

Physical anthropology in Europe and beyond

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Abstract

Methodologies and legislative frameworks regarding the excavation, retrieval, analysis, curation and potential reburial of human skeletal remains different throughout Europe. As work forces within Europe and beyond 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. Establishing how human osteoarchaeology is practiced and dealt with throughout Europe and beyond will promote sharing knowledge between countries and form the basis for pan-European exchanges and discussions on the best practice. The current paper focuses on an ongoing project entitled 'Physical Anthropology and Legislation: European Perspectives and Beyond' and provides insight into some of the results obtained so far.

Keywords: Physical Anthropology; Human Remains; Archaeology; Legislation; Europe

Introduction

The purpose of this paper is to provide insight into some of the results from an ongoing project entitled 'Physical Anthropology and Legislation: European Perspectives and Beyond' to be published in 2010. Within physical anthropology, the focus of this project is the study of human remains from archaeological contexts. The aim is to provide an overview of current practice and legislation regarding the excavation and study of archaeological human remains in different countries. The objective is to share knowledge and experience between scientists from each country in order to learn from each other. Although the focus is on Europe with contributions from over 40 European countries, it also incorporates a number of comparative case studies from all over the world, including countries in Africa (Sudan, Egypt, South Africa), Asia (Israel, South Korea, and SE Asia overall), Oceania (New

Zealand, Vanuatu) as well as Canada, USA, Mexico, South America, and one contribution on archaeology and anthropology in Antarctica.

This overview of current osteoarchaeological practice targets the following issues:

- What happens upon discovering human remains (who is notified, etc.)?
- What is the current legislation regarding the excavation of archaeological human skeletal remains? Is a licence 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?
- What is the current situation (including a brief history) of physical anthropology in the country?
- 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?
- Which methods of anthropological analysis are mostly used in the country? Are there any methods created in that country which are population-specific?

The volume also welcomes information on other questions, such as whether any ethical issues need to be considered when excavating human remains (e.g. religious groups, tribal groups, etc.); whether there are any useful contact addresses or web-links to anthropological societies. In addition, some authors have included an overview of landmark anthropological studies in their countries which serve as references for comparative material.

By addressing the above questions, this project makes a timely contribution to the field of physical anthropology since these are important issues for any archaeological company, university research team, freelance anthropologist and archaeologist or student working outside their country of residence.

Sharing knowledge and experience: preliminary observations

Regarding some of the themes discussed above, certain patterns have emerged from the contributions received to date (April 2009). The information below results from personal experience in working in different countries but above all from the authors who have been submitting their papers. We would like to acknowledge their meticulous work (there are too many to list here).

While in some countries physical anthropologists have mainly a biological or medical background (such as in Spain) in others, such as the UK and Ireland, most come from an archaeological background. Whereas in some countries medical, anatomical or biological institutions analyse human skeletal remains from archaeological sites, in others this work is undertaken by archaeological companies or university departments. Sometimes these different backgrounds provide different perspectives and emphases to the study of human skeletal remains.

Although most countries have specific heritage legislation, few have specific legislation for archaeological human skeletal remains. In the United Kingdom, for example, the approval of the

Ministry of Justice is needed in order to excavate human remains but this depends on whether the human remains are located in a consecrated cemetery currently in use or no longer used. In other countries, similar guidelines have been set up by national institutions. In Holland for example, recommendations were set out in the “Dutch Archaeology Quality Standard” (1). What is the situation in the other nations?

In many countries, regional legislation tends to take precedence over national laws. Regional administration of heritage and excavation licences is common throughout France, ‘autonomous communities’ in Spain and cantons in Switzerland. In other countries such as Malta, the work is supervised by the Institute for Cultural Heritage.

The situation becomes more complex when war graves are involved, including twentieth century graves as well as earlier (e.g. Napoleonic) mass graves. This is especially true when the grave contains individuals from different countries. In the case of First World War graves belonging to deceased Commonwealth soldiers in France, for example, an independent war commission is appointed. In the case of the Spanish Civil War Graves, consent from surviving relatives is required before exhumation (2).

The complexity of prevailing regulations can also be observed in Antarctica (contribution by M. Pearson). Complications arise when, for example, an individual from one country dies in a base under the colonial control of another country. This is further complicated when that base shifts (due to the movement of the ice sheets) to a sector claimed by another country.

Other issues relate to the role of anthropologists in archaeological excavation. Generally, recommendations exist that serve as advice to anthropologists on site, and archaeologists are usually aware of these stipulations. Portugal is probably the only place in Europe where it is a legal requirement to have an anthropologist on site whenever archaeological human remains are present. Interestingly, the cut-off point between human remains as archaeological entities and forensic evidence vary considerably between countries and this point is not always a simple chronological boundary.

One final important aspect is the diversity of the anthropological methods employed in different countries. Population-specific stature estimation formulae have been created in Portugal for example (3), while Pearson (4) provides better predictions for populations from other countries such as Spain (5, 6). The French formulae by Manouvrier (7) have also been successfully applied in countries other than France, such as in Slovenia.

Conclusion

The exchange of knowledge and experience facilitated by this project will enrich the anthropological profession, raise awareness of the diversity of current practice, provide the basis for closer collaboration between archaeologists and anthropologists and enhance professional practice.

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