very little documentation on how collectors in the Caribbean put Indigenous heritage collections together (Curet 2011). Heritage legislation continues to be weakly implemented in the Dominican Republic, as poor documentation formats are still used today, limiting the knowledge that can be obtained from collections and minimizing access to all types of

communities. Because there were no regulations or instructions on how major public reference institutions should keep historical archives or how records are to be submitted to public institutions, organizations and collectors have individualized the way accession documents, studies, or articles on collections and catalogs are maintained. Some collectors have not kept records at all, as there has been no one to regulate or inquire about collection documentation. Even though the legal regulation of the archival function of the state was established in 2008 with law 418 (Congreso Nacional de la República Dominicana 2008), the situation has not changed very much.

The lack of a uniform archival system combined with poorly skilled staff has limited the capacity to find historical documentation to understand the conditions that brought presidents and members of the Dominican Congress to draft the heritage laws and regulations described above. For that matter, it is difficult to understand the severity of the threats of looting that Indigenous cultural materials have faced since conquest times. It is also hard to understand the roles of the different interest groups that have advocated for the conservation of the Dominican Republic's heritage. The illicit trafficking of Indigenous heritage objects and the looting of sites continues to be an underestimated threat to the country's cultural heritage. The most impactful document to date, in terms of raising the visibility of trafficked objects, is the International Council of Museums' Red List of Dominican Cultural Goods. This list was created with the local Dominican ICOM chapter to "contribute to the fight against illicit traffic of cultural goods that stem from certain countries" (ICOM 2012, 8). In the Dominican Republic in 2016, UNESCO held a meeting for Central American countries as part of a regional project to combat illicit traffic of cultural property and advocate for restitution. The project focused on presenting cooperation-based solutions to addressing the "most urgent needs" of the region regarding the theft, looting, and illegal sale of cultural property (UNESCO 2017, 8). The actions proposed were:

To create a rapidly operational network of experts sharing knowledge and practical tools at the national and sub-regional level with the aim to reduce illicit trafficking in cultural property and facilitate its restitution;

To develop preventive measures for safeguarding movable cultural heritage, with a special focus on the drafting of effective legislation, the update, and modernization of inventories and the creation of specialized police agents, customs units and prosecutors;

To improve awareness on the consequences of illicit trafficking, to involve the public—especially youth—as well as tourists, media, and the art market all over

the world (UNESCO 2017, 8).

The project included an awareness-raising campaign to be implemented at the same time the meetings took place. The working groups were able to produce audiovisual materials, social media spots, and a website to educate the public on its initiatives. However, the stage of implementation of this highly relevant project in the Dominican Republic was not verified through the location of official records. The lack of reports on the implementation of cultural initiatives locally and internationally is a common problem in the country. It prevents citizens from learning the outcomes of projects financed with public funds that could eventually help address heritage issues both in the public and private sector.

4.3.3 Formation of Indigenous heritage collections in a Dominican context

Modern museums have specialization themes in science, art, natural history, specialty subjects, history, and their displays can also be of a focus on culture in general (Kotler and Kotler 1998). In the Dominican Republic, the main categories of museums also follow this format and include museums of art, natural history, archaeology, and ethnographic museums. Large urban museums tend to be under public administration, and the private sector museums tend to be under the care of private collectors or nonprofit organizational management.

The significant acquisition of archaeological objects out of fear of losing artifacts to looters or through illicit traffic (Charney 2015) impacts museums and collectors' management capacity. Objects left in museums as unsolicited donations—i.e., objects brought to museums without being requested (Donnelly-Smith 2011)—are also issues that have not escaped the reality of Dominican museums with Indigenous heritage collections. As director of a private Dominican archaeological museum, the researcher witnessed impactful moments where people from the local community and farther parts of the country brought archaeological objects and sherds as donations, which then had to be turned down since they had no documentation to even indicate where they had gotten them.

The documentation of heritage collections helps to preserve, protect, and interpret cultural material (Government of Canada n.d.). Today, basic documentation standards include acquisition and provenance information, inventories, cataloging, condition reports, and photographs of objects (Buck and Gilmore 2010). Documentation of collections helps ensure that objects are acquired through legitimate sources and provides information on the objects' history and care. In the case of the Dominican Republic, Indigenous heritage collections were

largely formed by the efforts of amateur archaeologists, who followed early collecting practices that did not have today's documentation standards. In addition, large and small collectors fear having no family members interested in caring for the objects they had collected over the course of decades; this has contributed to collections being donated to institutions that cannot necessarily care for them in the long term or provide basic museological standards. In the Dominican Republic, the fear of losing objects to illicit international trafficking has also contributed to the perpetuation of contextless reception and purchases of objects that hinder the development of more enriching programs on Indigenous heritage. As will be discussed in later chapters, both amateur, and experienced collectors still justify their collecting practices as rescue efforts that help prevent the loss of objects and fragments found in and around archaeological sites. The accumulation of under-documented objects results in and is justified by the desire to get support to open a museum eventually.

Because the “colonial state and institutions persisted even after independence” (Robinson et al. 2001, 1370), the impact of colonization on the Caribbean islands is still felt in the continuing institutional neglect of historical and contextual documentation of heritage collections. The resource exploitation model imposed by the Caribbean colonial administration did not prioritize the conservation of documents or the protection of the colony's material heritage. Instead, valuables were shipped to Europe, and no official entity bothered to convey to the local aids, often illiterate, the value of keeping historical documents (Cassá 1998).

Colonial history has affected how collections were formed. The violent cultural destruction, and near extinction of the Indigenous populations during the conquest, altered belief systems and native modes of production. It transformed the identity of the Indigenous settlers (Valcárcel Rojas et al. 2013), and Indigenous settlements were soon buried under European-imposed models of habitation in the new environment—only to be unearthed and looted by thriving collectors that often called themselves amateur archaeologists while exploring sites, contributing to the creation of a purchasing market for pre-Columbian artifacts (Curet 2011). As poignantly highlighted by Sued-Badillo (1992), the historical unconsciousness of the Caribbean regarding its painstaking development does not permit “an integral reconstruction of the social and material processes of the region” (600).

Poor research regarding Caribbean collections, poorly implemented governmental policy and economic support, and low professional training for the management of

collections in the Greater and Lesser Antilles has partly brought about a basin-wide stagnation in the exhibition of cultural and natural objects that help narrate the history of the islands (Maréchal 1998; Cummins 2004). However, the early recognition of archaeological artifacts in collections or found in excavations as part of cultural heritage in the legislative language of some Caribbean nations can be interpreted as an initial maneuver to recuperate Indigenous cultural material as part of national wealth and an aspect of cultural identity (Hernandez Godoy 2014; Cummins et al. 2013; Jaramillo et al. 2004 in Argailot 2012).

In the Dominican Republic, the cultural value of archaeological objects has been recognized as part of the nation's cultural representation. Early legislative documents specifically labeled them as "archaeological relics obtained in the explorations" of archaeological sites and declared them as monuments destined for the formation of a national museum (Ley 5225 of 1913, article 2) and 3). The text of the legislation also acknowledged that there were archaeological collections in private hands and that the State had jurisdiction over them (Ley 5225 of 1913, Colección de Leyes y Decretos, Articles 2 and 3).

The scarcity of official records showing how public and private Indigenous heritage collections were formed in the Dominican Republic suggests that there has been poor maintenance of the paper trails. This insufficient documentation of objects contributes to museums functioning with the minimum required registration records, or sometimes none at all.

The systematic compilation of historical records and legal documents in the Dominican Republic started only in the second decade of the twentieth century, and the National Archives of the Nation was founded in 1935 (Cassá n.d., paragraph 2). General National Archives director Roberto Cassá's reevaluation of how the archives have been organized and preserved helps put the lack of information on heritage collections into perspective. According to Cassá (n.d.), there are hardly any documents prior to the country's independence in 1844, since the status of the colony required sending the most important documents to Europe. This, in addition to the lack of value assigned to keeping records on an island where literacy was minimal during the eighteenth and nineteenth centuries, and the high rate at which legal and ecclesiastical documents were damaged and discarded due to climate, pirate and buccaneer thefts, administrative carelessness, and political instability, contributed to the documentation gap that the nation has at many levels and on many topics (Cassá n.d., paragraph 8–14).

Within this poorly documented historical context, the first official public museum in the Dominican Republic was formed in the first part of the twentieth century. Unsurprisingly, too few records detail what types of objects formed the heritage collections of the early version of the National Museum. The researcher tried locating physical and electronic documents that could reflect the process and possible discussions about the need to establish a public collecting institution similar to those established in developed countries and that had largely shaped the country's political, economic, and social structures. Only general lists of inventories and letters with little information were located, mostly through digital records digitized by the Archivo General de la Nación (the Nation's National Archives). The closest sources to a collection's biography found were general inventory lists, museum catalogs, newspaper articles, and newsletters highlighting the person that gathered the collections.

4.4 Dominican heritage issues today

Dominican heritage issues are addressed by the Ministry of Culture, formed in the year 2000, to independently manage cultural phenomena that were previously under the Ministry of Education. The Ministry of Culture was created with the intention to test different ways to help organize the cultural activity of the country from a globalized development approach (Conde n.d.). A national plan for cultural development was intended, widely based on citizen consultations (Conde n.d.). As the newly formed ministry embarked on the creation of highly visible cultural programs, art and literature became a focus of cultural production. Some of the highly visible events developed were the art biennial, support for some religious musical heritage performances, and an annual major book fair that draws a significant part of its crowd through mandatory school excursions. Heritage preservation has not been a focus for highly visible cultural activities, despite having the Vice Ministry for Monumental Heritage as a significant department (Figure 4).

Organigrama Estructural del Ministerio de Cultura

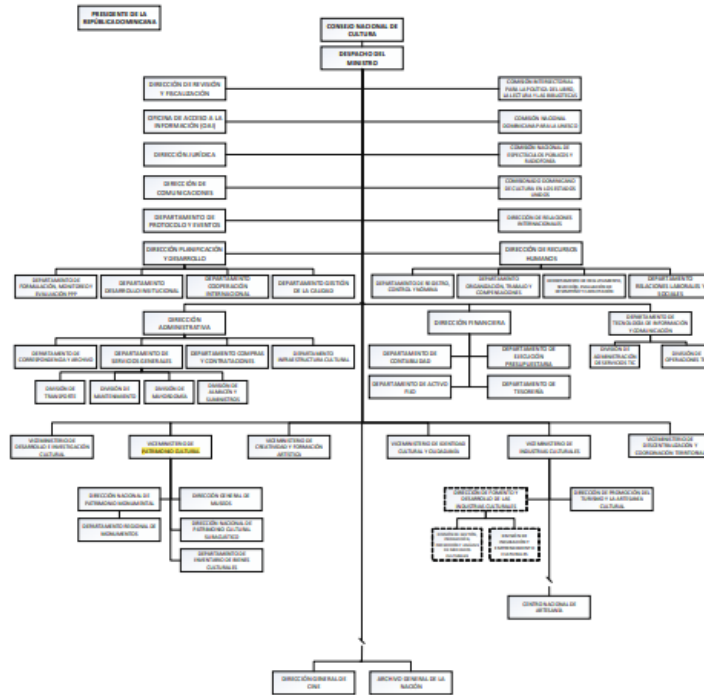


Figure 4. Organizational chart of the Ministry of Culture. Vice Ministry of Heritage is highlighted at the bottom left of the figure. Adapted from the Institutional Strategic Plan 2018–2021, Ministry of Culture of the Dominican Republic, 2018.

Although each province has an appointed official as provincial director of culture, and some regions have their own regional director, there is not a balanced repertoire of cultural activities in most provinces. Although there are regional heritage offices, the core of the activities and programs supported by the Ministry of Culture are concentrated in Santo Domingo, the country’s capital. This has resulted in centralization of cultural offerings in the country’s largest and most densely populated area. Even for the development of academic research projects, the coordination of interdisciplinary collaborations has to be done through the established governmental offices based out of the Ministry’s headquarters. In terms of access to Indigenous heritage information, provinces and rural areas are limited to annual excursions to the Museo del Hombre Dominicano in the capital or occasional visits to a few smaller private collections in the eastern or northwestern regions.

In addition, the national education curriculum does not support heritage education or provide guidance on how to use heritage resources for residents of provinces or rural areas. Topics that address the country’s Indigenous history are taught between the fourth and sixth-

grade levels of the basic education system, focusing mostly on general population movements and quickly jumping to the ‘discovery’ of the Americas, making the figure of Christopher Columbus a central one. Visits to public and private museums with Indigenous heritage collections are a regular activity for most schools, but there are minimal significant curriculum tie-ins for better understanding Indigenous history through the objects students see.

The major activities that provide significant visibility for Indigenous heritage collections in public and private museums relate to the annual celebration of the Día de la Raza (Day of the Race), which falls on or around October 12 every year. This date is commemorated internationally, and its name varies by country. In the Dominican Republic, this annual commemoration was commonly referred to as Discovery Day, but in the last couple of years, it has also been called the celebration of the Day of the Identity and Cultural Diversity (CDN 2017); its purpose is to commemorate the day Christopher Columbus set foot in the Americas, on one of the islands in the Bahamian archipelago, in 1492. Public performances, television and radio programs, and roundtables and other discussions are hosted at public and private institutions, and citizen parades are held to celebrate the Dominican society’s mixed racial and cultural composition. However, recent years have seen some disagreement about the way it is celebrated. Some media outlets highlight historians’ opinions on how the date should be referred to, and how it is wrong to celebrate an event that decimated the island’s Indigenous people (El Día 2016; Listín Diario 2016); nevertheless, schools continue to hold activities in a celebratory manner. Every year, schools from different parts of the country schedule excursions to museums around October 12 to commemorate Old and New World encounters. Some schools hold special tours focused on the traditional conception of the discovery of the island. Other schools use the museum settings to have theatrical skits of the European and Indigenous encounters, with students donning costumes to represent Indigenous and enslaved Africans with Europeans while exchanging goods or making food (Figure 5), using contemporary objects similar to those found in Indigenous heritage collections.

Similar annual celebrations take place in commemoration of December 5, 1492: the day Columbus landed on the northwest coast of the island he came to call Hispaniola, which today is shared by the Republic of Haiti and the Dominican Republic. Now called the “Encounter of Cultures” celebration by some, it is the occasion of cultural activities highlighting the importance of the encounter; these often take place on a smaller scale than

those performed for October 12. Nevertheless, public coverage of the festivity still portrays it as a national commemoration of the discovery of the island (Diario Libre 2019; Ministerio de Relaciones Exteriores n.d.; Bello Romero 2015).



Figure 5. School students performing for the scheduled October 12 celebrations, Altos de Chavón Regional Museum of Archaeology, La Romana, 2014. Photo by author, 2014.

Scarce efforts have been made to diversify the use of Indigenous collections beyond their role in school tours and in performances and cultural activities related to early conquest events. Some private museums have sponsored projects or funded publications and teacher's guides to help teachers see the educational potential of Indigenous, including the Altos de Chavon Regional Museum of Archaeology's 1995 *Prehistoria para maestros* (Prehistory for teachers) and 2003 *Mirándonos en el espejo del tiempo* (Looking at ourselves in the mirror of time). The use of these didactic heritage materials has not been significantly incorporated into the Ministry of Education's curriculum as supporting resources, and the published materials have not been widely adopted as part of teacher training efforts—despite its low cost to teachers and schools—as it is not a mandatory resource from the Ministry. Teachers have expressed that if it is not included in the Ministry's directions on what materials must be used in planning lessons, some will not go the extra mile to read and accommodate more material than the minimum required (personal conversations with teachers for input on the design of museum didactic material). This has resulted in the museums having to market the didactic resources directly to the individual public and private schools that are interested in enriching students' experiences on visits to public and private Indigenous heritage collections open to

the public. The process is costly and time-consuming for these institutions, which are generally nonprofit, with limited personnel and financial resources.

4.5 Heritage market issues in the Dominican Republic¹

As it is addressed in the review of heritage legislation earlier in this chapter, collectors are recognized as important contributors to the formation of collections in the Dominican Republic. The country has seen some of its most important collections made accessible through the private sector—such as the creation of nonprofit educational institutions for national and international visitors to enjoy, some of which will be presented in Chapter 5. Nevertheless, private collectors have also contributed to one of the least discussed heritage issues that the country faces, the heritage market of Indigenous objects.

The enactment of heritage laws to convert cultural objects into state property took place from the mid-nineteenth to the early twentieth centuries in the hopes of discouraging the looting of sites (Gerstenblith 2007, 174). Nonetheless, the common law of finders—which may enable a finder to claim ownership of a find if it remains unclaimed after being publicly announced—arguably contributes to raising the prices of found objects (Wendel 2007, 1024). The absence of a claim would give the looter an opportunity to become part of an unregulated market where unclaimed finds may be sought and sold. The Dominican heritage market suffers from such unregulated trade.

Looters—those who, intentionally and without authorization, enter an archaeological site to find objects to sell on the market—tend to destroy the archaeological record (Gerstenblith 2007, 174; Wendel 2007, 76). The looters are pulled into the commercial cycle to supply the demands of the art market and are not easily deterred by prohibitory legislation, which is often inconsistent and scarcely monitored (Borodkin 1995). The Dominican Republic lacks the mechanisms to closely monitor those who enter archaeological sites illegally. With few heritage workers and few resources, there are many large sites throughout the country that have not been studied or even cataloged as having archaeological material. Even well-known sites have been looted for decades with no security controls or investigations made to catch repeat offenders.

¹ This section of the dissertation is in as a chapter in the volume *Real, Recent or Replica: Pre-Columbian Caribbean Heritage as Art, Commodity, and Inspiration*, along with background information (Alvarez, Hofman, and Francozo, 2021). The volume has been edited by Joanna Ostapkowicz and Jonathan Hanna and published by the University of Alabama Press.

Another significant component of the heritage market is forgers—skilled craftspeople who copy known objects almost identical to those manufactured by the Indigenous groups or those that reproduce objects based on designs dictated by looters, dealers, or what they hear collectors are looking for. Forgeries—copies made of known objects desired by collectors—are both a problem for the market and a response to its demand. Their production is of moderate to high volume, depending on how much people desire an object. The forgeries are also an academic problem because they “deform and falsify our understanding of the past” (Jones 1994, 94).

In many countries, the saturation of the antiquities market with copied objects escalates the prices of uncommon finds (Borodkin 1995, 384). In the Dominican Republic, instead of intensifying looting efforts to locate real finds and obtain higher prices, what occurred was that skilled forgers invented new design traditions. Some craftsmen created and sold enough invented materials that collectors have amassed entire collections under the impression that they had acquired archaeological objects with unique designs (personal conversations with public officials and private collectors). Locally, the desire for pre-Columbian objects led to the development of new contemporary designs all sold as archaeological material or “Taíno,” the umbrella term used to identify the Amerindian culture of Hispaniola in the Greater Antilles (Álvarez, Hofman, and Francozo 2021; Keegan and Hofman 2017; Curet 2014; 2011).

In informal conversations, collectors and specialists commonly assert that forgeries have been sold in the Dominican Republic for more than a hundred years. While no scientific evidence published of such cultural enterprises has yet been published, it is safe to state that looting and forgeries have strongly influenced the country’s collections, both private and public (Figure 6). There have been cases where a collector’s trust in a dealer (who is often directly linked to the looter or forger) is so well established that the exchange relationship lasts for years, during which the collector purchases fake materials over a long period of time as they develop trust in the person bringing them the objects.² When makers or dealers of forgeries were interviewed at length, some admitted to having long-term sales relationships with known collectors and showed examples of what they sold to them.

² Personal interviews and informal conversations with collectors who have wished to remain anonymous.



Figure 6. Forgeries stored at a dealer's house in the eastern region. Photo by author, 2014.

The country's sales market channels also include occasional open-air street markets that sell archaeological stone objects, ceramic fragments, and sculptures of the invented traditions as if they were cultural objects (Figure 7). In their purchase of both genuine and purported antiquities, collectors become active players in this trade, often asking too few questions about the origin of the objects and being moved by a self-justifying need to protect what they view as cultural heritage (Kersel 2012). Even museums become passive players when they unquestioningly accept gifts or purchases of objects from unconfirmed sources. These varied concerns place ethics at the heart of the market discussion.



Figure 7. Archaeological ceramic fragments mixed with forgeries on sale at a flea market in the Colonial Zone, Santo Domingo. Photo credit: Menno Hoogland, 2013. Reproduced with permission.

Over the years, based on comments from different interviews with self-declared forgers in the eastern region of the country, members of the various communities—including collectors, a pattern seemed to form. The following activities seem to regularly take place within the Dominican antiquities market emerged: 1) there are people who participate in excavations, 2) recognize the demand for objects, 3) become more interested in or knowledgeable about the value of archaeological pieces from pre-Columbian sites, and then 4) loot to sell to private collectors. When they run out of locally accessible looted material, they 5) start networking with others in the business and 6) become brokers of the archaeological material. 7) When they have business contacts with people with ceramic- or stone-crafting skills, the forgery begins, and 8) sales are established, sometimes lasting several years.

Neither public nor private Dominican museums with archaeological collections have escaped the negative impact of the unregulated antiquities trade. The acquisition of private collections to form private museums or expand public museum collections, as well as museum personnel acquiring objects to form personal collections, have been for decades an accepted norm in the country.

When interviewing forgers, the most skilled ones tend to say where some of their forgeries are, many times in private collections or museums. In the case of the Altos de Chavón Regional Museum of Archaeology, there were instances where looters arrived with cars full of stone and ceramic objects—a mix of archaeological material and forged pots and celts—asking for a lump sum to leave the material at the museum. Due to the frequency of such visits, the museum developed a no-purchase policy in 2001. It now gets only about two or three requests per year about “found” objects that people want to sell. However, what has gone up are inquiries to help potential buyers determine whether objects are real or fake.

Summary

This chapter provided the results of the research on the development of heritage legislation and its institutionalization in the Dominican Republic. It informs how Indigenous heritage objects came to be seen legally as part of the national heritage, but how mechanisms for their protection and consideration as an important element of contemporary culture have fallen short. This chapter also discussed issues related to the heritage market that hinder the regulation of archaeological commerce, whereby objects are sometimes freely found in open-air markets, flea markets, and craft shops in the tourism-oriented provinces. The chapter

finally addressed current collecting practices that also continue to shape how Indigenous heritage objects are handled by individuals and groups with interest in the topic, amid very little legislative regulation.

The next chapter details the inventory of Indigenous heritage collections in the Dominican Republic. This inventory served as a basis for developing survey and interview questions that were meant to determine how to connect these collections with communities in order to contribute to multivocal engagement, inclusive empowerment, and to the preservation and protection of these collections.