Archaeology of Death
14 Ethics of funerary archaeology

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Ethics of funerary archaeology – Main issues

Ethics of excavation, handling, sampling, storage and re-burial

Respect for different religious traditions in burial rites

- The Jewish example
- Storage of human remains a proposal

Exhibiting human remains – who, where and if at all

- Case of Ötzi
- Case of the "Hottentot Venus"

Repatriation & the end of colonialism

An inapropriate use of human remains in the living culture: decoration, magic, medicine…

An inappropriate use of human remains images

Respect for different religious traditions in burial rites: The Jewish example

The Prague hevrah kadisha attends to a man at death. Unknown painter, ca. 1772. Image from the Jewish Museum of Prague.

Jewish perception of death

Attitudes toward dying evolved after biblical times, when death was viewed as a kind of sleep, and a blessing if it came in old age. The expression "there are many avenues toward death" mentioned in the Hebrew Bible was later interpreted numerically in the Talmud to mean 903 distinct ways of death, from light to severe, and over time the day and the manner of a person's death were believed to be omens for the deceased.

Notions of the soul, an afterlife, and a place for the dead to gather are less distinct in early Jewish tradition than some others, but were influenced by kabbalistic thought and by folk traditions; the conceptual origins of some modern views are difficult to trace. In the Hebrew Bible, Sheol, the gathering place, is variously described as a place of oblivion, gloomy and dark, deep in the Earth, and as far from heaven as possible. One's expectations there are not influenced by one's behavior while living; the dead merely exist without knowledge or feeling. For many Jews, the greatest pain of death was the separation from and inability to communicate with God.

A fundamental principle of Jewish belief, the impurity of the dead, underpins many of the customs related to death and burial defined in *halakhic* law. Thus the importance of cemeteries: the dead must be separated by a distance from places of human habitation, and confined to areas for them alone. Similarly the Jewish custom of burying the dead very soon after death; this also relates to the body's decay and the risk it poses to survivors. Perspectives on the relationship of living persons to the body of the dead have varied, especially between urban vs. rural communities, and in times and places where child mortality rates were especially and continuously high.

Other core principles of Jewish belief include respect for the dead (even a dead person's body), and care of their survivors. These concepts derive from the broader principles of honor due parents and other elders, the need to alleviate the suffering of others, and the basic equality of all before God. Customs concerning the preparation of the body for burial, the funeral, mourning, and many others still relate to these principles.

Principles of Jewish burial rites

Once death has been established by a doctor or the family, mirrors are covered in the dead person's house, to diminish reflection on the beauty and ornamentation of the flesh. There are three major stages to preparing the body for burial: washing (*rechitzah*), ritual purification (*taharah*), and dressing (*halbashah*). The body is washed with clear water and wrapped in a simple cloth shroud or robe (for men, a *kittel*), preferably white and of linen; symbolically, this emphasizes the equality of all (rich and poor) in death. No jewelry or cosmetics are applied to the body. A man may also be wrapped in the tallit (prayer shawl) that he prayed in during life. Jewish custom also commonly avoids an open casket before and during the funeral; one tradition suggests this is so that the dead's enemies may not rejoice at the sight.

Commonly, the casket is a plain wooden box without internal trim or external adornment, and without polished handles. No flowers are added inside the casket. In some traditions, a board is removed from the bottom of the casket, or a hole drilled through it, to quicken the atoning process of decay; some other Jewish communities, especially in Israel, omit a casket altogether. Jewish beliefs about the integrity of a person's body as a sign of God's glory, and the necessity of contact with the earth after death to promote atoning decay, cause some Jewish religious movements to avoid autopsy, embalming, or cremation. These restrictions are not universal, especially among the western diaspora (in North America and elsewhere); autopsy prohibitions are sometimes relaxed everywhere when the effort may save the lives of others or resolve a crime.

https://rohatynjewishheritage.org/en/culture/death-burial-mourning/

Because the cemetery is a holy place and a place of prayer, Jewish customs avoid the use of graves and cemetery grounds for pleasure, levity, or even study. Thus, visitors wear modest dress (including head covering for men), and they do not eat or drink within or near the cemetery boundaries. Jews abstain from extraneous conversation and music or other entertainment, and visitors should avoid stepping over or sitting on gravestones (it is acceptable to sit on benches or other supports near graves). The traditions on these topics all derive from respect for the holiness of the place and for the dead who are buried there.

Burial should take place as soon after death as possible; if not the same day, as described variously in the Hebrew Bible, then at most a few days later and only to allow close relatives to gather to pay their respects. Traditionally, Jews are buried only in a Jewish cemetery, and ideally among family. Where that is not possible, Jews should be buried apart from the graves of non-Jews. Normally, the earth over a Jew's grave should not be disturbed, and disinterment is forbidden; where a grave is opened or disturbed by the elements, desecration, or other causes, customs impose the immediate re-burial of the remains. A Jewish funeral is a symbolic farewell to the dead, often simple and brief. Rather than intended to comfort the mourners (considered impossible so soon after the death, and before burial), the service is directed to honouring the dead. The body is escorted to the grave site by mourners before or after spoken ceremony; accompanying the dead is considered a high sign of respect.

Although traditions vary significantly regarding the arrangement of graves in the cemetery, one common custom in east-central Europe is to dig the grave so that the body will lie on an east-west axis, with the head at the west end and the feet at the east; this is symbolically if not actually facing Jerusalem. The proper depth of graves is likewise driven more by local custom than prescription. In some places, the density of graves in the confined space of the cemetery necessitated burying recent dead above those already interred; from this the custom developed that later burials should be spaced six hand breadths above the earlier ones. In the Middle ages people used to place pottery shards on eyes of the deceased person in the grave.

In the presence of the entourage, the casket is lowered into the grave and the grave is filled; at least the first shovels of earth are placed by mourners, until the casket is covered. In some regions, mourners may place a stone on the covered grave and ask forgiveness of the dead for any injustice they may have committed against the deceased. Upon leaving the cemetery or before returning to their homes, the entourage washes their hands, symbolic of the ancient custom of purification performed after contact with the dead.

An example of the present day orthodox Jewish funeral service rituals

Orthodox Judaism requires strict adherence to sacred funeral and burial practice. Orthodox Jews believe that a person's body will be resurrected and that there is a physical life after death. The resurrection will occur after the coming of the Messiah, and in the interim, righteous souls receive the pleasures of *olam ha'bah*, while wicked souls suffer in *Gehenna*.

It is traditional for extended family and friends to prepare a first meal for the deceased's immediate family members. However, the food prepared must be kosher, and non-kosher foods should not be taken to a kosher home. While customs have changed and some close friends send flowers to the family weeks after the funeral, this is not the case with Orthodox Jews. It is inappropriate to take flowers to the home of Jewish mourners or to send them to the funeral home. Instead, monetary gifts of *tzedakah* are given to charities in memory of the deceased.

Jewish laws mandate the proper preparation and interment of the deceased's body. Before the body is buried, it is washed with warm water by devoted members of the Jewish community. The body is washed completely, but never left to rest face down.

Jewish funeral services are simple and relatively short lasting only 15 minutes to one hour. They emphasize the belief that all are the same in life and death. As a result they are not showy, and there are no flowers or music at the funeral services.

Any condolence calls made to a family who practices Orthodox Judaism should not be made on Shabbat or after the seven days of mourning, which are called the *Shivah*. The *Shivah* is counted beginning with the day of the funeral.

Most of the time, funeral services are discouraged inside of Orthodox Jewish synagogues. Because of this, funeral services are traditionally held in chapels at mortuaries or at the home. Men and women assemble side by side, and the men cover their heads.

Jewish law stipulates that the body must be buried as quickly as possible following death. The body is laid to rest in a simple wood coffin. The body is never embalmed, and it is not appropriate for the body to be displayed. Orthodox Jewish funerals are never open casket.

Following the burial, it is traditional for the immediately family members and close friends to return to the mourners' home. Members of the Jewish community come to the home every evening for the seven days following interment to participate in *Shivah* services. Mourners of the deceased do not leave home for work or social activities during these seven days.

https://www.funeralwise.com/customs/jewish/orthodox/

The Case of dispute over the excavation of Prague Vladislavova street cemetery

This case study clearly illustrates the misunderstanding between developers, archaeologists and orthodox Jewish rabbis. The excavation of the Prague New Town cemetery started following the administrative building construction in 1997. Archaeologists started the standard rescue excavation procedure, however, they had to stop, following the protest from the Prague Jewish Community. The solution was found later when the investor introduced expensive and respectable measures how to preserve block of soil including the burials and incorporate them into the building.

The cemetery, was desecrated in the 15th century, after the Prague Jewish community sold it to the King Vladislav II. The discovery of its remains when Česká Pojišťovna began construction of a new office building came as a surprise to archaeologists who believed it had been completely destroyed centuries ago. "Every day that these bones are unburied defiles them," said Rabbi Lazer Stern of the United States-based Society for the Preservation of Jewish Holy Sites. "It was only because of our desperation to bury them at once that we and other Jewish groups agreed to construction in the excavated area."

Česká Pojišťovna agreed to invest considerable extra amount of finances to fortify the block of land containing the graves with concrete, incorporate it into its office building and build an atrium with a memorial plaque above it. But the Orthodox rabbis, some of whom approved the plan, say they have been cheated and continued opposing the construction.

"The company broke the agreement," said Rabbi Gluck. "Our understanding was that there would be no building under or above the site." He called for demonstration outside the Czech consulate in New York, following protests by hundreds of Jews in some European cities, including London and Brussels.

The dispute has opened a rift between the leaders of Prague's small (about 2000 members) Jewish community and foreign rabbis who, the Prague leaders say, come to the Czech capital and hold protests without even contacting the Jews who live here. The protesters counter that their Czech counterparts were not competent to handle the delicate matter of deciding what to do with the discovered remains. Finally the excavation/construction was completed 3 years later, preserving some burials intact inside the building structure.

Michaela Selmi-Wallisová 2009: The Jewish cemetery in Vladislavova street, Staletá Praha 25, č. 2, 54-65

During 1997–2000 extensive excavations were undertaken in the area of so called Jewish garden in the Vladislavská street (nos. 1390/II and 76/II). The medieval Jewish cemetery, it was presumed, dated according to documentary evidence to 1254–1478, was after its abolishment completely devastated by later Post-medieval development and reburying of the remains was pursued up to the 18th century. Documents indicate that the area of the Jewish garden was cursorily situated amongst the Lazarská, Spálená, Jungmannova and Purkyňova streets. Since the plots of houses no. 1390/II and 76/II were proclaimed "The Jewish garden" cultural heritage monument, these excavations provided the first and last opportunity to examine and survey this area.

The excavation is unique, according to available information, in examining the original surface of the cemetery, which has never been performed in detail since it is not usually preserved.

Valuable information was gained concerning burial rites, which are known only from documentary sources. We can conclude that in praxis the rite was not so strict and rigid as formerly presumed. The excavation revealed anomalies not mentioned in written sources (plaener or slate sheets lining the grave pit, slate scutes on eyes or mouths, pebbles placed by the ankles, the use of nails on coffins, a mass grave etc.). Altogether 401 graves were found, some of them were left unexcavated in the yard of the house no. 72/II. The bodies were always placed in wooden coffins; the grave pits are dug tightly next to each other with clear a attempt not to trespass into neighbouring graves. The graves are oriented west – east with the head to the west in the direction of Jerusalem; in many cases the orientation is slightly moved to northwest. Within the surrounding medieval settlement the Jewish cemetery with adjacent Jewish houses form a specific and extraneous element. Thanks to a relatively strict demarcation this enclave can be individually surveyed unlike other areas of medieval Prague. The site is unusual even from European point of view since few similar sites have been excavated and published so far. Comparative excavations were undertaken on some sites in Spain (Montjuich by Barcelona), in England (York) and in France (Ennezat at Clermont-Ferrand). In Bohemia no other Jewish cemetery has been excavated, but in Moravia Jewish graves were found in two cases – in front of the Main railway station in Brno and in Šerhovní street in Prostějov.

Further research of Jewish cemeteries in Europe is more or less precluded by the attitude of the Jewish religious communities, which forbid any interference to Jewish cemeteries. Therefore the cemetery excavation in the New Town is of great importance. A grant project was therefore realised for 2005–2007 "The archaeological excavation of the Jewish cemetery at the Prague New Town and its importance in a European context" (GAČR, reg. no. 404/05/P292). Further analysis should compare this excavation with other excavations in Europe, mainly regarding the burial rite. Attention is given to grave orientation, the position of the body, the coffin furnishings and the grave goods (or their absence). Also the surface alteration of the cemetery and the organisation of the cemetery is researched, with a possible use of the anthropological survey (for example the question of the children graves accumulation to a certain part of the cemetery etc.).

A contribution to the burial rite of Prague Jewish minority during the middle ages, based upon a rescue excavation in modern Vladislavova street. The excavation revealed part of the former cemetery (the so called Jewish garden) with graves from 1274-1478. From the total number of 401 exposed graves some were scientifically documented. Apart from spatial analysis, information was also gained concerning burial practises, from which some have no analogies in European literature. Questions addressed by the excavation of this cemetery are of relevance to regions beyond Bohemia.

NPÚ ú.o.p. Praha
Na Perštýně 12, čp. 356
110 00 Praha 1 - Staré Město

Výzkum č. 12/97, 12/98, 12/99
Vladislavova ul. čp 76/II
Praha 1, Nové Město

Antropologická analýza exhumovaných hrobů podle věku

- Novorozenec
- Do 7 let
- 1 rok až 14 let
- 14 až 20 let
- 20 až 40 let
- 40 až 60 let
- Nad 60 let
- Hromadný hrob
- Neurčeno
- Bez analýzy
- Nezkoumámo

August 2000, international protests of orthodox Jews against the excavation and construction of the Česká spořitelna administrative building over the Vladislavova st. Jewish cemetery in Prague.

Jewish Garden - Vladislavova

As result of the (2000-2016) reconciliation of dispute over the way of cemetery preservation a memorial site was created above the underground parking and concrete “sarcophagus“ with block of remaining Jewish graves dating to 1254-1478 A.D.

In Czechoslovakia Holocaust continued under communism. People walked on pavement made of Jewish gravestones!

Dozens of paving stones made from Jewish gravestones have been found during redevelopment work in Prague's historical center, confirming well known fact that the former communist regime raided synagogues and graveyards for building materials. Workers are unearthing cobblestones whose undersides revealed Hebrew lettering, the star of David and deceased dates. Other stones were blank but had polished surfaces that indicated they had also been taken from cemeteries. Jewish leaders hailed the unearthing as proof that the communist authorities – who ruled the former Czechoslovakia for more than four decades during the cold war – had taken stonework from Jewish burial sites for a much-vaunted pedestrianisation of Wenceslas Square during the 1980s.

The current (2020) Prague city council encouraged the Jewish community to inspect the site once the latest redevelopment started. Unfortunately the names of the dead are unidentifiable because the headstones have been broken to form cobblestones. One person appears to have died in 1877, when Prague was part of the Habsburg empire, while the most recent death is shown to have happened in the 1970s! The stones appear to have been taken from different cemeteries all over the country.

The Jewish Community leaders plan to gather them to form a memorial at Prague's old Jewish cemetery in the city's Žižkov district, part of which was desecrated during the communist era to build a public park and subsequently to construct a massive television tower. More Jewish synagogues were destroyed in the area of the current Czech Republic during communist times than under the Nazis. Anti-Judaism was official policy (following the Soviet Antisemitism) and all the Jewish committees were supervised and managed by control of the STB secret police. At last today is the time of historical justice and reconciliation.

http://www.thehistoryblog.com/archives/58564

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Ethics in Anthropological Research: Responsibilities to the Participants

S. Biswas

Today, in anthropological research, ethics has become more relevant, more meaningful as well as structured in nature. In USA, specially after World War II, American Anthropological Association enacted code of ethics for anthropological research. However, in India, we have no such ethical guidelines from any of the association of anthropology; rather promote a space where researcher can create and evolve their own code of ethics.

Ethical issues for anthropologists are manifold- their relations with research participants, with institution and colleagues, with own and host government and with society and funding agency of the project. Among these, the first one is most important, and present paper intends to identify ethical issues related with research participants; which includes informed consent, privacy, confidentiality, vulnerability, risk-benefit, deception, compensation and so on.

The present work also intends to identify issues for which anthropologists criticize some components of bioethics because of their abstract principles derived from arm-chair philosophy, ethnocentric view and lack of cross-cultural analysis for that they prepare a readymade ethical code of conduct which may differ significantly from culture to culture.

Storage of human remains a proposal

Archaeologists and Anthropologists should pay respect to the personhood and individuality of our ancestors (even anonymous individuals of the prehistoric period) and store their skeletal remains together with the artefacts they were buried with (whenever the nature of material and conditions of storage allows it). Currently the archaeological (artefacts) and anthropological (human remains) collections are stored separately in different depots, building or even cities. This is the respect that we should pay to the legacy of our ancestors. Such reorganisation would be easier than it seems to specialists of both subjects and it would not make archaeologists to feel like "grave robbers" any longer!

The osteological depository of the Department of Anthropology, National Museum in Prague at Horní Počernice is keeping only human remains.

Bell Beaker Anonymous female archer, Bohemia

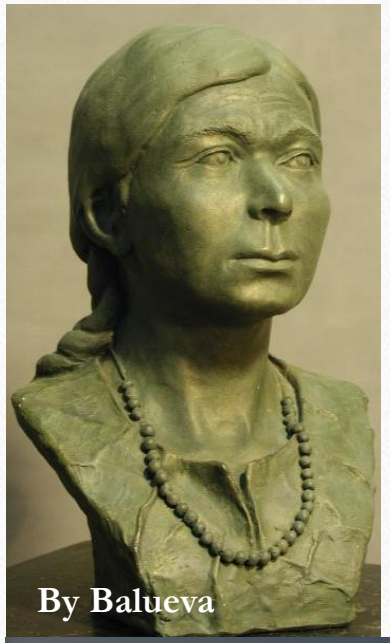
Museum

Maori Wiremu Kingi (New Zealand) holding his *Pounamu Patu Onewa*, this should be together with his remains, reburied or in a museum collection

The case of dispute over the Pazyryk Ice Maiden of Ukoku

A dispute developed between the Russian authorities and the local inhabitants, who lay claim to the Ice Maiden and other Pazyryk kurgans. For 19 years after her discovery, she was kept mainly at a scientific institute in Novosibirsk, but in 2012, the mummy was returned to the Altai, where she is to be kept in a special mausoleum at the Republican National Museum in the capital Gorno-Altaisk. Future excavations of the site have since been forbidden, even though it is suspected more artefacts are inside the tomb.

A reconstruction of the Ice Maiden's face was created using her skull, in conjunction with measurements taken from the skulls, facial features, and skin thickness of present-day Altai inhabitants. The artist who created the reconstruction, Tanya Balueva, was documented as saying that the Ice Maiden "is a clear-cut example of the Caucasian race with no typically Mongolian features." However the Swiss specialists independent reconstruction was not so unequivocal and suggests certain „Mongolian" features.

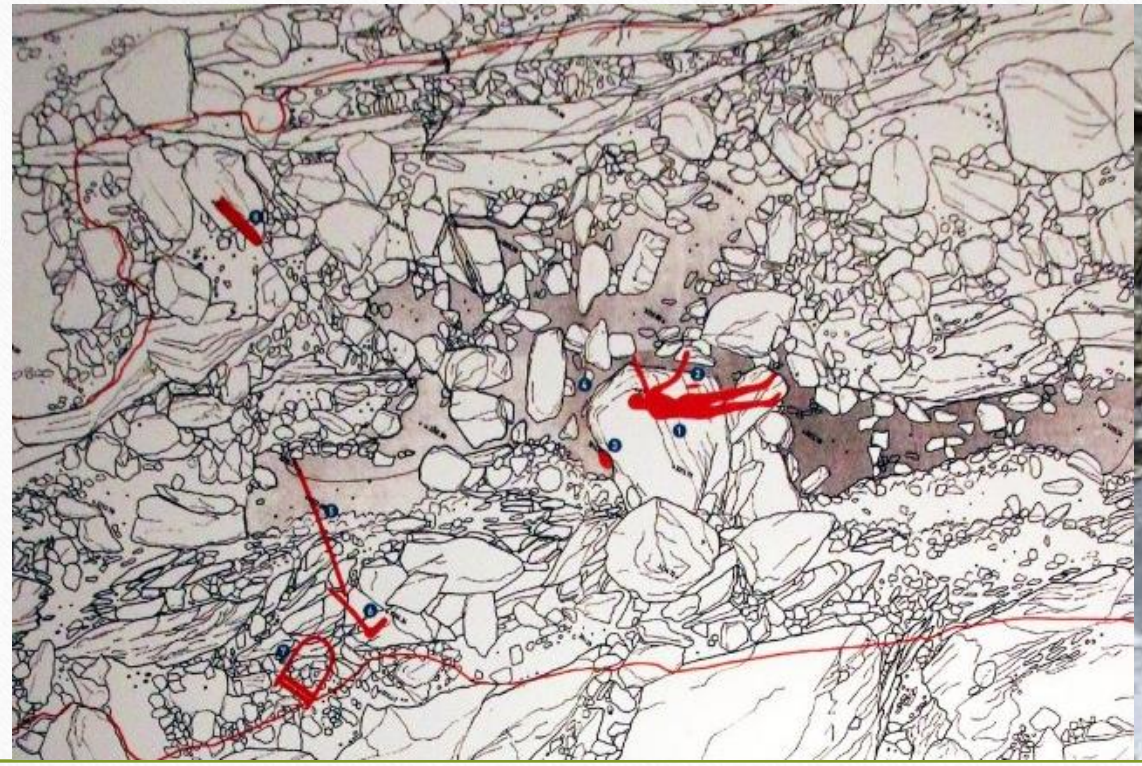

By Balueva


By Nyffenegger

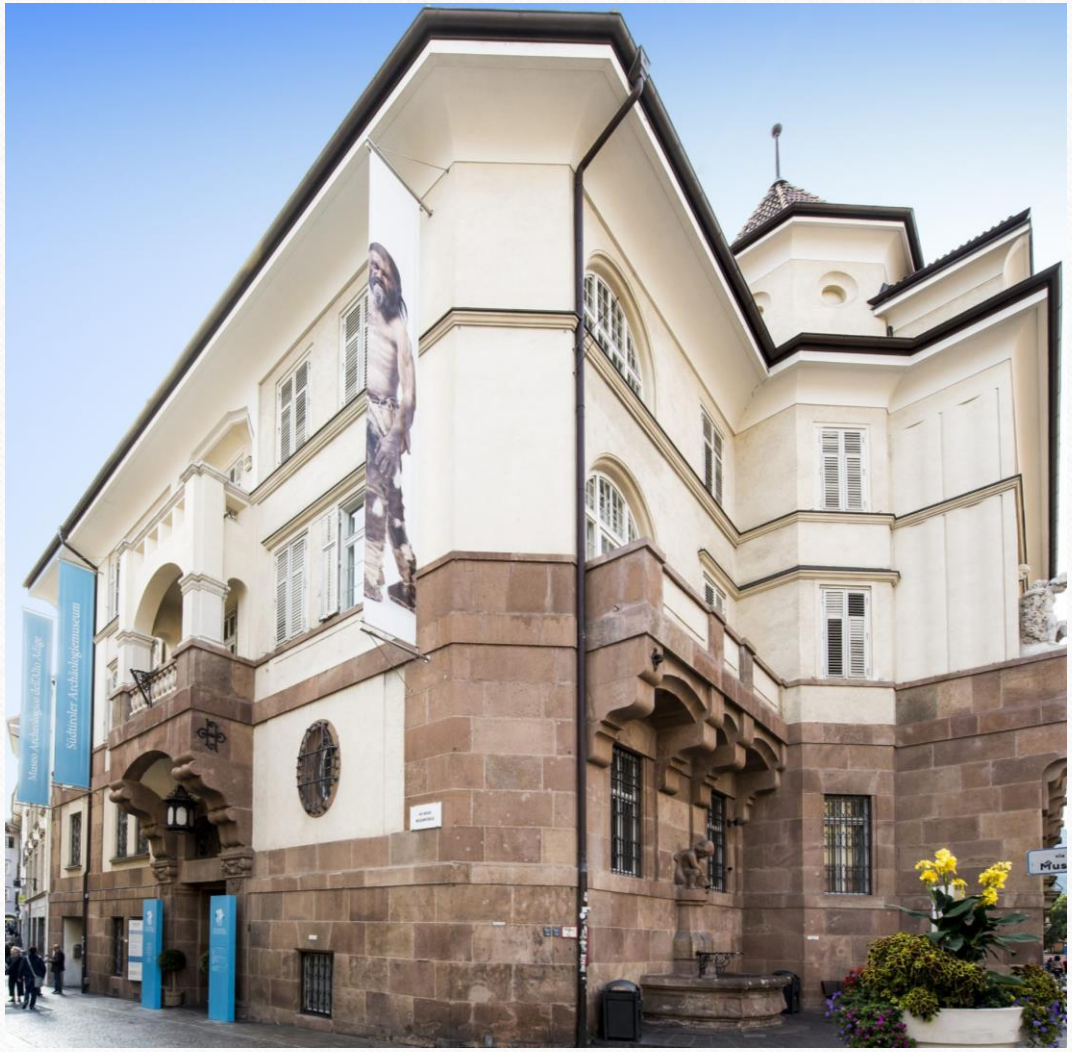
National Museum of the Republic of Altai, Gorno-Altaysk

Dispute over the location of Ötzi‘s resting place

At the Treaty of Saint-Germain-en-Laye of 1919, the border between North and South Tyrol was defined as the watershed of the rivers Inn and Etsch. Near Tisenjoch the (now retreated) glacier complicated establishing the watershed at the time, and the border was established too far north. Although Ötzi's find site drains to the Austrian side, surveys in October 1991 showed that the body had been located 92.56 metres inside Italian territory as delineated in 1919. Coordinates: 46°46'45.8"N 10°50'25.1"E. The province of South Tyrol therefore claimed property rights, but agreed to let Innsbruck University to investigate the site and finish the scientific examinations of the body. Since 1998, it has been on display at the South Tyrol Museum of Archaeology in Bolzano, the capital of South Tyrol.



Discussion over the ethics of exhibiting Ötzi



After returning Ötzi body to Bolzano Museum started discussion on ethics of exhibiting his body to museum visitors. Since 1998 his body is famous attraction of the South Tyrol region and an object of marketing.

Ötzi merch…
Chocolate Ötzi: Tasty or disgusting?

2006 International Council of Museums (ICOM) Code of Ethics

One of the most critical and analytical questions regarding the presentation of human remains within museums till today focuses on the ethical issues of displaying and exposure of human remains. The ethical issues include: the traditional practice of display of human remains in museums, which focuses on the gratification of public curiosity, and expands education & tourism. It also increases the body of knowledge by enabling scientists to study the remains and being able to report on scientific and historical advancements that the remains offer. Issues review the offense to ancestral and indigenous religions and allow the discussion of ownership and custodianship of remains. The issue of preserving and conserving human remains has led to the establishment of code of ethics and protocols on how to handle and house these human remains. This question is debatable although, society today accepts all display of antiquities and human remains and knowledge that results from the investigation, which far outweighs society's criticisms.

The traditional practice of human remains in museums allows the whole community to learn and acknowledge major discoveries and investigations from prehistory, which appease public curiosity and further human knowledge. The display of human remains allows an audience to see face to face a discovery of the ages and an inhabitant of past-civilization. The lost souls of the bog are a perfect example of satisfying human curiosity and this is the reason why collections of antiquities and human remains are so important in museums. The access to scientific investigation and studies increases our body of knowledge and extends our own ability to understand the features of a specific civilization or individual; in this case the bog bodies. It has allowed us to gain insight to areas of past civilization lifestyle, health, diet, diseases, genetics, food and nature of death. It is necessary for us to be able to access this information to allow us to draw comparisons to modern society and share recent scientific significance.

Although the presentation of human remains seems okay to many people across the world, the exposure could upset or offend the people of the culture and many other religions. The importance of cultural and indigenous wellbeing is incorporated within the presentation and management of human remains due to their special connection with the remains, even though they date back to prehistory. Certain cultures and religions don't agree with the exposure and presentation of human remains. Major religions such as Christianity believe that the remains must be subject to a proper burial due to the belief that life is sacred. This too can also cause problems towards the ownership and custodianship of remains. Do we have the right to display human remains?

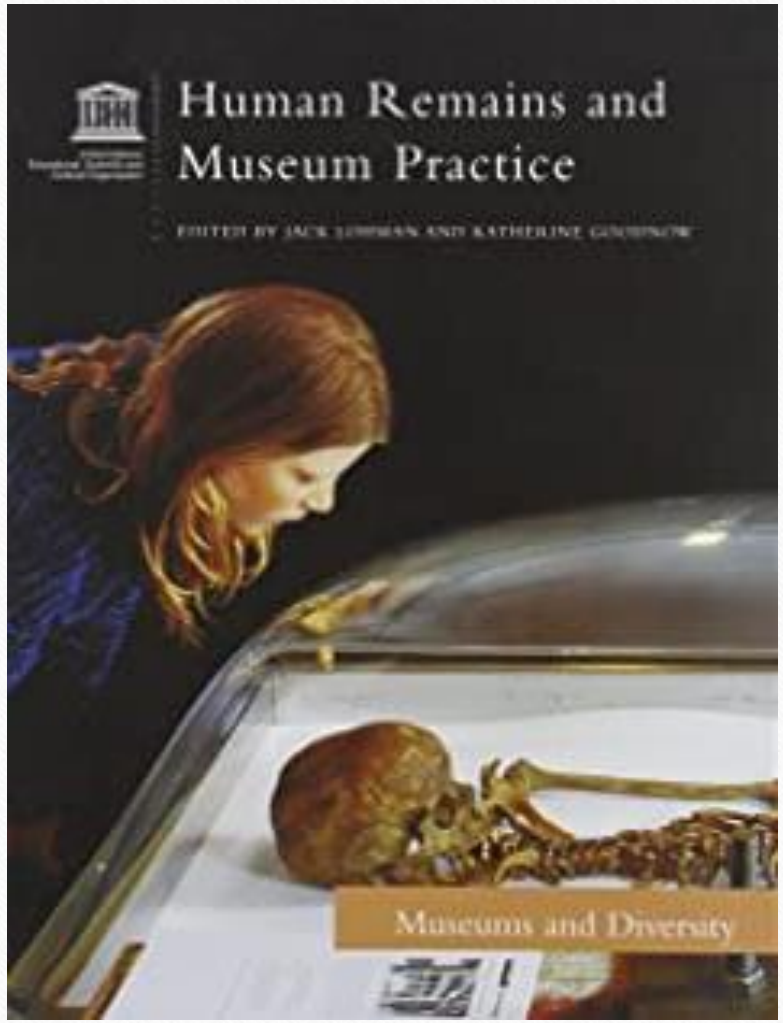
Scientists and Archaeologists have made countless strides in the preservation and conservation of human remains, being able to extract numerous amounts of data and evidence from remains of prehistory. Many people are against the presentation of these remains although; museums are the perfect places for preservation. It provides the proper environment and climatic conditions for the human remains and with the prevalent number of caretakers within the museum, the remains can be carefully conserved. Legally, the establishment of the code of ethics allows museums to adhere to the suggestions and opinions of society while, being able to present and inform viewers of the features of prehistory and it's civilizations.

The passage of time between the death of these bog bodies and there discovery creates a relationship barrier between the owners of the remains and modern society. It distances the tie between custodianship and importance of cultural wellbeing between the remains and their ancestors, which evidently makes ownership not relevant. The loss of connection and controversy of the ownership of the remains has desensitized the people and increases the allowance and acceptance of presentation of human remains. Once again, modern society accepts all display of antiquities and human remains and knowledge that results from the investigation, which far outweighs society's criticisms.

http://archives.icom.museum/ethics.html - International Council of Museums (ICOM) Code of Ethics {2006}

Human Remains and Museum Practice

Human Remains and Museum Practice explores fundamental issues of collecting and displaying human remains, including ethics, interpretation and repatriation as they apply in different parts of the world. This volume reflects the controversial discussions that were held at the Museum of London as part of an international symposium on the political and ethical dimensions of the collection and display of human remains in museums. It represents a second publication devoted to exploring diversity and promoting intercultural dialogue in museum practice.



Human remains and museum practice Edited by Jack Lohman and Katherine Goodnow 2006 ISBN 978-9-23104-021-4

"Hottentot Venus"

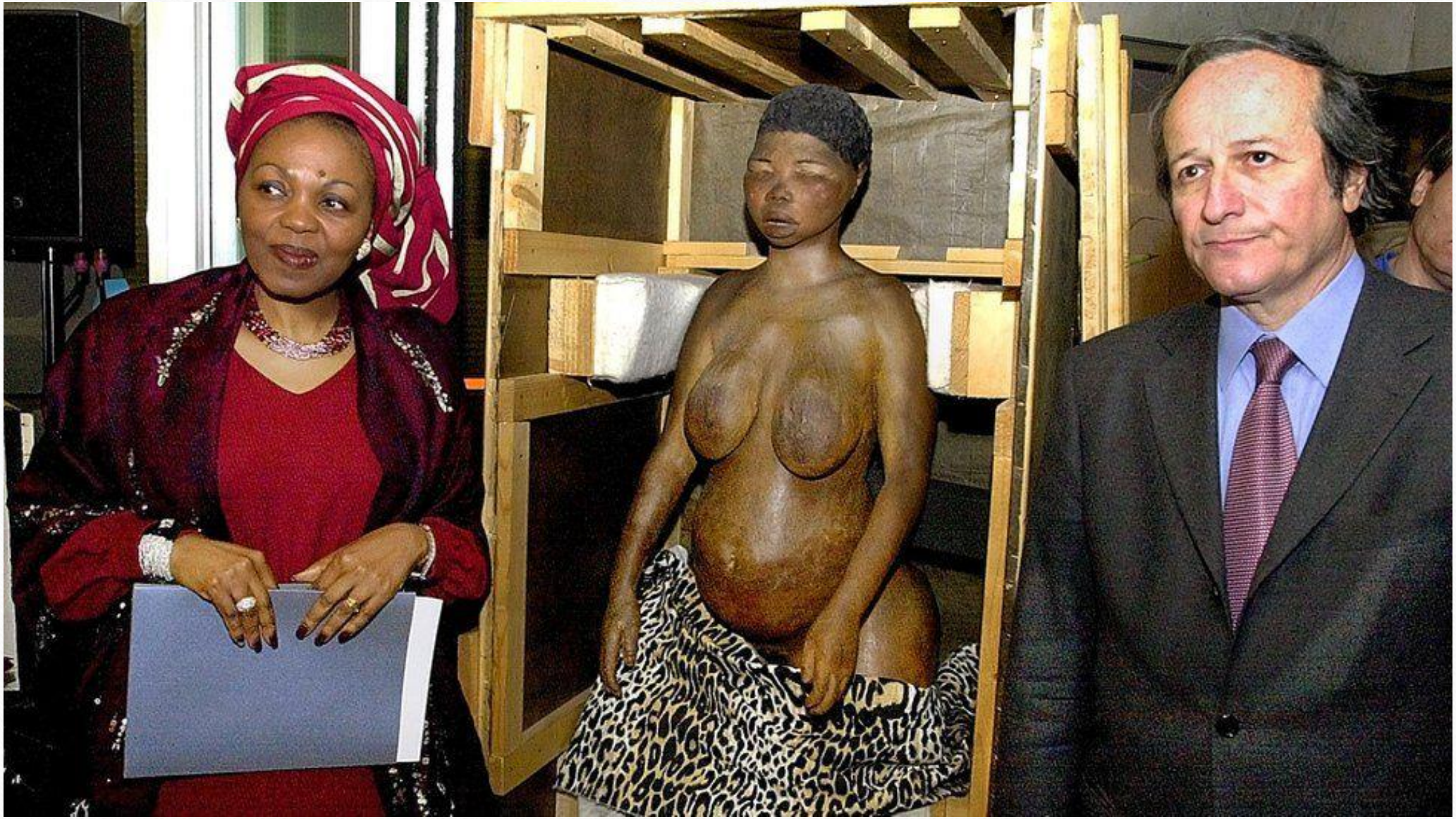
Sara Bartmann‘s shocking story represents the evil of ethnic nationalism, colonialism and scientific racism

Sara Baartman, called "Saartjie", was born in 1789 in the Camdeboo valley in the eastern part of the Cape Colony and lived in the Gamtoos valley. In 1810, she went to England with her employer, a free black man called Hendrik Cesars, and William Dunlop, an English doctor who worked at the Cape slave lodge. Because of her “exotic” steatopygous look, they sought to show her for money on the London stage. Sara Baartman spent four years on stage in England and Ireland. Early on, her treatment on the Piccadilly stage caught the attention of British abolitionists, who argued that her performance was indecent and that she was being forced to perform against her will.

Ultimately, the court ruled in favour of her exhibition after Dunlop produced a contract made between himself and Ms. Baartman. It is doubtful that this contract was valid: it was probably produced only for the purposes of the trial. Cesars left the show and Dunlop continued to display Ms. Baartman in country fairs. She was baptised as Sarah Bartmann. In 1814, after Dunlop's death, a man called Henry Taylor brought Sara to Paris. He sold her to an animal trainer, S. Reaux, who made her amuse onlookers who frequented the Palais-Royal.

Georges Cuvier, founder and professor of comparative anatomy at the Museum of Natural History, examined Ms. Baartman as he searched for proof of a so-called missing link between animals and human beings. Sara was literally treated like an animal. There is some evidence to suggest that at one point a collar was placed around her neck. After being sold to S. Reaux she was raped, and impregnated by him as an experiment. The child was named Okurra Reaux, and she died at five years of age. Sara Baartman lived in poverty, and died in Paris of an undetermined inflammatory disease in December 1815.

After Sara Baartman's death, Geoffroy Saint Hilaire applied on behalf of the *Muséum d' Histoire Naturelle* to retain her corpse on the grounds that it was of singular specimen of humanity and therefore of special scientific interest. Cuvier dissected her body, and displayed her remains. For more than a century and a half, visitors to the Museum of Man in Paris could view her brain, skeleton and genitalia as well as a plaster cast of her body. The restored skeleton and skull continued to arouse the interest of visitors until the remains were moved to the *Musée de l'Homme*, when it was founded in 1937, and continued up until the late 1970s. Her body cast and skeleton stood side by side and faced away from the viewer which emphasized her steatopygia while reinforcing that aspect as the primary interest of her body. The Baartman exhibit proved popular until it elicited complaints for being a degrading representation of women. The skeleton was removed in 1974, and the body cast in 1976. From the 1940s, there were sporadic calls for the return of her remains. Since the 1980s Mansell Upham, a researcher and jurist specializing in South African colonial history also helped spur the movement to bring Sara Baartman's remains back to South Africa. After the victory of the African National Congress in the South African general election, 1994, President Nelson Mandela formally requested that France return the remains. After much legal wrangling and debates in the French National Assembly, France acceded to the request on 6 March 2002. Her remains were repatriated to her homeland, the Gamtoos Valley, on 6 May 2002, and they were buried on 9 August 2002 on Vergaderingskop, a hill in the town of Hankey over 200 years after her birth.



Repatriation
a growing ethical issue of the world archaeology

The repatriation and reburial of human remains is currently a growing issue in the world archaeology, focusing on ethical issues and cultural sensitivities regarding human remains of long-deceased ancestors which have ended up in museums and other institutions. Historical trauma as a result of colonialism is often involved. Various indigenous peoples around the world, such as Native Americans, Indigenous African people, Aboriginal Australians but also Scandinavian Sami people, have requested that human remains from their respective communities be repatriated to their local areas and burial sites from various institutions, often in other countries, for reburial.

According to Hubert and Fforde (2002), the first and foremost undercurrent of repatriation is the ill-treatment of people in the past, the repatriation of human remains being to a degree part of a healing process aimed at repairing some of the traumas of history. It is important that this ill-treatment is addressed, but with the repatriation and reburial of remains, they are essentially lost to the world as a reminder of that part of the history or biography of those remains. Repatriation presents an opportunity for people to lay claim to their own past and actively decide what is and what is not a part of their cultural heritage. The basis for the treatment of remains as objects for display and study in museums was that the people were seen as sufficiently "other" that they could be studied without any ethical considerations.

The contesting of ownership of human remains and demands of return to cultural groups is largely fuelled by the difference in the handling of "white" and indigenous remains. Where the former were reburied, the latter were subjects of study, eventually ending up in museums. In a sense one cultural group assumed the right to carry out scientific research upon another cultural group. This disrespectful and unequal treatment stems from a time when race and cultural differences had huge social implications, and centuries of inequality cannot be easily corrected. Repatriation and ownership claims have increased in recent years. The “traumas of history” can be addressed by reconciliation, repatriation and formal governmental apologies disapproving of conducts in the past by the institutions they now represent. A good example of a repatriation case is described by Thornton, where a large group of massacred Northern Cheyenne Native Americans were returned to their tribe, showing the healing power of the repatriation gesture.

Australia: Aboriginal Repatriation

Indigenous Australians' remains were removed from graves, burial sites, hospitals, asylums and prisons from the 19th century through to the late 1940s. Most of those which ended up in other countries are in the United Kingdom, with many also in Germany, France and other European countries as well as in the US. Official figures do not reflect the true state of affairs, with many in private collections and small museums. More than 10,000 corpses or part-corpses were probably taken to the UK alone. Australia has no laws directly governing repatriation, but there is a government programme relating to the return of Aboriginal remains, the International Repatriation Program (IRP), administered by the Department of Communications and the Arts. This programme "supports the repatriation of ancestral remains and secret sacred objects to their communities of origin to help promote healing and reconciliation" and assists community representatives work towards repatriation of remains in various ways.

As of April 2019, it was estimated that around 1,500 Aboriginal and Torres Strait Islander ancestral remains had been returned to Australia in the previous 30 years. The government website showed that over 2,500 ancestral remains had been returned to their community of origin.

The Queensland Museum's program of returning and reburying ancestral remains which had been collected by the museum between 1870 and 1970 has been under way since the 1970s. As of November 2018, the museum had the remains of 660 Aboriginal and Torres Strait Islander people stored in their "secret sacred room" on the fifth floor.

In March 2019, 37 sets of Australian Aboriginal ancestral remains were set to be returned, after the Natural History Museum in London officially gave back the remains by means of a solemn ceremony. The remains would be looked after by the South Australian Museum and the National Museum of Australia until such time as reburial can take place.

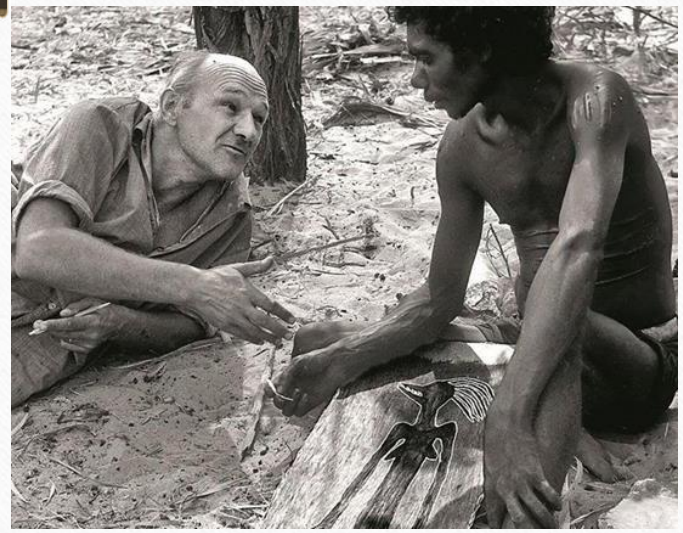
In April 2019, work began to return more than 50 ancestral remains from five different German institutes, starting with a ceremony at the Five Continents Museum in Munich.The South Australian Museum reported in April 2019 that it had more than 4,600 Old People in storage, awaiting reburial. Whilst many remains had been shipped overseas by its 1890s director Edward C. Stirling, many more were the result of land clearing, construction projects or members of the public. With a recent change in policy at the museum, a dedicated Repatriation Officer will implement a program of repatriation.

In April 2019, the skeletons of 14 Yawuru and Karajarri people which had been sold by a wealthy Broome pastoralist and pearler to a museum in Dresden in 1894 were brought home to Broome, in Western Australia. The remains, which had been stored in the Grassi Museum of Ethnology in Leipzig, showed signs of head wounds and malnutrition, a reflection of the poor conditions endured by Aboriginal people forced to work on the pearling boats in the 19th century. The Yawuru and Karajarri people are still in negotiations with the Natural History Museum in London to enable the release of the skull of the warrior known as Gwarinman.

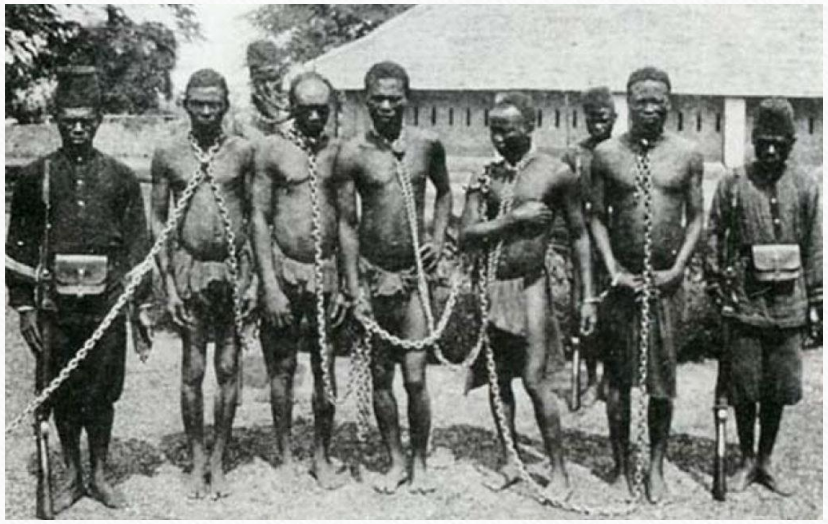
On 1 August 2019, the remains of 11 Kaurna people were laid to rest at a ceremony led by elder Jeffrey Newchurch at Kingston Park Coastal Reserve, south of the city of Adelaide. John Carty, Head of Humanities at the South Australian Museum, said that the museum was "passionate" about working with the Kaurna people to repatriate their ancestors, and would also be helping to educate the community about what it means to Aboriginal people. The Museum continues to receive further remains, and together with the community would need to find a good solution to accommodate the many remains of Old People, such as a memorial park.

In March 2020, a documentary titled Returning Our Ancestors was released by the Victorian Aboriginal Heritage Council based on the book Power and the Passion: Our Ancestors Return Home (2010) by Shannon Faulkhead and Uncle Jim Berg, partly narrated by award-winning musician Archie Roach. It was developed primarily as a resource for secondary schools in the state of Victoria, to help develop an understanding of Aboriginal history and culture by explaining the importance of ancestral remains.

The 1969 Expedition of the Moravina Museum in Brno (anthropologist prof. Jan jelínek) worked mainly in the Arnhem Land (Northern Territory) in the region of Rembaranka People. As result of this research, several skeltetal remains are still awaiting their repatriation in the Czech Republic.



Past: Enslavement, Genocide & racist-colonial cultural robbery



Present: Emancipation, Respect, Reconciliation, Repatriation, Reburial

In colonial times, preserved human heads made by Maoris were eagerly collected by private individuals for purposes one can only guess now. They were often deposited in museums by their heirs finding such objects in their homes after their death and not wishing to keep them. The trade began in the 18th century "Enlightenement" and continued into the nineteenth century. In 1831 the sale of these toi moko was banned by the governor of New Zealand, but the trade continued illegally for almost a century. Now there are an estimated 650 Maori remains held worldwide, mostly in European institutions. Other skeletal material (skulls in particular) were also eagerly collected for pseudo-scholarly or status-enhancing reasons.

(see the picture on previous slide)

King Tawhiao Te Wherowhero, photogrph 1885 and portrait by Gotfried Lindauer

Scene from Igorot village Photo: Library of Congress

Colonial Human ZOO - 1904: St. Louis World's Fair

Human zoos were not merely a product of the old world; North America had its own. The St. Louis World's Fair in 1904 was an international exhibition in Missouri that, consistent with other world fairs of the time, was an entertaining spectacle, as well as a means of promotion for both products and industry. The event boasted a variety of displays, including a 260-ft. Ferris wheel, a pavilion made of corn, and a number of scaled "living exhibits," including recreated Filipino villages, an initiative of the US Government in the Philippines. The fair featured a 47-acre area of more than 1,000 Filipinos from dozens of tribes.

The Igrot Village

One of the most popular exhibits was the Igorot village, an ethnic group perceived as the least civilized of those on display. An audience success; the revenue from this attraction was said to have surpassed that of all the other villages combined. This exhibition featured indigenous people in minimal clothing and who could often be found eating dog as the audience clamoured for a better look. While the eating of dog was a sensational curiosity for western audience, it was also a misrepresentation. The Igorot did eat dog, but only did for ceremonial reasons. Yet during the seven months of the fair, dogs were fed to the Igorot daily. The tribespeople also performed infrequent sacred rituals, such as crowing a chief, as daily entertainment, to their delight of the parasol-spinning audience. Once the fair ended, the popularity of the show continued and members of the Igorot group became fixtures in fairs and carnivals in North America and beyond. But not everyone was charmed. After protests by Filipinos, the US government in the Philippines banned the shows in 1914.

Inapropriate use of human remains in the living culture:decoration,magic,medicine

The usage of mumiya as medicine began with the famous Persian mumiya black pissasphalt remedy for wounds and fractures, which was confused with similarly appearing black bituminous materials used in Egyptian mummification. This was misinterpreted by Medieval Latin translators to mean whole mummies. Starting in the 12th century and continuing until as far as the 19th century, mummies and bitumen from mummies would be central in European medicine and art, as well as Egyptian trade.

According to historians of pharmacy, mummia became part of the *materia medica* of the Arabs, discussed by Muhammad ibn Zakariya al-Razi (845–925) and Ibn al-Baitar (1197–1248). Medieval Persian physicians used bitumen/asphalt both as a salve for cuts, bruises, and bone fractures, and as an internal medicine for stomach ulcers and tuberculosis.

During the Crusades, European soldiers learned of the drug mummia, which was considered to have great healing powers in cases of fracture and rupture. The demand for mummia increased in Europe and since the supply of natural bitumen from Persia and the Dead Sea was limited, the search for a new source turned to the tombs of Egypt.

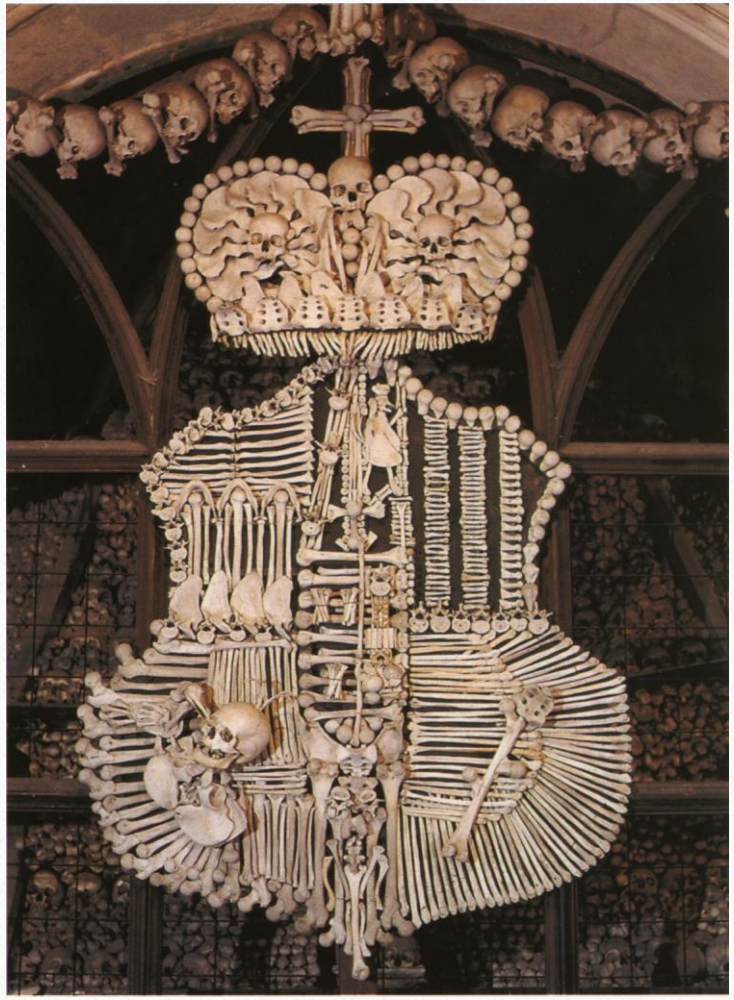
The ancient tombs of Egypt and the deserts could not meet the European demand for the drug mumia, so a commerce developed in the manufacture and sale of fraudulent mummies, sometimes called mumia falsa.

Renaissance scholars and physicians first expressed opposition to using human mumia in the 16th century. The medical use of Egyptian mumia continued through the 17th century. Mummia's familiarity as a remedy in Britain is demonstrated by passing references in Shakespeare, Francis Beaumont and John Fletcher, and also by more detailed remarks in the writings of Thomas Browne, Francis Bacon, and Robert Boyle.

By the 18th century, skepticism about the pharmaceutical value of mumia was increasing, and medical opinion was turning against its use. The English medical writer John Quincy wrote in 1718 that although mumia was still listed in medicinal catalogues, "it is quite out of use in Prescription". Mummia was offered for sale medicinally as late as 1924 in the price list of Merck & Co.

Ossuary Mannerism Kutná Hora Sedlec

The Sedlec Ossuary is a small Roman Catholic chapel, located beneath the Cemetery Church of All Saints (Hřbitovní kostel Všech Svatých), part of the former Abbey in Sedlec, a suburb of Kutná Hora in the Czech Republic. The ossuary is estimated to contain the skeletons of between 40,000 and 70,000 people, whose bones have, in many cases, been artistically arranged to form decorations and furnishings for the chapel. In 1870, František Rint, a woodcarver, was employed by the Schwarzenberg family to put the bone heaps into order, yielding a macabre result. Four enormous bell-shaped mounds occupy the corners of the chapel. An enormous chandelier of bones, which contains at least one of every bone in the human body, hangs from the center of the nave with garlands of skulls draping the vault. Other works include piers and monstrances flanking the altar, a coat of arms of the House of Schwarzenberg, and the signature of the author, also executed in bone, on the wall near the entrance.




1870
F. Rint
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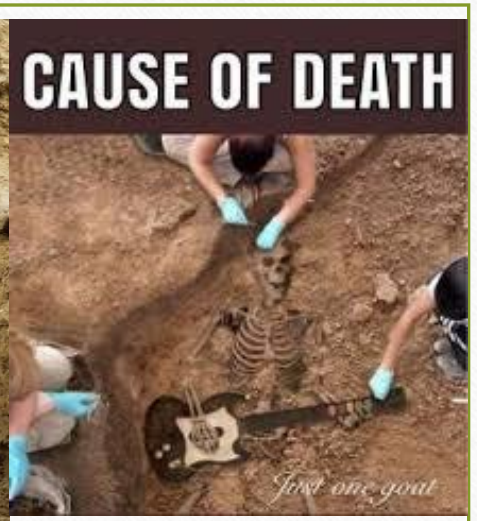
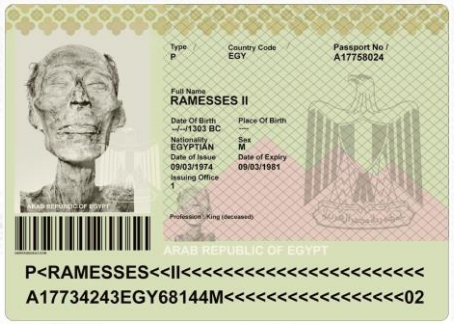
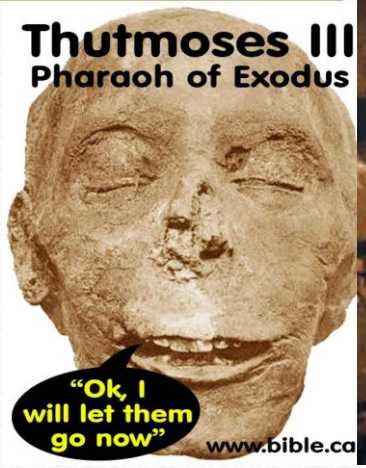
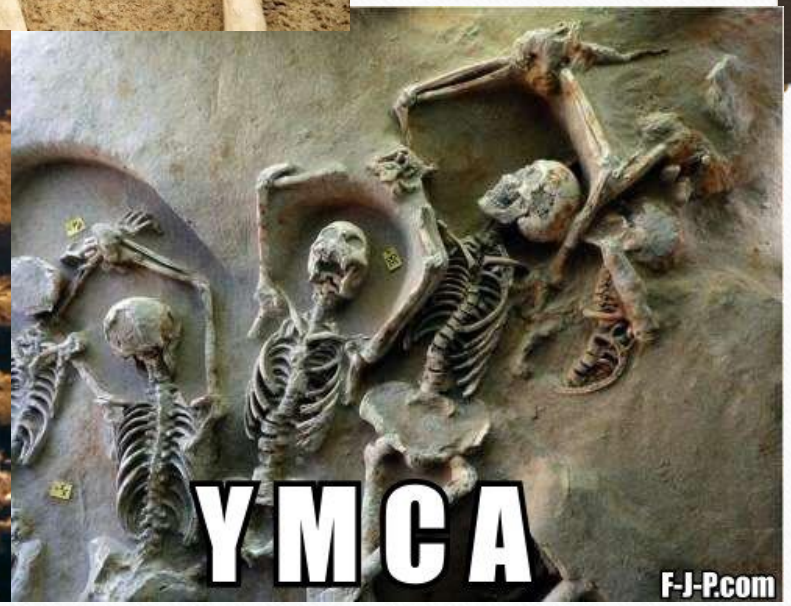
An inappropriate use of human remains images. Skeletons are remains of individual human beings!

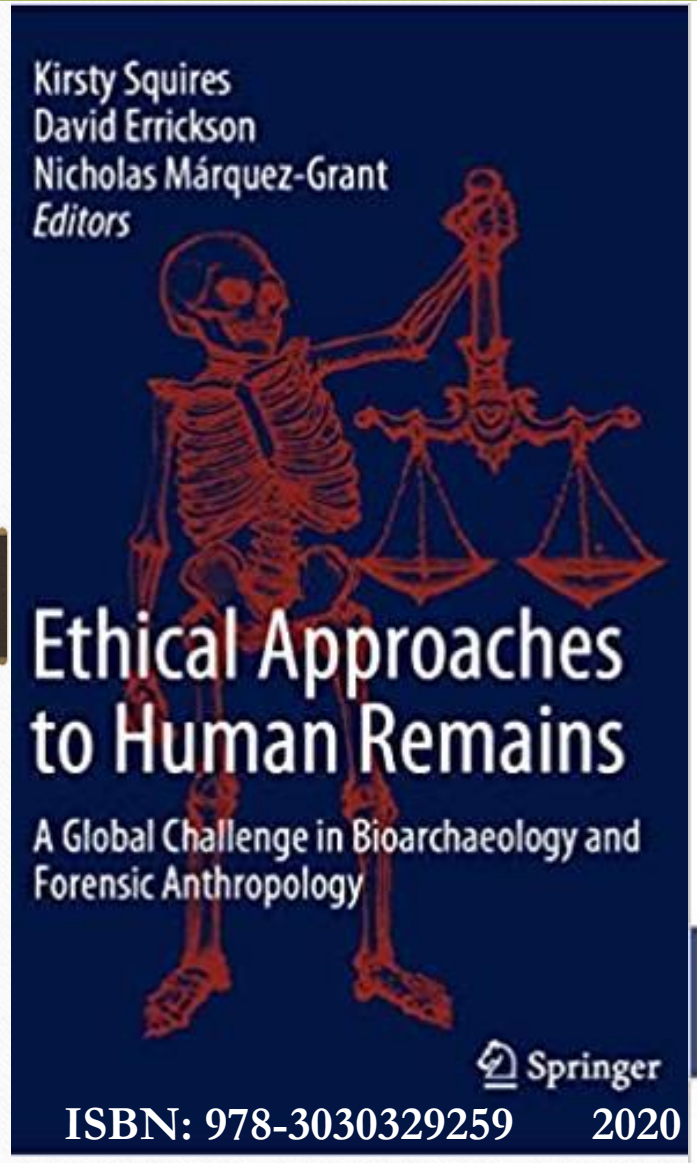


About 5,000 years later archaeologists will find this kind of skeletons

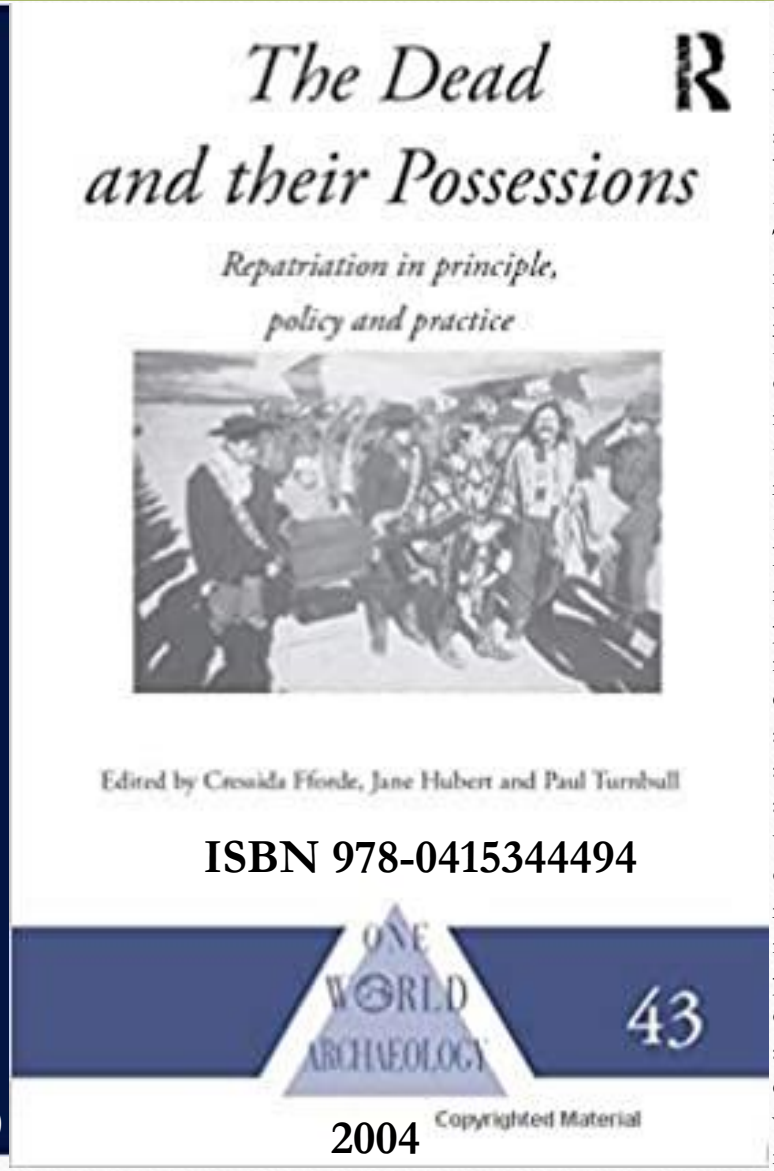








ISBN: 978-3030329259 2020

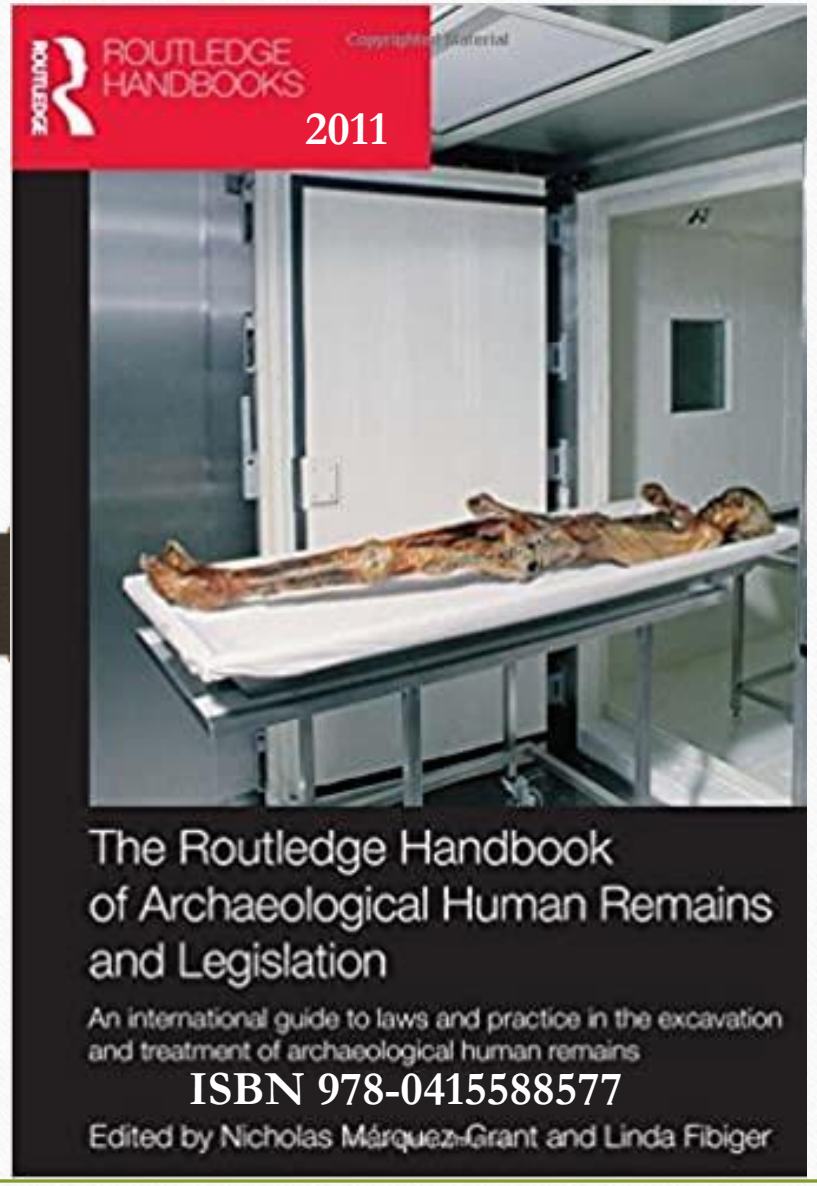


ISBN 978-0415344494

2004

Review by Yann Le Gall 2016:

Ever since the World Archaeological Congress gave birth to the Vermillion Accord on Human Remains in 1989, repatriation claims and occurrences have been largely discussed in publications and books emanating from a myriad of disciplinary fields. The Dead and their Possessions, edited by Cressida Fforde, Jane Hubert and Paul Turnbull, has offered a first thorough engagement with the repatriation "movement" (Fründt 2013, 323). Drawing on twenty years of experience spearheaded by the implementation of the Native American Grave Protection and Repatriation Act, the contributors productively alternate angles and viewpoints on repatriation: by putting alongside complex in depth exegeses related to legal issues, an analysis of the social construction of indigenous identity, and the empowering and powerful emotional responses from several descendants of the displaced ancestors, the editors have intelligently mirrored the multidisciplinary challenges that repatriation poses to the academic sphere. This book clearly preaches for a shift in discourse over the issue of colonial human remains, a non-Manichean perspective that avoids summing up debates to a two-face struggle between the interests of physical anthropologists and those of indigenous claimants. Due to the early appearance of this publication in the repatriation movement, assessments of international repatriations in this volume are understandably scarce in contrast to intra-national examples. One can however assert that this very book has undoubtedly had much influence on the response of museums and anthropologists to repatriation claims ever since. Its groundbreaking push for proactive provenance research has unfortunately remained quite unheard. Not only does it seem to soon in a globalised world that still hangs on to a modern, nation-based model of culture and cultural memory; decision-making circles often turn a deaf ear to academic initiatives when they collide with political interests driven by neoliberal and neo-colonial discourses.



Methodologies and legislative frameworks regarding the archaeological excavation, retrieval, analysis, curation and potential reburial of human skeletal remains differ throughout the world. As work forces have become increasingly mobile and international research collaborations are steadily increasing, the need for a more comprehensive understanding of different national research traditions, methodologies and legislative structures within the academic and commercial sector of physical anthropology has arisen. *The Routledge Handbook of Archaeological Human Remains and Legislation* provides comprehensive information on the excavation of archaeological human remains and the law through 62 individual country contributions from Europe, Asia, Africa, Americas & Australasia.

More specifically, the volume discusses the following:

What is the current situation (including a brief history) of physical anthropology in the country? What happens on discovering human remains (who is notified, etc.)? What is the current legislation regarding the excavation of archaeological human skeletal remains? Is a license needed to excavate human remains? Is there any specific legislation regarding excavation in churchyards? Any specific legislation regarding war graves? Are physical anthropologists involved in the excavation process? Where is the cut-off point between forensic and archaeological human remains (e.g. 100 years, 50 years, 25 years…)? Can human remains be transported abroad for research purposes? What methods of anthropological analysis are mostly used in the country? Are there any methods created in that country which are population-specific? Are there particular ethical issues that need to be considered when excavating human remains, such as religious groups or tribal groups?

In addition, an overview of landmark anthropological studies and important collections are provided where appropriate. The entries are contained by an introductory chapter by the editors which establish the objectives and structure of the book, setting it within a wider archaeological framework, and a conclusion which explores the current European and world-wide trends and perspectives in the study of archaeological human remains. *The Routledge Handbook of Archaeological Human Remains and Legislation* makes a timely, much-needed contribution to the field of physical anthropology and is unique as it combines information on the excavation of human remains and the legislation that guides it, alongside information on the current state of physical anthropology across several continents. It is an indispensible tool for archaeologists involved in the excavation of human remains around the world.

Thank you for your attention,
I hope you have enjoyed the course!

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