

Professor Norman Palmer,
Chairman, Working Group on Human Remains,
Cultural Property Unit, DCMS
2-4 Cockspur Street,
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November 27th 2001

Dear Professor Palmer,

Human remains in ethnographic and archaeological museums

Thank you for your invitation to comment on this issue, which I also took to my Governing Body when it met last month.

In my response to last year's DCMS enquiry into *Cultural Property: return and illicit trade* I provided a memorandum on this Museum, its statutory position, function, the nature of its collections and some recent episodes in which the issue of human remains has arisen (copy of outline enclosed). As indicated there, the Museum is sharply aware both of the complexity and of the sensitivity of the topic. As anthropologists and archaeologists, Museum staff regularly work with a wide variety of source communities; as lecturers teaching a postgraduate degree in 'Material Anthropology and Museum Ethnography', we supervise scholars and future curators from indigenous communities. At least over the last decade we have attempted to cultivate and sustain relationships with indigenous groups wherever possible; the ethical issues surrounding cultural property and human remains form a core part of our teaching, and as such are also the subject of continual debate and review.

In addition to our earlier memorandum to DCMS, I would like to make the following points to the Working Group:

1 The Working Group's recommendations should take account of the exceptional breadth potentially embraced by the category 'human remains' so far as ethnographic and archaeological museums are concerned. It could include (a) entirely unmodified human remains (b) otherwise unmodified human remains which have yet been shaped through cultural processes (such as skulls shaped during life by head-binding) (c) artefacts entirely constituted from human remains (such as fish-hooks made from bone) (d) artefacts largely made from human remains (such as Tibetan bone trumpets) (e) artefacts partly made from human remains (such as bone-tipped arrows and spears) (f) artefacts of which human remains are an adjunct (such as those incorporating hair, nails, teeth, skin etc) and (g) artefacts which comprise or incorporate transformed human remains, such as ashes. As this list suggests, such artefacts fulfilled an exceptionally wide range of purposes, ranging from the ceremonial to the utilitarian, from personal mementos to public display and from community use to regional trade.

2 Your recommendations should make corresponding allowance for the variation in cultural attitudes by different indigenous groups towards the issue of human remains, and avoid 'one size fits all' solutions. Cultural groups differ quite widely as to the significance they attribute to human remains and their retention, care and display by museums. For some people and in some groups, it is a matter of great concern and grief. This is especially so for indigenous peoples in North America, Australia and New Zealand for whom the alienation of human remains may be an especially poignant symbol for the broader cultural losses they have experienced, though here there may not be complete unanimity among a community as to whether human remains should necessarily be repatriated. For other groups, the existence of human remains in Western institutions may not be a concern, though museums' retention and display of *other* artefacts of ritual or cultural value may be. Indeed, if accommodating the strength of indigenous sensitivities is one of the prime reasons for setting up the Working Group, it is difficult to see the logic of terms of reference which confine you to the question of human remains and material associated with human remains. Arguably, the particular focus on human remains and grave goods reflects Western sensitivities; indigenous communities' concerns do not always include, and are certainly not limited, to human remains and artefacts which are associated with human remains.

3 A further general point in this regard is that indigenous attitudes towards material held in ethnographic museums (whether human remains, grave goods or other material culture) are dynamic, and can be expected to shift over time, as broader processes endow material held by museums with new significance and fresh importance as cultural heritage. In other words, the Working Group is not dealing with a delimited category of material (human remains, and materials associated with human remains) which, if a resolution can be reached, will 'solve' the issue for good.

4 The Working Group's terms of reference include considering the desirability of producing a Statement of Principles on the care of human remains, and the handling of requests for return. If the Working Group does decide to draw up such a code, it would be helpful if it commented on a difficulty which sometimes confronts museums, that of assessing whether a request (for example, that access to a particular category of artefacts be restricted, or that they be repatriated) is representative. Some indigenous communities have formal structures, so that a museum receiving such a request has some confidence that it is dealing with a representative body. However, most indigenous communities do not possess such structures, making it difficult even for large and intellectually well-connected museums (as the Pitt Rivers is) to know how representative a request may be. The likelihood of legal action being taken against a museum for having returned material to an individual or group whose ownership is subsequently contested is difficult to estimate but must be a concern for museums which are not staffed to pursue the very detailed enquiries necessary, especially given what is often extremely poor collections documentation. (There is also the separate issue of which individuals and institutions in other countries are the legitimate bodies to speak on behalf of the indigenous communities within that country.)

5 A further issue on which any such Statement of Principles might usefully comment is the potential clash between anti-discrimination legislation and a museum's desire to respect the known wishes of indigenous communities by

restricting access to human remains or other artefacts in its care. In practice, many ethnographic museums operate informal restrictions on access to materials which they know to be sensitive. Most enquirers do understand when told the reasons for a museum's reluctance to show them such material. However, it is virtually certain that this issue will at some point be tested, by someone asserting that either by virtue of being a taxpayer, or in accordance with anti-discrimination legislation, they are entitled to see any material they wish held by a museum. This topic flared briefly on the *Ethnomuseums* email network last month, following an enquiry from staff at the Hancock Museum, where Australian collections have been divided into categories to be seen only by men, those to be seen only by women, and those not displayed at all. One contributor to the debate opposed the policy of restricting access to material, stating that 'As an Asian woman I have often been told that things were not open to me – I have been excluded and would not wish it on anyone' (11th October 2001).

6 Any Statement of Principles produced by the Working Group should also make clear its relationship to the document *Restitution and Repatriation: guidelines for good practice* produced last year by the erstwhile Museums and Galleries Commission. These guidelines are comprehensive, balanced and were produced after a good deal of work and extensive consultation.

7 The Working Group's recommendations could usefully insist that there are likely to be costs to museums in implementing any Statement of Principles relating to the care and safe keeping of human remains, and that corresponding funds should be made available to finance these.

8 More broadly, I feel that there is at present considerable scope for re-thinking, or at least expanding, the *raison d'être* of ethnographic and archaeological museums. The emphasis should cease to be exclusively on museums as the custodians of collections *per se* and should also explicitly be on collections as the precipitate of a myriad of relationships. These relationships – with source communities and with all those who were instrumental in the objects coming to museums and for whom the objects continue to have, or come to have, significance – can all be potentially be activated or reactivated. Museums need to work harder and more proactively at these relationships. They need to cooperate, to consult, to be responsive to sensitivities about storage and display and to repatriate knowledge and images. But partly because of this very potential for activation of old relationships and construction of new ones, museums should be cautious about assuming that permanent repatriation of artefacts is necessarily the way forward, especially where so broad a category of artefacts as that potentially covered by 'human remains' is concerned.

I hope this is of some assistance,

Michael O'Hanlon
Director