

## DIGGING UP GOD'S ACRE

An analysis of the cultural, political and ethical issues surrounding the excavation and scientific study of ancient human remains and the consequences this debate has on archaeology as a discipline.

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## ABSTRACT

In recent decades, the debate over the excavation of ancient human remains has become widely publicized all across the globe, most vocally in the United States. The controversy is caught up in political, religious, cultural, ethical and legal issues. This is the most serious threat archaeology has ever had to face as a discipline. But how did this situation arise and is there a solution that can satisfy all the parties involved? This paper starts by examining the situation in the United States, assessing the views for the reburial of ancient human remains, the responses given to these views in favour of archaeological work on human remains and possible compromises that have been proposed. The issues arising from this debate in Great Britain are then discussed, looking at the public's concerns and how archaeologists are attempting to ease the situation without losing the support to investigate human remains. A brief summary of some selected cases from around the world is included to emphasise the diversity and global nature of this debate. The differing situations within countries (most specifically between the United States and Great Britain) are compared and contrasted in order to define how this debate came about and what the real issues are that lie behind it. The paper concludes by assessing the consequences this debate has had, and will continue to have, on the practice and ethics of archaeology.

## INTRODUCTION

It is hard to say when archaeology began. There is a long history of man investigating his past all across the globe. In the sixth century BC, King Nabonidus of Babylon excavated an ancient temple in his land and from around the fourteenth century AD, wealthy Europeans began collecting archaeological artifacts that they called 'curiosities'. The eighteenth century AD saw the beginnings of what was to become the popular and fascinating world of modern archaeology. Pompeii was one of the first excavations and in 1784, Thomas Jefferson (who later became the third president of the United States) conducted what has been called the first 'scientific' excavation. Thomas Jefferson dug a trench through a burial mound in Virginia (Renfrew and Bahn 1997, 21).

Archaeology has changed a considerable amount over the years, but now archaeology faces one of the largest threats that it is ever likely to face. Over the past few decades, groups of native or indigenous peoples along with other interested parties, have begun to question the discipline. In some cases the groups are calling for the total cessation of excavations, others call for greater consultation about the excavations of their ancestors. This paper will be focusing on the objection to the excavation of human remains; this is one of the most strongly felt objections to archaeology. It is excavation of burial sites, like those conducted by Thomas Jefferson in the early days of archaeology, which are being criticized and are under threat, if a suitable solution to this conflict can not be found.

The reburial issue has become one of the most heavily debated topics in the archaeological world, creating a very sensitive and volatile situation. Every effort has to be made to resolve this conflict to the satisfaction of all parties involved. There is a huge range of opinions about why human remains should be excavated and studied and just as many, if not more, about why human remains should be left in peace and those in collections reburied. The debate is not clear-cut, it is not a case of archaeologists versus indigenous populations, which is widely believed an often perpetuated by the media. Many archaeologists actually support reburial, just as many indigenous people support excavation. Extremes exist at both ends of the scale, so a happy compromise is going to be very hard to achieve.

If some middle ground is not found, the archaeological world will lose one of its most important sources of information. It is widely believed that, "a human burial contains more anthropological

information per cubic metre of deposit than any other type of archaeological feature” (Peebles 1977, 124). Without any excavation of burial sites, archaeology would be missing a wealth of information, many believe that it is almost impossible to reconstruct past cultures without evidence from human remains. In some situations, the banning of burial excavations may mean the end of all archaeological excavation. In Israel many burials occurred within settlements both during the settlements use and also from the use of old settlements as cemeteries. Therefore the reburial issue can threaten all archaeological work and not just that directly associated with human remains.

This paper will look in depth at the situations in the United States and Great Britain; a brief look at some comparable cases from across the globe will also be included. A detailed discussion of both sides of the argument from several areas will attempt to clarify the major issues in this debate. Both sides of the debate have a hard struggle ahead of them to resolve this situation. Through constant lobbying and press coverage, all parties are starting to realise the gravity of this debate and accept that the difficulties to face and the concessions to make will be worthwhile. Much work is being done to resolve these issues already; this paper will examine these possible solutions and see how successful they have been. The paper will finish by looking at how this debate has effected archaeology as a discipline and what work still needs to be done in the future.

Research for this paper was undertaken by collecting academic articles from both sides of the debate from across the globe (especially from the United States and Great Britain). Newspapers offered an insight into what information the general public were being presented with and how they reacted to these issues. Research also included gaining the opinions of people involved in the debate or interested in it. The reburial issue is at its most basic level a conflict of opinion, therefore it was important to gain a range of first hand views on the topic. Through this research I have formulated my own conclusions, these will be most coherently presented in the final sections.

## 1. THE UNITED STATES

### 1.1 INTRODUCTION

The United States has been the main arena in which the debate over human remains has taken place since it became a widely voiced issue there in the 1960's. The debate is very complex and has been discussed in many different circles, most obviously within archaeology but also within legal, political and religious circles. Emotions often run very high between the several different groups involved. At times the real issues behind the debate can be missed. There is much diversity in opinion and a great deal at stake for both sides in this controversial and important debate.

The main advocates for the reburial of ancient human remains in the United States are the Native American populations. It would be an over-generalisation to say this was exclusively the case though. Many archaeologists have become supporters of reburial, working with Native Americans to have human remains repatriated and reburied. This has caused some internal conflict within the archaeological discipline. The same is true of Native Americans; many Native Americans have caused rifts within the native population and within individual tribes by supporting the excavation of human remains.

In 1990 one of the most significant milestones in this debate was reached. The Native American Graves Protection and Repatriation Act (NAGPRA) was passed. This has had a huge effect on both sides involved in the debate. The act calls for the repatriation of Native American remains if their cultural affiliation to a certain tribe can be proved ([www.cast.uark.edu/other/nps/nagpra](http://www.cast.uark.edu/other/nps/nagpra)). Some groups hoped that the issue would not need official legislation (Floyd 1985, 10), it was hoped that the situation could be resolved between the groups independently. Even though some archaeologists were aware of the issues and attempted to reconcile the situation before the

introduction of NAGPRA not enough people were aware of the issues or were taking them seriously enough. The passing of NAGPRA has created many changes, there is some criticism of the act from both sides but NAGPRA gives a legal system for either side to resort to if necessary. It has been a 'wake-up call' for many archaeologists, not only in the United States but also across the globe.

In the first section of this paper I will take an in-depth look at the debate in the United States. The United States plays one of the most influential roles in many aspects of world relations and politics, this can also be said to be true for the reburial issue. The situation in the United States is being closely watched by other countries around the globe where repatriation issues exist, or have the potential to exist. The future of the debate in the United States will have a far-reaching effect on the whole archaeological world.

## 1.2 THE ARGUMENT FOR REBURIAL

Native Americans have become a powerful group within the United States by coming together and presenting a united front. Individually the tribes have had limited power but as a collective group they can assert more pressure and make their voices heard more clearly. This has been essential to the reburial issue becoming so prominent in the United States. Some tribes have a history of conflict and mistrust; the mutual concern for the human remains of their ancestors has broken down such barriers, bringing a large proportion of Native American tribes together.

American Indians Against Desecration (AIAD) is one of the several groups of united Native Americans who oppose the excavation of human remains. They state that, "all Indians past and present are spiritually linked to all other Indians. Consequently, contemporary Indians are deemed to be responsible for the spiritual well being of all deceased Indians" (Ubelaker and Grant 1989, 254). This is one of the main reasons behind the objections to excavate human remains. The indigenous communities of the United States closely associate themselves with the human remains of the past Native Americans. Some tribes only actively object to the disturbance of human remains that they feel are closely associated to their particular tribe, other groups like AIAD see all Native American remains as their ancestors and so oppose all work on these human remains.

The close association that Native Americans feel towards their ancestors is deeply imbedded in traditional Native American religions, myths and beliefs. To Native Americans the past is not behind them, the past lives in the present and effects the future. Many groups believe that if the burials of past Indians are disturbed then this will cause suffering to contemporary Native Americans as well as suffering to the disturbed spirits. Many archaeologists, "hold up the Christian belief that the body and soul separate after death, so why be concerned about physical remains if the soul is (it is hoped) on his or her way to heaven?" (Mihesuah 1996, 232), however, this is not the way Native Americans see it. The general religious belief of the non-indigenous Americans is that time is linear and therefore what is past is past and can have no real effect on the future. Native Americans see time as cyclical, it is this conflict in religions and cultures that has, in part, led to the emergence of the reburial issue in the United States.

Science has become the western world's religion and culture, it is believed in and trusted. Most of the western world believes that science is the only way to discover what is 'true'. Many Indians do not see science as the only way to know about things. The Native American's religions and beliefs are based around spiritual and oral traditions, beliefs that are hard to scientifically test or prove. Oral histories have been passed down from generation to generation within Native American groups. These are seen as, "an adequate source of information about the Indian past that does not need to be supplemented with data derived from the study of human remains" (Ubelaker and Grant 1989, 254). Oral histories tell the Native Americans their origin and their spiritual beliefs. Native Americans feel that it is an insult to them and their beliefs that archaeologists do not accept this and claim that only through excavation can the prehistory of the indigenous Americans be discovered. Archaeologists, through their scientific investigations, are

sending the message that Native Americans are extinct if the only way to know them lies in the past (Zimmerman 1996 (a), 214). Some say that this is another example of white American oppression.

Archaeologists are seen as imposing their beliefs onto others. Some of the issues involved in this complex debate have their roots in the treatment of the Native American population in the past, and to some extent the treatment they still receive today. References to past colonial atrocities are often brought up in the reburial debate. Archaeology is considered by some to be a legacy of colonialism. In the early days of colonial America archaeology was used as a tool to legitimise the white rule of the United States. Archaeology de-humanized the Native Americans. Archaeology saw the Native peoples as primitive, uncivilized and at a lower level of development compared to the white settlers. This was used to justify the taking of land and the poor treatment of the Native Americans. The great earthworks and the huge settlement structures that covered some areas of the United States were accounted for by archaeologists as the remnants of a great people, which the uncivilized barbaric Indians eradicated from the land. This justified the white settlers eradicating the Native Americans and displacing them from their land.

The United States made the Native Americans second-class citizens and attempted to marginalise their place in American history. It is true to say that, "the failure of the United States to claim the American Indian past as its own, and to instead describe history in terms of 'we' and 'they', have contributed to the reburial confrontation" (Ubelaker and Grant 1989, 254). The indigenous populations feel oppressed by this treatment and blame archaeology for it to some extent. In the past archaeology has been used to promote and uphold racist stereotypes of the Native Americans. Vine Deloria Junior, a major Native American activist in the reburial debate, says that past histories have made the Native Americans appear like, "freaks outside historical time" (Deloria 1992, 596).

The different treatment of Native American human remains has caused much anger. I have come across several cases where excavations have uncovered burial sites containing Native American remains and white settler's remains. In all these cases the remains of the white settlers were removed by morticians and reburied with ceremony immediately. The Native American remains were excavated by archaeologists and taken away for study (Zimmerman 1989, 61). This is quite clearly wrong, there needs to be equality in the treatment of human remains. By treating Native American remains in a different manner it is a reflection of different attitudes towards those people and insulting. It is sending a clear message that Native American remains are different, mere laboratory specimens.

The ethics of archaeology have been criticized for reflecting the values and beliefs of Euro-American cultures (Ferguson 1984, 224). This is because, until recently, this reflected the views of those people who were studying and practicing archaeology. Archaeology deals with many different cultures and a great diversity of beliefs can be encountered all around the world. Therefore these ethical codes are inadequate when dealing with cultures which have conflicting values. Ethical codes are of limited use because ethics are to a large degree social constructions and so, "no particular system of ethics can be said to be absolutely right or wrong" (Goldstein and Kintigh 1990, 586). This has caused a lot of debate and is a problem that needs to be tackled in order to help resolve the reburial issue.

Many Native American groups do not feel that archaeology is of any significance to them. They have their oral traditions to tell them of their history and therefore archaeology adds nothing to their lives. Archaeologists are accused of using the Native American past to profit from and that they give nothing back to the communities whose past they are excavating and studying. Until archaeological work has some significance to the present-day ancestors of these remains, Native Americans are not going to widely accept any form of archaeological work.

It is often thought that the archaeologist's scientific training has, "taught them to depersonalise and objectify human remains, transforming them into valuable data to be collected as often as

possible" (Ferguson 1984, 229). Many indigenous peoples see archaeologists as, "urban, overly intellectualized, insufficiently humanized academics" (Biolsi and Zimmerman 1997, 16). Native Americans do not think that archaeologists are the right people to be excavating their human remains, if it is indeed necessary for the remains to be excavated. The archaeological world has a reputation as being white, middle-class and male dominated. In recent years many more women are entering the discipline and in the United States the numbers of Native American students in archaeology is on the increase. Native American archaeologists find themselves in a very difficult position. They can attempt to reconcile the problem by offering a view from both sides. Often though they are criticized by other archaeologists for not being objective enough and called a traitor by the Native American population.

Objection to the excavation of human remains is not restricted to the Native American population or the group of archaeologists who have joined their cause. African Americans, another dominated minority group, have reservations about the excavation of their ancestors. One well-documented case from New York highlights this situation very well. The New York situation displays the struggle of descendant communities to reclaim their heritage (Harrington 1996, 221 and Parker Pearson 1999, 178) and is tied up with political issues of African American empowerment. Many parallels can be drawn between the Native American and African American archaeological protests.

It is clear that strong emotions exist in support of the reburial of human remains. Native Americans feel that they and their beliefs are being ignored and dominated by white science. They want to gain control of their heritage and make sure that their ancestors are treated in the correct manner. To some extent in the United States the reburial issue can be seen as an attempt by minority groups to gain political power; this should not weaken their case though. Archaeology is undertaken in a social context and therefore archaeologists have an obligation to respond to all public concerns, no matter what their justification or motive.

### 1.3 THE ARGUMENT FOR EXCAVATION

In replying to the argument for reburial the first question that archaeologists have to answer is quite simply, 'why'? Why do archaeologists excavate human remains? This is a very important question but one which has never been sufficiently answered before. Archaeologists have rarely had to justify why they do what they do to any great extent before. The reburial issue has made the archaeological community question itself and take a closer look at what it does and why.

I believe the human race to be naturally inquisitive and to have, "an innate need to know" (Landu and Steele 1996, 209). The long running practice of archaeology is testament to this. If there were not the demand for such work archaeology would not have survived for so many centuries. Archaeology has proved to be a popular and interesting discipline. Archaeology is often criticized for having no function in society. Archaeology entertains, it teaches and educates, it gives people a sense of their past and it quenches the natural thirst for knowledge. Archaeology also has a practical function. By discovering more about our past it can help when predicting what the future may hold. Human remains are a unique set of data that, "offer direct, tangible evidence of our past, how we have become biologically suited to the many environments in which we live, and how we behave" (Landu and Steele 1996, 210). Important information about past diseases, health, diet and behaviour can be used to aid the understanding of present day problems.

One question asked by many Native Americans is why are so many bodies needed? Archaeologists have thousands of skeletons already collected; can the continued excavation of human remains really add any more information? In response to this archaeologists argue that in order to make relevant generalizations about the past populations many individuals need to be studied. One human skeleton can not be relied upon to make statements about a whole group. The scientific nature of archaeology is a cause of the high numbers of human remains needed as science dictates that for a fact to be proven it must be able to be repeatedly tested and gain the same, or similar, result each time. Large samples make research more valid and accurate.

The treatment of the dead is a very diverse and variable practice. Across the globe, but also within the United States, many different practices concerned with the dead exist. Such a variety of practices, attitudes and beliefs make the treatment of the dead an important and relevant area of study within archaeology (Goldstein and Kintigh 1990, 586). Death is one certainty in life effecting everyone. The diversity of attitudes towards death throughout time and space is an important aspect of the human past. "All human societies can be linked by migration and intermarriage through time to be categorised as a single species, *Homo sapiens*, human kind" (Landu and Steele 1996, 210). The treatment of the dead generally is a shared characteristic of man and an aspect of the human culture which sets us apart from most of the animal kingdom. Therefore it can be said that the study of human remains is relevant to all people and that the study of Native American human remains forms part of a larger story which is of interest to all humans.

As mentioned above, many Native Americans do not feel that archaeology is of any benefit to them. In the past this was the case but thanks to new generations of archaeologists and the awareness which the reburial debate has created things are rapidly changing. Many archaeologists today realise that they have obligations to the people that they study. Native Americans are also realizing that they can use archaeology for their own ends.

Archaeology can benefit the indigenous populations by creating a market for tourism. Often in the past it was the white Americans who exploited the Native American culture, profiting from tourism at the cost of the indigenous population. In more recent years tribes have realized the potential in tourism. By direct contact with the public they can present their views and gain the support of the public. Many tribes have opened up ancient pueblos, cave dwellings, rock art sites and perform ancient rituals to the public. The income generated from such activities can help the community in many ways while presenting the public with a more informed picture of Native American culture.

Disputes over land in the United States abound between Native Americans and the government. In many recent cases archaeological evidence has been used to support arguments in court. Oral histories are used to prove that certain areas belong to Native American tribes, this evidence is very weak in a court of law. Archaeology can often prove that the remains found on sites are affiliated with specific tribes. Due to this cooperation archaeology has proven to be of value to indigenous American populations.

Oral histories are strongly held by Native Americans. Archaeology can add to these histories and also support stories that have been passed down through the generations. Steve Holden has done some interesting work with Roger Echo-Hawk of the Pawnee tribe, comparing the archaeological record with oral narratives (Zimmerman 1996 (a), 215). Many ancient ritual sites long forgotten by present day Native Americans have been rediscovered by archaeologists. Native Americans have regained some of their lost heritage through archaeological discoveries. Archaeological interest in certain tribes and sites has rekindled past stories and songs that may have been lost forever. Archaeology has also helped to dispel erroneous theories about the indigenous Americans; for example it has shown that the earthen mounds and impressive settlements were the work of Native Americans.

The situation in the United States is not as one sided as we are sometimes led to think. The media has often presented a biased view by giving a lot more publicity to the Native American's concerns. Often little attention is paid to the successes on the other side of the argument, the media has not communicated the scientific importance of the study and curation of ancient human remains. Archaeologists have been represented as stubborn scientists. In reality there is, especially in more recent years, a more open-minded archaeological view. Many archaeologists are striving to resolve disputes over cultural differences while still pushing for the recognition of archaeology as relevant, necessary and ethically sound.

A survey of sixty-four Native American tribes showed that more than half considered archaeology

to be beneficial because it helped preserve Native American culture (Ferguson 1996, 69). Pan-Indianism is growing in popularity in the United States. Some Native American groups feel that their culture is disappearing, they are attempting to maintain an independent cultural identity in the face of colonial domination and assimilation into white American culture. Archaeology can actually be used to help achieve these goals by providing evidence of ancient cultural practices which, when combined with contemporary practices, offer a detailed picture of traditional Native American culture and identity.

Some archaeologists writing about the reburial issue have received much criticism for trying to account for the whole debate through political issues which they say have little, if any, grounding in archaeology. Bray is of the opinion that everything is political, he states that, "within human society there is nothing that is not social and historical, and nothing, in the final analysis, that is not political: not even the concept of time... or the relationship of the living to the dead" (Bray 1996, 441). The reburial issue began to get public attention in the 1960's at the same time the civil rights movement was developing in the United States. The two issues are to some extent interrelated. Just because the reburial issue has a political aspect it does not mean that the issue is any less valid. The reburial issue is about indigenous people trying to regain control of their heritage; the civil rights movement was about minority groups gaining some political recognition and equal rights. The reburial issue can be seen as one of many civil rights, the Native Americans see the control of their ancestors remains and the respect of their beliefs as a civil right.

I have kept referring to the archaeological human remains as the ancestors of contemporary Native Americans . This is what the Native populations to a large extent believe. Some archaeologists have attempted to weaken this link to reduce the rights of the Native Americans over the human remains. This is a very sensitive area, some say it is a moot point, that all ancient human remains in the United States are the ancestors of all Native Americans collectively. Problems in this situation frequently arise. Not all Native American groups are concerned for human remains in a general sense; they are only concerned for the ancestors of their individual tribe. In order to identify this cultural affiliation it is often necessary for archaeologists to investigate the human remain, a vicious circles can develop here which can be hard to resolve. It seems a paradox that it is archaeology that would give the Native Americans the evidence to prevent archaeological work. Because of the movement of tribes into reservations and the ancient migration patterns of Native Americans it is hard to determine tribal affiliation by geographic location. Many archaeologists are concerned that human remains may be returned to the wrong tribes.

Kennewick man is a case that has received much coverage over recent years. It is a good example of the debate over human remains. Kennewick man was dated to be around 9,300 years old. Archaeologists argue that remains of such an age are so distant that no association to present day Native Americans can be considered. Archaeologists also identified that the remains had Caucasoid features, showing that, "the dead man came from genetic stock very different from that of the Indians who have lived in that part of the country for centuries" (Lemonick 1996, 81). The Umatilla Indians claimed the remains and eventually they did win the right to have the remains reburied. These remains could have provided unique information about the early inhabitants of the United States. I think that in this case the scientific interest in the remains outweighed the interest of the Native Americans. I would agree with the reburial of the remains but only after thorough analysis. There are so many variables and different situations that exist within the debate that a case-by-case approach should be taken when assessing the treatment of ancient human remains.

There is some doubt over whether beliefs in the past are still maintained today. Religious beliefs change and develop a great deal over time. Bleed is quoted as stating that, "it is simplistic to reduce prehistoric groups to modern ones. It is unfair to prehistoric peoples to equate their ethnicity and spirituality to those of modern Indian communities" (Ubelaker and Grant 1989, 265). To confuse the situation further it is visible in the Native American communities today that diverse

traditions exist even within a single tribe. Therefore even if tribal affiliation can be proved that may actually say very little about the beliefs which the deceased held.

It is important to understand that excavating and studying ancient human remains does have a purpose. There are benefits for all of mankind, from discovering and explaining our past to helping indigenous populations win back ancestral land and providing important information about medical disorders. There have been some serious problems with the behaviour and attitudes of archaeologists towards the native populations in the past. The situation is improving, the next section will look at what compromises are being attempted and how cooperation may be beneficial to both sides.

#### 1.4 COOPERATION AND COMPROMISE

In the above two sections I have put forward some of the main points from both sides of the argument as I see them. I have attempted to be as objective as possible in my assessment of the situation. I am a white archaeologist however and this will effect my views and opinions.

Archaeologists are under increasing pressure to justify the excavation of sites in general, regardless of whether human remains are present or not. There is a movement within archaeology which objects to excavation unless it is a rescue project; this is because archaeology is destructive, once a site has been dug there is no going back. This supports one of the main compromises that has been reached between some tribes and archaeologists. Many Native Americans will support the excavation of human remains if the burials are threatened by destruction from natural erosion or construction work. They agree that careful and respectful excavation is preferable to the burials being removed by machinery or left exposed. Often in this type of compromise the archaeologists are given a limited period in which they can study the remains after which the human remains will be reburied. The Navajo, Hopi and Zuni tribes all allow excavation if sites are under threat and also allow some analysis prior to reburial (Adams 1984, 241 and Klesert and Powell 1993, 351).

I met with Virgil Swift of the Wichita tribe, the historic preservation officer for the Wichita and NAGPRA coordinator and Tim Baugh, tribal archaeologist for the Wichita. A concern of the Wichita elders and community was that they were not sure the remains that were being returned to them were actually Wichita. Virgil Swift was given the task of learning about archaeology, its values, its aims and how to understand the material culture of the Wichita people in order to be able to determine whether the remains they were reburying were Wichita. By working together archaeologists and Native Americans can help each other. Virgil Swift believes archaeology can fill in the blanks, expanding tribal history and that, "by working with members of the anthropological community, the Wichita and Affiliated Tribes are regaining a sense of their own history. Furthermore they are an active force in establishing their own history, rather than having outsiders, no matter how well meaning, dictating that history to them" (Baugh and Swift 1998, 19). Tim and Virgil work together on an equal footing, both have come up against opposition from their own and other tribes and the white establishment. This is a problem faced by many cooperative ventures.

Dr. Joe Watkins is a Native American archaeologist who worked at Cahokia, a large Native American settlement near St. Louis, Missouri, USA. Dr. Watkins aims to uncover and preserve the forgotten Native American past (BBC2 2000). Some archaeologists say he is not objective enough and Native Americans often say that he has 'sold out' to the white institution. I believe that no single view can ever really be objective enough, especially in the situation that exists in the United States. By working together in archaeological projects Native American and white archaeologists can offer opinions which, when taken together, will provide an informative and balanced analysis of the information.

Native Americans should be involved in archaeological work as much as possible. Consultation should be a major concern of archaeologists. Mistrust and suspicion often cause objections to

archaeological work. If archaeologists take time to involve and inform the local or relevant Native American tribes the work will often be supported and ultimately have more significance to the indigenous population. Consultation should not be undertaken because of law or in order to have fewer objections but because archaeologists should want to, because it is the archaeologists obligation to involve the descendants of the people they are studying. Many Native Americans are taking an active role in archaeology, either entering the discipline through academic institutions or by joining excavation crews and learning through practice.

Larry Zimmerman, a white archaeologist and supporter of reburial, says that, "collaborative efforts unquestionably will limit our cherished academic freedom" (Zimmerman 1996 (a), 217). It is true that sacrifices will have to be made to resolve issues in the United States. Both sides are going to have to adapt to a new way of approaching the situation but in the long run both sides can benefit. There are many examples of successes in cooperation.

In Arkansas Dr. John House has conducted several archaeological projects with the support of the local Quapaw tribe. Dr. House consulted with the tribe from the earliest stages of excavation planning. The Quapaws were very interested in the work and in what archaeology could tell them about their past. Both groups agreed that the remains should be reburied after examination. The archaeologists here were very open and honest about what work was being done, the result was a very positive relationship between the two groups. Dr. House commented that, "the Indians are potentially our strongest allies in affirming the value of archaeological sites and the information they contain" (House 2000, pers. com.).

Archaeologists and Native Americans are increasingly working together in order to combat mutual enemies. Developers and pot-hunters are causing much destruction to archaeological sites across the United States. Between them archaeologists and Native Americans can exert enough political pressure to reduce the destruction of important sites. An example of this was seen after the discovery of an ancient circular structure in Miami, Florida. It was under threat from development but due to combined efforts this very important site was protected (BBC2 2001).

A solution to the conflict proposed by Virgil Swift involved the return of human remains to tribes where they could be stored in such a way that with tribal consent archaeologists or other interested parties could obtain the remains for study. This puts control in the hands of the Native Americans. They can be sure that the remains are treated in an appropriate manner but also that they are not lost forever (Swift 2000, per. com.). This appears to be a good compromise. It is an idea popular in Australia. Many tribes in the United States have opened up tribal museums. Archaeological artifacts are displayed in these museums but no human remains are. Native Americans are working with archaeologists to develop a more personal and relevant view of the past, and more importantly, one which they have control over.

Archaeologists and native Americans have gone a long way to easing the confrontation over the reburial issue. There is still more work to be done though; a compromise totally suitable to both parties may be a long way off. However there are many promising examples of how archaeology can be practised with the support and interaction of the Native American populations. Ultimately I believe it will lead to a more diverse and complete archaeology, an archaeology more reflective and in tune with public opinion. We can all learn to share the past.

## 2. GREAT BRITAIN

### 2.1 INTRODUCTION

The excavation and study of burial sites has been a popular and long practiced activity in Britain. Julian Richards says that, "the British Isles are really one huge cemetery. Think how many generations have lived, died and been buried over the time that our islands have been permanently inhabited" (Richards 2001, internet site). Burial sites excavated across Britain display a huge diversity of cultures and practices. This is one reason why a lot of work is

concentrated on burial sites.

Great Britain has witnessed many different cultures and groups of people come and go. The British Isles has been the location for many invasions and colonisations in its time. It has led to a very complex situation. Due to mixing, intermarrying and acculturation over the centuries Britain has a truly multicultural history. Has this effected our views on the treatment of the human remains of our various cultural ancestors?

In 1997 Historic Scotland published a set of guidelines on the treatment of human remains. "This is the first time that a policy paper on the treatment of human remains in our work has been promulgated" (Historic Scotland 1997, 2). It is surprising that there had been no call for such guidelines before this time. In the United States the issues surrounding human remains had been seriously debated, guidelines circulated and the influential NAGPRA legislation passed before any official action was being undertaken in Great Britain.

It is widely accepted that the excavation of human remains is perhaps most closely associated in the public imagination with the role of the archaeologist. The discovery of burials often gains a great deal of press coverage and can also attract much public attention. This is why it is important that high moral, ethical and professional standards are established and maintained within archaeology. The treatment of human remains is the area of archaeology most open to public scrutiny.

Many people including archaeologists are unaware of any objection to the excavation and study of human remains in Britain. Only in the last decade or so have concerns become widely voiced. In this section I will assess the level of public opinion surrounding the reburial issue in Great Britain and its possible causes. This will be followed by a look at how the archaeological world is responding to this debate in Britain.

## 2.2 THE PUBLIC'S CONCERNS

Britain has been involved with the repatriation and reburial debate in an indirect way for many years. Britain has collections of human remains and associated artifacts from all across the globe. Demands for these remains to be returned have caused some confrontation. It is only recently that the debate has become an internal concern. This has surprised many archaeologists.

Some scholars involved in the reburial issue outside of Great Britain see the situation here to be less controversial because, "Britons are digging up Britons" (Harris 2000, pers. com.) and therefore there are no conflicts in cultural beliefs or accusations of oppression. This is not the case. Britain has no identifiable indigenous culture that still survives today; no real 'Britons' exist. There have been successive invasions and colonisations by various Germanic-language-speaking Anglo-Saxon and Scandinavian peoples. The cultural ancestry of the British people is very complex. Bronze or Iron Age bodies are likely to be related only loosely, if at all, to those excavating them today (Miller 2000, pers. com.).

Religion was discussed as one of the major factors in the reburial debate in the United States. In Britain religion plays an equally important role. Many of the disputes that arise over the treatment of human remains in Britain come from religious groups who believe that the remains being studied shared their religion. When the University of Glasgow excavated at Glasgow Cathedral in the 1990's Archbishop Winning was extremely upset about the excavation of skeletons from the site. However, when he was shown that the remains were post-reformation and therefore protestants he lost his concerns (Banks 2000, pers. com.). At Jewbury in York a Jewish cemetery was excavated in advance of a supermarket development. The local Chief Rabbi was informed, he expressed concern but supported a trial excavation, the results from the excavations threw doubt on whether the burials were Jewish. The burial site was fully excavated but, following concerns of the wider Jewish community, study of the remains ended early and they were

reburied on the edge of the original cemetery. York Archaeological Trust regretted the loss of information but felt that they had acted appropriately and in good faith (Parker Pearson 1999, 180).

Many people are unconcerned about the excavation of burials because they are from the past. As discussed in the debate in the United States the western world to a large degree sees time as linear; therefore the past has no consequences on the future. However, a view shared by a proportion of the British public is that archaeologists, "should perhaps reflect more frequently that the 'dry bones' that we (archaeologists) study have a shared humanity, separated only by time" (Historic Scotland 1997, 5). Therefore should there be any difference in the way we treat ancient human remains to the way we treat contemporary remains?

The British public clearly regards the treatment of the dead as a very serious and sensitive issue. To highlight this fact we can look at present day behaviour towards burial. Britain is rapidly running out of space to bury the dead, especially in urban centres. The reuse of burial sites is the only possible solution but it appears that this taboo may be a hard one to break (Burkeman 2000). It is assumed that the public will find this distasteful. In fact, "though notoriously queasy on such matters, British public opinion has proved surprisingly ready to accept grave reuse, if done sensitively" (Burkeman 2000). In 1995 a survey by the University of Nottingham concluded that 62% of those questioned supported grave reuse. Ian Hussein, director of London's cemeteries, who is trying to promote burial reuse says that, "you can ask people and they say, that's horrible, digging up the dead, but then you sit them down for five minutes and explain it and they say: why on earth aren't we doing this already?" (Burkeman 2000). I think that this compares well to the excavation of ancient human remains in Britain. A lot of the conflict arises from public sensitivities and taboos which surround the dead but once the situation has been explained, and as long as the work is done sensitively, there is little objection.

Most people are concerned a great deal with what happens to them when they die. An example of this can be seen in the recent case of Alder Hay Hospital in Liverpool where around 2,500 children's organs were taken and stored without permission. This has caused great public outrage. I believe part of the reason for this outrage is due to the fear that this could happen to us, or those close to us after death. Excavations of burial sites in Britain have gained increasing objection or concern from the local community that may have little relation to the dead apart from location. I think this reflects the public's concerns that this may happen to them in the future. They would want to rest in peace when they die and therefore they wish to ensure that others, no matter how far removed by time, are granted the same right.

What may be termed the 'Pornography of Death' is also another concern of the British public and also of many in the archaeological world (Parker Pearson 1999, 183). A ghoulish fascination and morbid curiosity in death often makes displays of human remains popular in museums. Some museums have removed displays of human remains for this reason. Carolyn Graves-Brown, curator of a museum in Swansea, decided not to display their collection of Egyptian mummies, she says, "I don't really think people should be coming into museums just to gawp at human remains and get some thrill from them being 'gruesome'. I find it a bit distasteful" (Graves-Brown 2000, pers. com.). The museum of Scotland in Edinburgh have had no complaints about displaying a prehistoric burial, it is justified by its educational value. There is a fine line between having educational displays and encouraging a morbid fascination in death, this is a problem increasing faced by archaeologists.

Views and beliefs concerning the treatment of human remains are constantly changing for many different reasons. "In contemporary Britain, the rise in cremations could be explained by the development of an increasingly secularized and sanitised society bent on minimizing anything involving religious ceremony. It is one too, where hospitals help remove people from the reality of dying and where death as a subject of conversation is taboo" (Smith 1999). The fact that more people are getting cremated may mean that the belief in a soul or that any substantial part of a person remains in the body after death no longer exists. This may decrease concern of the

excavation of ancient human remains. However, the fact that death has become such a taboo subject does suggest there is still a lot of concern about the subject and this may explain why objections are raised about the excavation of ancient burials.

"British attitudes to dead bodies are ambivalent, contradictory and volatile" (Parker Pearson 1999, 183). This is causing British archaeologists to reassess the way they go about excavating, studying and displaying human remains. Archaeologists are ultimately answerable to the public and so public concerns have to be accepted and resolved.

### 2.3 THE ARCHAEOLOGICAL VIEW

British archaeologists, like their American counterparts, for the first time have had to justify their discipline. British archaeologists are becoming increasingly aware of public sensitivities surrounding the excavation of human remains. In order to gain public support archaeologists are attempting to be more open about what they do. Detailed explanations of what archaeologists do and why have been published. Popular television series like 'Time Team' have helped in this respect, gaining public support and enthusiasm.

Archaeologists are now very aware of the sensitivities concerning human remains and many organizations are establishing strict guidelines on the morals and ethics behind archaeological work they may carry out. The treatment of human remains is the most obvious area of possible moral and ethical conflicts. In Historic Scotland's policy paper on the treatment of human remains, they state that they will, "where possible, try to accommodate the aspirations of those, whose opinions differ from those expressed in this statement (Historic Scotland 1997, 6).

The archaeology of death is very popular with the British public. The success and support of programmes such as 'Meet the Ancestors' are testimony to this. The Museum of London's 'Lindow Man' exhibition has been one of the museums most popular displays (Chamberlain 1994, 85). The museum of London also ran a 'London Bodies' exhibition containing eight complete human skeletons. This exhibition attracted thousands of additional visitors to the museum. There was only one complaint that objected to the public display of human remains (White 2000, pers. com.). Does this represent a view of support from the general public or that a ghoulish fascination in death was the main attraction? One letter said that the exhibition was not 'gory' enough. Human remains should be used where educationally necessary, not just to attract crowds.

Some reburial is taking place in Britain when public demand is strong enough. When the Mary Rose was brought up from the seabed nearly two hundred sailors' bodies were recovered. There was some objection as this was seen as a war grave, many have thought that the burials should not have been disturbed. One sailor was reburied after dual Catholic and Protestant services. The rest were studied and stored with a view to later reburial on the seabed. The single reburial was an attempt to appease the public; it was a symbolic gesture. Although some may argue that the archaeologists were not reacting to concerns seriously enough, I feel that it does show that archaeologists are attempting to compromise and are responding to public opinion.

Some archaeological bodies although attempting to ease conflict still are quite unmovable on issues of reburial. Historic Scotland state that they will not normally agree to the reburial of prehistoric human remains, they state that, "there is strong evidence to suggest that attitudes towards the dead in prehistory differed from those of today. In prehistoric chambered tombs, the disarticulated skeletons of numerous individuals have been piled together inside chambers in order to clear space for subsequent burials. We consider it inappropriate to impose either a modern religious burial or a pastiche 'pagan' burial on such individuals" (Historic Scotland 1997, 26). This is a valid point, what gives us the right to impose our religious or moral beliefs on those of very different cultures? But then what gives us the right to excavate these remains in the first place?

British archaeologists have a great deal of public support behind them but public opinion is

increasingly making archaeologists reconsider their moral and ethical positions. Archaeologists are aware of the power of public opinion and therefore they have been quick to respond to concerns over the treatment of human remains. With ever increasing public involvement and interest in archaeology I feel that British archaeologists will be able to deal with the reburial issue in a sensitive and appropriate manner, maintaining the public's support.

### 3. REBURIAL: A GLOBAL ISSUE

In this section I will attempt to highlight the global nature of the debate over the treatment of human remains. By taking selected examples I hope to display some of the differing views from around the world. This is not a summary of all the areas facing this controversial argument. Most countries where archaeology is practiced will no doubt face some degree of questioning over the treatment of ancient human remains, it is unrealistic to be able to look at all the effected countries in this paper.

The reburial debate has been taking place in Australia for many years. Like the United States, Australia has a minority indigenous community that has been growing in political power and public support. In 1990 the Museum of Victoria returned human remains that were dated to around 9,000 to 15,000 years BP known as the Kow Swamp collection. Mulvaney, a prominent Australian archaeologist, protested against the repatriation of these remains. Mulvaney supported the return of remains from recent generations to local communities for reburial, because social and spiritual considerations outweighed other factors. The Kow Swamp bones however were rare survivals from the millions of burials that occurred and vanished across the past 15,000 years and therefore, "their kin cannot be presumed to have shared the same cultural values or religious concepts of this generation. Neither can a few people 'own' them, in the sense of being free to destroy them" (Mulvaney 1991, 16). This is very similar to some views concerning ancient human remains in the United States, such as Kennewick man.

Mulvaney saw the repatriation of human remains as a political move, motivated by guilt. Others agree saying that, "efforts to obtain legislation occurred in the context of a surge of federal and state initiatives to compensate the aboriginal community for centuries of mistreatment, slaughter, and displacement from their lands" (Ubelaker and Grant 1989, 279). Often the reburial of human remains occurs for the wrong reasons, this can cause an inequality in the treatment of human remains, going from one extreme to the other. The reburial of aboriginal remains is interpreted by Mulvaney to be the replacement of white violence and repression with black intellectual totalitarianism (Mulvaney 1991, 12). If the reburial issue is to be resolved all views must be considered equally, no single group can dominate. New Zealand is facing a similar situation to Australia.

Younger generations of aboriginals have provided some help in resolving the reburial dispute. Attitudes towards human remains have been proved to change greatly over time and vary geographically, future generations may have very different opinions to the treatment of human remains to those of their elders. Therefore it is unfair to make decisions which may be regretted by later generations. In 1990 the Victorian Koorie Heritage Trust carried out an opinion poll in many communities. It concluded that public opinion believed that ancient human remains should be available for research and should not be destroyed (Mulvaney 1991, 15). This suggests there may be suitable compromises ahead. Support for 'keeping places' has also developed in Australia. This involves remains being returned to indigenous groups who would keep them in appropriate storage facilities and control any archaeological access to them. This protects the human remains from destruction so that archaeological work can be carried out, but control has been given to the indigenous peoples. In South Africa proposals have been made to establish a community-run museum on the site of excavations from which local people could grant scientists permission to study skeletal remains (Jones and Harris 1998, 255). A 'custodianship' principle underlies many of the compromises between indigenous groups and archaeologists.

Religion is a main factor when looking at the reburial issue within Israel. The dispute to some

degree represents a split between secular and Orthodox Judaism. Orthodox Jewish communities have been campaigning against archaeological excavations of human remains. "Recently, the political right, which includes Orthodox Jews, succeeded in lobbying the government to issue a new interpretation of the Antiquities Act which has led to the reburial of all human remains younger than five thousand years old" (Parker Pearson 1999, 177). There has been little success so far in resolving the reburial issue in Israel, conflict between the two sides continues.

The late President Sadat of Egypt began protests demanding the collections of Egyptian mummies around the world be returned and reburied (Anderson 1996, 201). The issues here are not primarily religious but are concerned with the control of a country's cultural heritage. Some countries across the world offer a very different perspective on the treatment of human remains. East Africans, the Chinese and Indonesians all have a reputation for treasuring their prehistoric human remains. They are very proud of this heritage and have little objection to the study and display of such remains. Also in Latin America human remains are excavated and displayed with virtually no opposition. It is suggested that this may be because, "many Latin American countries have developed with a strong sense of their Indian past as their national past that is shared by and important to all citizens" (Ubelaker and Grant 1989, 254). In Mexico, South America and some parts of the United States a festival known today as 'Día de los Muertos', or 'Day of the Dead' is still practiced, here death is celebrated, the usual taboos surrounding death are overcome.

The treatment of human remains is of global concern. Throughout the world there are many fundamentally different views about the treatment of human remains, different concepts of time and death exist in these views, which makes it hard to fully comprehend some views on the reburial issue. Most people feel human remains deserve some degree of respect; some areas celebrate them and feel free to reuse or display the remains, others look to them with fear or great reverence. The issue has become an active source of controversy mainly in those areas where dominated indigenous minority groups are gaining political power. After centuries of mistreatment they are keen to reclaim their cultural and biological heritage. Human remains can become symbols of power and control, therefore it is important for indigenous groups who are attempting to gain a recognized and equal position in society to have control of their past, without this control they will continue to be politically, religiously and physically dominated.

#### 4. A COMPARATIVE ANALYSIS

Many different reasons exist for the emergence of the reburial issue across the globe. Each case is unique and generally there are many issues involved. The United States and Britain can offer an interesting comparison of the causes, effects and solutions concerning the reburial debate.

The main difference between the United States and Britain is the existence of indigenous communities in the United States. Part of the reason that the issue in the United States got so much publicity was the fact that it was connected to issues of minority groups gaining political power and equality. This has parallels across the globe, the Jewish community, the South African and the Australian aboriginals are all examples of people who have been suppressed and treated badly in the past. Any such history in Britain is very limited; the persecution of Jewish communities is one example (Parker Pearson 1999, 179). There are clear divisions in the United States and other colonised lands between the indigenous people and the colonizers who are usually, especially in the past, the ones practicing the archaeology. No such clear divisions exist in Britain.

Religious sensitivities and beliefs about death is a major factor surrounding the reburial issue in both the United States and Britain. Matthew Kaufman, a professor of anatomy at the University of Edinburgh, is quoted as saying that, "people believed that the soul would be in limbo unless the body was properly buried" (Bisset and Syal 2001). This is also a concern of the Native American population. Much of the concern for the treatment of human remains comes from public sensibilities about death; these are often connected to religious beliefs.

The reburial issue in the United States is involved with disputes over the ownership of human remains. In Britain no one can own human remains. The buried dead have the right of sepulchre. Human remains can only be excavated with a licence from the Home Office. No such legal protection existed in the United States until the introduction of NAGPRA, which still does not protect human remains on private land.

The situation in the United States has prompted much action in Britain. The high degree of activity and confrontation in the United States has caused the British public to question whether ancient human remains in Britain should be excavated. There is an attempt by the archaeological community to resolve any possible problems before they arise. By formulating guidelines and ensuring that the issue is taken seriously the effects of any objections should be limited. The United States are in the position of resolving some bitter disputes that have long histories; this makes finding a solution there much harder.

I believe that we can divide the cause of the conflict over the excavation and study of human remains into three main areas. Firstly the general public's attitudes towards death have a major influence. Death and the treatment of human remains is a taboo subject in many areas. Often the public can not justify the disturbance of burials. The general public is also concerned for what may happen to their remains in the future; these concerns are transferred onto ancient human remains. Secondly religious concerns have a great influence on the reburial issue. Many religions oppose the excavation of human remains as this disturbs the spirit; many religious beliefs are not compatible with the excavation of human remains. Religious groups also seek to make sure proper respect is shown to those remains of the same religion. The third main area within the reburial issue is the political side of the debate. Indigenous groups are often involved in the debate; they are often attempting to gain control from colonial pasts and domination.

The reburial issue is used to gain equality in many countries. Often the cause of the reburial issue can be found in the past. Many of the groups or communities arguing for reburial have suffered many centuries of oppression and domination. The reburial debate has been most loudly debated in the United States by a community suppressed and persecuted. Most bold European colonies are now demanding the reburial of their ancestors. The reburial issue is about the present for many indigenous communities. It is only by reclaiming their past that they can prove to be equals in the present.

Countries where the reburial debate does not exist generally have a religion and belief system that does not consider human remains to be distasteful or a taboo subject. Often they are in control of their past and therefore conflict is limited. Places like Mexico and Indonesia have attitudes that do not conflict with archaeological work to any great extent. Possibly the debate has not surfaced in some countries because the people who would oppose the work do not have the power to make a stand, we may still find the issue arising in the future when minority groups have established enough support.

We can see that in most of the countries facing the debate all three causes contribute to the situation; personal, religious and political concerns. Britain having no indigenous or culturally distinct minority group appears to lack the political aspect to the debate. In Britain the reburial issue is due mainly to public attitudes towards death and religious conflicts with the disturbance of human remains. The issues in Britain have been increased due to the coverage of the Native American struggle in the United States. Great Britain is confronting a social and cultural dispute whereas the United States and many other countries are dealing with the same situation but heavily politicized.

## 5. CHANGING PERSPECTIVES

### 5.1 A NEW ARCHAEOLOGY

The reburial controversy has been running for several decades now, in the last ten or so years the effects from this debate have begun to cause considerable changes throughout archaeology as a discipline.

The passing of NAGPRA was a huge turning point in the debate over the treatment of human remains. Such official legislation came as a great shock to many American archaeologists who had never thought the act would be passed. NAGPRA had its problems but it gave the Native American population legal rights. American archaeologists were forced to realise the seriousness of the situation and so began to take the indigenous population a lot more seriously. Legislation began to be developed across the globe; many countries were attempting to avoid political and legal issues arising. Professional and ethical codes were formulated by archaeological bodies in many countries; these helped by explicitly stating views and rules on the treatment of human remains. It has shown that the concerns towards human remains are being heard. Archaeology is being seen as active in the debate, not just reactive.

Some believe that the reburial controversy has divided the discipline deeply (Goldstein and Kintigh 1990, 585) even beyond recovery. This is a very negative view. Many are beginning to see that the debate has opened up channels of communication between indigenous peoples and archaeologists, "this new dialogue is resulting in a more informed understanding of native groups" (Larsen 1997, 342). "The disciplines of archaeology and biological anthropology have been transformed in the last six years and now this new era of research has opened up opportunities for collaborative research with anthropologists and Native Americans" (Stone, Perez and Martin 1998, 1024). By working together a more socially aware and sensitive archaeology can develop. Already there have been changes in attitudes on both sides. Compromises have been made, both sides are accepting, to some degree at least, the beliefs of each other, it can be said that, "the trajectory of the reburial issue has been like that of classic syncretism - a coalescence or reconciliation of differing beliefs" (Zimmerman 1996 (b), 297).

The reburial conflict can force collections ignored for decades to be analysed. The threat of losing a great proportion of the human remains across the world has made archaeologists and museum staff more aware of their significance. In order to allow work to be done on collections of human remains before repatriation and reburial, especially in the United States, considerable funds are being provided. The reburial issue has stimulated more research and brought more money in to the discipline.

Archaeology has been changed much by the reburial debate since it became a recognized issue over forty years ago. Legislation has forced change in certain areas but many changes have occurred out of public pressure and from the growing awareness of the archaeological community towards widespread concerns surrounding the treatment of human remains. By working with indigenous communities archaeology has developed to become more diverse in the data it uses (adopting oral histories for example) and is more in tune with those whom feel connected to the human remains they seek to study. Archaeology has been made more accountable to the public and there has been an attempt to get the public involved in archaeology. The reburial debate questioned archaeology as a discipline, for the first time archaeology had to justify itself, archaeologists have had to make clear their aims, methods and purposes. A more comprehensive and sensitive archaeology is emerging from the reburial controversy.

## 5.2 FURTHER WORK

Although much work has been done to resolve the dispute over the excavation and study of ancient human remains it continues to be a subject of debate and controversy. There are many problems to be worked out especially in countries that are failing to recognise the conflict. Hopefully the work towards a compromise will continue globally with similar successes to those achieved in certain areas of the United States.

Better education on both sides of the dispute could resolve a lot of the issues. Archaeologists need to be open about their work. They must attempt to educate the public in general and more specifically the indigenous populations or those that claim association to the human remains being studied. This will help to ease mistrust and suspicion. The indigenous peoples have a lot to offer the archaeological study of the past. By educating the archaeological community about oral histories and traditions a more comprehensive view of the past can be obtained. Archaeologists also need to be aware of the religious and spiritual concerns of the public.

In order to gain fair representative data that displays the opinions of the general public censuses and surveys could be carried out. This has been carried out on a limited scale in the past. Sometimes it appears that it is only the activists who get heard by attracting media attention through publicity stunts. Often these activists have a great deal of support but this is not always the case. When dealing with such an important issue all views must be considered. Often reburial can be destructive so there may be no return if opinions change.

NAGPRA has left some areas immune to its legislation which means that human remains can be excavated and treated in any manner without consequence. This needs to be resolved. The looting of archaeological sites to supply the antiquities trade and private collectors is a serious problem, especially in the United States. By working together archaeologists and indigenous groups can help to reduce this crime.

DNA testing is going to become a popular technique used by archaeologists over the next decade. Although many people are skeptical about its use and suspicious of a DNA database being built up it could save a great deal of argument over human remains and reveal some fascinating information. A great deal of trust and respect will be needed between indigenous populations and archaeologists before this technique can be used extensively.

Archaeological work needs to be published in a more popular form so that non-archaeologists can easily understand what work has been done and the results gained from this work. It will make archaeology more relevant to the public. Archaeology needs the support of the general public to succeed and therefore archaeology must be presented in a form that appeals to the public at large.

I see a very positive future ahead for the excavation and study of ancient human remains. With continued collaboration and compromise, concerns surrounding the dispute can be answered and resolved. Some data will be lost but that is a fair concession to be made. By working together archaeological study can benefit from differing perspectives and indigenous groups can gain control over their history.

## CONCLUSION

The reburial issue has been a subject of debate in many countries, for many different reasons. There are many varied and wide-ranging reactions towards the excavation of human remains across the globe. As mentioned above I believe that the arguments behind the debate can be summarized under three areas: personal, religious and political concerns.

Personal and religious concerns are to some degree interrelated. Public sensitivities towards the excavation and study of human remains often have their roots in religious doctrines. Emotions can run very high in these situations. Religions such as Judaism and Christianity place a lot of emphasis on the burial of the dead, therefore the disturbance of human remains is not generally accepted. In places such as Britain it is mainly due to our religious history that public attitudes are very sensitive when it comes to human remains. Without a strong political aspect the issues are easier to resolve. Archaeologists in Britain are increasingly aware of public sensitivities and religious concerns; much work has been done to ease these concerns.

In countries where indigenous cultures have been colonised, oppressed or dominated the

treatment of ancient human remains is often a sensitive topic. The political issues surrounding the reburial debate are mainly centered around indigenous peoples gaining recognition and control over their past. Personal and religious concerns are also likely to be present here. Politics and religion can often be closely related. The United States is an example where politics and religion play a major role in the reburial debate.

I see the political aspect of the debate to be as relevant as any other aspect. Archaeology is a social science; it effects society at large. This is why the debate must be acknowledged and resolved. Public concerns, no matter what their motivation, must be addressed. Andrew Sillen is of the opinion that, "the debates on various continents have little in common, except perhaps that the issues raised are usually not about the dead at all, but about the living. They are but one strand of a larger issue" (Sillen 1996, internet site). I would agree that in nearly every case the reburial debate is about the living and the present but it is not merely a political tool, politics is one strand of the reburial issue.

Other areas, mainly because of different political and/or religious situations have little or no controversy over the excavation and study of ancient human remains. Some religions do not oppose the excavation of human remains, some even promote the use of human remains within contemporary society. Places such as Indonesia, Mexico or China have a pride in the past and generally no culturally imbedded concept which dictates that human remains should not be disturbed. In areas where religion does not object to the disturbance of human remains, and if no political issues exist, the reburial issue will not readily appear.

The United States displays a situation where the publics (especially the Native American publics) religious and personal standards cause great concern about the disturbance of burials. The situation here is also heavily influenced by politics, as discussed above. In Great Britain politics play a minor role in the debate; most concerns stem from religious and personal beliefs. The appearance of the reburial issue in Britain is also due in part to the close contact we have with the United States. Coverage in Britain of the debate in the United States has stimulated some discussion here and resulted in increased concern about burial disturbance.

Each situation is unique because there are so many variables within the dispute. This can cause difficulties when attempting to find solutions to the situation. A great deal of work has been done to resolve the conflicts across the globe, some of which have been summarized above. The situation in the United States is improving; people on both sides of the debate are dedicated to ending the conflict over human remains. I am confident that the situation there will continue to improve. Some countries are only just starting to face up to the problem; the experiences of places such as the United States or Australia can help others deal with the situation sensitively and successfully.

I think in its essence the debate over the treatment of human remains within archaeology is about communication, interaction and the compatibility of differing beliefs. Areas where the debate is strongest felt are areas where there is, or has been, poor communication and interaction between different groups and the proper respect of others beliefs have not been shown. A large part of the debate in places like the United States and Australia stems from a blatant disregard and non-acceptance of alternative beliefs. Therefore the only way to solve the problem is to communicate and try and understand different cultures and traditions, if understanding can not be reached then at least respect for other views should be given.

Archaeology has been changed a great deal by the reburial debate and it will continue to change. Many different solutions have been attempted to help ease the conflict. Archaeology has benefited from having to question itself. A more socially acceptable, religiously sensitive and politically aware archaeology is developing out of the reburial issue. Changes are occurring at different speeds and in different ways across the globe. The debate is diverse and complex, through cooperation and compromise archaeologists and the public can learn to share the past, from which all may benefit.

