The Crisis of Cultural Authority in Museums: Contesting Human Remains in the Collections of Britain

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CONTENTS

ABSTRACT

Museums in Britain have displayed and researched human remains since the eighteenth century. However, in the last two decades human remains in collections have become subject to claims and controversies. Firstly, human remains associated with acquisition during the colonial period have become increasingly difficult to retain and have been transfered to culturally affiliated overseas indigenous groups. Secondly, a group of British Pagans have formed to make claims on ancient human remains in collections. Thirdly, human remains that are not requested by any community group, and of all ages, have become the focus of concerns expressed about their treatment by members of the profession. A discourse arguing for 'respect' has emerged, which argues that all human remains should be treated with new care. The claims made on human remains have been vigourously but differentially contested by members of the sector, who consider the human remains to be unique research objects.

This thesis charts the influences at play on the contestation over human remains and examines its construction. The academic literature tends to understand changes to museums as a result of external factors. This thesis argues that this problem is influenced by a crisis of legitimacy and establishes that there are strong internal influences. Through a weak social constructionist approach I demonstrate that the issue has been promoted by influential members of the sector as part of a broader attempt to distance themselves from their foundational role, as a consequence of a crisis of cultural authority stimulated by external and internal factors. The symbolic character of human remains in locating this problem is informed by the unique properties of dead bodies and is influenced by the significance of the body as a scientific object; its association with identity work and as a site of political struggle, in the high modern period.

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INTRODUCTION

In 1994 the Tasmanian Aboriginal Centre (TAC)[1] wrote to the British Museum in London requesting two animal skin bags containing cremated human ash held in the collection. The cremation bundles are thought to have been acquired in around 1828 by George Augustus Robinson, who was appointed by the British Colonial Office as Chief Protector of Aborigines. The cremation bundles came to the British Museum from the Royal College of Surgeons in 1882 (BM, 2006a). Robert Anderson, the director of the BM, refused the request, as they were considered to be unique objects that held valuable information for researchers of mortuary rituals. Anderson stated that it was neither legally possible or desirable as the institution was dedicated to preserving such heritage of mankind:

> [...] our collections are held under Act of Parliament which does not permit us to deaccession them: nor would we want to do so, since we are an international museum and resource devoted to preserving mankind's cultural heritage (Anderson, cited in TAC, 2001 s.36).

In 2006, just over ten years later, this position was reversed. During the decade the law referred to as a barrier by Anderson was relaxed specifically to permit museums to remove human remains. Furthermore, the transfer of this material became advocated by senior members of the museum sector in order to make reparations for British colonisation, as well as improve the situation of contemporary Aboriginal communities. The British Museum Trustee and prominent barrister, Helena Kennedy, fronted the decision to send the cremation bundles to the TAC. Writing an opinion column in the *Guardian* newspaper, Kennedy explained that whilst the decision was difficult due to the potential loss of knowledge, the distress caused to descendents of the colonial period meant the return of the cremation bundles was the right decision for humanity (Kennedy, 2006).

In early 2000 Neil Chalmers, then director of the Natural History Museum in London, held a similar outlook to that of Robert Anderson. Chalmers opposed the removal human remains from museum collections requested by overseas communities groups. He argued these items were highly valuable for scientific research. Giving testimony to the House of Commons, Culture, Media and Sport Select Committee on cultural property issues, he explained the museum has:

> A duty to the nation to retain those objects and we have a duty to the scientific international community to use them as a very valuable scientific resource. We would find it extremely difficult to return any such objects if there was any doubt at all about their continued safety and accessibility (Culture, Media and Sport Select Committee, 2000 s.162).

In less than six years, this position also shifted. In 2006, after firmly refusing their requests for human remains, the Natural History Museum Trustees took the decision to transfer the skeletons of 17 Tasmanian Aboriginals out of the collection to the TAC. The written advice given to Trustees, from the newly formed Human Remains Advisory Panel, notes the significance of the material to scientific

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[1] An interest group with the support of the Australian Government.

research into human origins and diversity. Even so, the advice recommends the Trustees agree to the request for return in order for the community to "move forward from a negative historical experience" (NHM, 2006b p.2). The skeletons were transferred to the TAC in 2007.

Museums in Britain are not usually permitted to de-accession artefacts. There are legal barriers and a general attitude against it. The British Museum Act of 1963, the Act of Parliament cited by Robert Anderson, legislates that the power of museum trustees to de-accession objects from collections is limited to exceptional circumstances. This principle against the removal of material is influenced by the foundational purpose of the museum institution. Formed in Britain by overlapping stages in the eighteenth and nineteenth century, the role of the museum is committed to the pursuit and dissemination of knowledge. One proclaimed core commitment was to protect material in perpetuity from political and financial pressure for research, dissemination and educational purposes (Prior, 2002). These two acts which transferred human remains out of institutions therefore raise important questions: how has the transfer of remains been achieved when these items were considered to hold high research value, when museums historically have been limited in removing material, and when the requests were strongly contested by senior actors, indeed in these two cases the directors of two prestigious national museums?

Contemporary campaigns and activities concerning human remains in museums are not confined to requests from overseas groups on national collections. A group of British Pagans[2] calling themselves Honouring the Ancient Dead (HAD) formed in 2004 to voice concern about ancient human remains; those dated from before 1500, in collections. The group have achieved a moderate amount of recognition of their demands. Two institutions in particular have responded positively. At Manchester University Museum HAD have been consulted on exhibitions, storage, handling and burial of ancient human remains. Their perspective on the display of human remains was incorporated into the planning of the exhibition of Lindow Man, a bog body[3] on display at Manchester University Museum from April 2008 until March 2009. Leciester City Museums have consulted HAD on the display, storage, handling and burial of human remains of their collection, which counts mummies, parts of bodies used in artefacts and bones studied by natural historians and scientists, including remains excavated during from the city over the last 150 years (Levitt & Hadland, 2006).

Furthermore, human remains which are not the subject of claimsmaking by any community group, and of all ages, have become subject to concerns expressed about their treatment by members of the profession. Some items are certainly far more problematic to hold in museums than others, differences which I will explore in this thesis, due to their historical associations. Nonetheless despite these

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[2] In this thesis I capitalize Pagan when referring to the modern phenomenon because its participants claim it is a religion or group of religions.

[3] Bog bodies are preserved human bodies found in sphagnum bogs. Lindow Man is a bog body found in Lindow Moss, near Wilmslow in Cheshire in the 1980s, and is generally thought to date from the Iron Age (Turner & Scaife, 1995). Lindow Man is usually on display at the British Museum.

important variations, there are some professionals who currently promote the claim that all human remains should be subject to special attention. Present unease articulated by certain professionals, affects how human remains are stored and acquired, as well as display and research. The Museum of London, for example, has removed from display the skeleton of a boy who suffered from ricketts, and the director has set targets for the Christian burial of other human skeletons from archaeological excavations in London in their collection. This decision was reported on the front page of the *Times* newspaper, where the director, Jack Lohman, justified these actions as carried out for "ethical reasons" (Alberge, 2004 pp.1-2). Newly published policy for the sector, and individual museum policy, states that display of such material should be accompanied with warnings outside the display area (SM, 2001; DCMS, 2005; B&H, 2006; Bolton, 2007; UCL, 2007). At the small Jewry Wall Museum in Leicester, the organisation has financed and erected a separate storage space for human remains, justified by the claim that human remains should be stored away from objects. Previously the storage units of the museum held both objects and human remains in the same containers (LCMS, 2006). In May 2008, three Egyptian unwrapped mummies on display at Manchester University Museum were covered with cloth. Bristol Museum now keeps its unwrapped mummies in storage after a major redisplay (Kennedy, 2008).

These seemingly disparate acts and decisions are united on the idea that all remains, regardless of affiliation, claim or age, require care that previously museum professionals did not afford to them. A discourse arguing for 'respect' has emerged amongst members of the sector campaigning on this issue, that attempts to codify how all remains in collections are treated. Overall whilst a number of different actions and reasons are ascribed to the notion of 'respect', all converge on the idea that the holding of human remains requires specific and special care by the sector, which it is suggested is a new concept. The different concerns and activities pertaining to unclaimed human remains of all ages raises the following questions: why has this material historically held in museums and considered research objects become the subject of advocacy work by members of the profession? What is driving these claims that human remains require new and special respect in British collections? How have the rest of the sector responded; particularly those who value them as research objects? In short, how did the issue of human remains in British collections, an institution which has historically held and researched human remains, become a prominent concern?

Human remains in museums are recontextualized. They are removed from the grave or the hospital, into another context where they are preserved and presented for a different function. Museums have held, researched and displayed human remains since the eighteenth century for reasons that are historically constituted. Before the nineteenth century, the collecting of them was eclectic and sporadic. The material was exhibited as curiosities obtained by explorers, colonial officers, and traders. From the nineteenth century, the specimens in museums were categorised and presented as part of scientific, ethnographic, archaeological or medical classification systems, through a shift in the remit of the museum. With the Enlightenment the museum developed into a rational authoritative space, and the emergence of the scientific view of the body permitted the treating of human remains as a research

object. Throughout the 19th century, greater amounts of human remains of human remains were collected by scientists, on collecting expeditions, or from the British colonies where it was also motivated by a desire to preserve material from what were considered to be vanishing races (Henare, 2005; Brooks & Rumsey, 2007; Greenfield, 2007).

For legal purposes the concept of a museum has been repeatedly defined. A typical example is that adopted by the International Groups of Museums (ICOM): "a non-profit making, permanent institution in the service of society and of its development, and open to the public, which acquires, conserves, researches, communicates, and exhibits, for purposes of study, education and enjoyment, material evidence of man and his environment" (2006 p1.). Human remains held in British museums are diverse in kind and purpose. The definition of human remains in the *Guidance for the Care of Human Remains in Museums* (DCMS, 2005) published by the Department of Culture Media and Sport (DCMS) and the Museums Association (MA), the professional body for the sector, is commonly used by the museum profession. It states:

> [...] the term human remains is used to mean the bodies, and parts of bodies, of, once living people from the species Homo sapiens (defined as individuals who fall within the range of anatomical forms known today and in the recent past). This includes osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), soft tissue including organs and skin, embryos and slide preparations of human tissue.

> [...]Human remains also include any of the above that may have been modified in some way by human skill and/or may be physically bound-up with other non-human materials to form an artefact composed of several materials. Another, but much smaller, category of material included within this definition is that of artworks composed of human bodily fluids and soft tissue (DCMS, 2005 p.9).

A survey (DCMS, 2003a) conducted for the independent advisory committee, the Human Remains Working Group[4] (WGHR), showed that of the 148 English institutions surveyed 132 held human remains which overall numbered approximately 61,000, although the amount held varied widely in different institutions The Natural History Museum in London holds a research collection of 19,950 specimens which varies from a complete skeleton to a single finger bone. The collection represents the global human population and a timescale of 500,000 years. The majority of other institutions mostly hold small collections: 64 have fewer than 50 items. Of the 61,000 human remains in British collections roughly 15,000 are from overseas, the rest derive from the British Isles. The survey shows that the remains in museums were collected from archaeological contexts and for medical purposes. Of the institutions surveyed 35 stored most of their collections unused, whilst 89 had most or all on display. Of the historic human remains from the period 1500-1945, the most common on display are organised and exhibited in a number of contexts including archaeology, enthnography, geology, natural

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[4] The Working Group on Human Remains and the subsequent report are discussed in detail on pg.49.

history, medicine and social history collections. They include excavated burials and cremations, as well as shrunken heads and objects such as drinking vessels made from skulls (DCMS, 2003a p.10).

Over the last three decades, ancient, historic and recent human remains have become subject to a number of claims and controversies in different countries. In the 1980s, requests from indigenous movements, for the transfer of human remains and funerary artefacts considered culturally affiliated or associated with them, developed in North America, Australia, Canada and New Zealand. Many, often physical anthropologists and scientists who research the material professionally, forcefully contested the requests for the human remains, because they and their context are important and at times unique evidence of the past, used for research on evolution, adaptation, population movement, and the impact of the environment (see for instance, Cheek & Keel, 1984; Meehan, 1984; Mulvaney, 1991; Mihesuah, 2000). Despite this opposition from senior scientific quarters, from the late 1980s codes, policy, and laws were agreed requiring a sympathetic response to claims. In the case of the National Museum of the American Indian Act (NMAIA) in 1989 and the Native American Graves Repatriation Act (NAGPRA) of 1990 in the United States, legislation compelled the inventory of human remains and associated material from all federally funded institutions and the transfer to lineal descendants and culturally affiliated groups (Trope & Echo Hawk, 2000). The development of legislation and policy that legally permitted the removal of such material from museums took over a decade longer in Britain; legislation and policy, both statutory and voluntary, was enacted in the Human Tissue Act of 2004 (Department of Heath, 2004) applying to England and Wales, with Scotland stating it would follow suit and also consider policy (Scottish Museums Council, 2005). Following the Human Tissue Act 2004, museums (and other institutions) holding human remains less than 100 years old have to purchase a licence from the Human Tissue Authority. Sector policy (DCMS, 2005) and fifteen new individual museum policies on the treatment of human remains, were published predominately around 2006-2007.[5] Previously there were no such policies specifically addressing human remains and institutions did not require a license to hold them.

The contestation over human remains in Britain, presents two major differences to those in other countries. Firstly, there was significantly weaker external pressure on institutions compared to Australasia, America and Canada, which responded to claims from their own indigenous groups. Therefore the first question this thesis will address is how comparatively limited pressure from overseas groups came to have a profound impact that succeeded in changing English law, defeating members of the sector who strongly contested these requests, and achieving the removal of valued research material. Secondly, whilst elsewhere the focus of attention of contestation has primarily been the human remains of groups indigenous to the country if not directly but associated,[6] the problem promoted by certain professionals in Britain is that all human remains require special attention.

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[5] These are, SM, 2001; NMGW, 2006; B&H, 2006; BM, 2006b; LCMS, 2006; UCL, 2007; MUM, 2007; MoL, 2006; NHM, 2006a; NML, 2006; OUM, 2006; PRM, 2006; SM, 2006; Bolton Museum, 2007; WT, 2007.

[6] See the following website for more detail on NAGPRA including definitions of cultural affiliation:

< http://www.nps.gov/history/nagpra/MANDATES/INDEX.HTM> Accessed, 9 September 2008.

Therefore, the second question this study will address is why unclaimed human remains of different ages and provenance have come to be a focus of claimsmaking for members of the sector.

My aim is to isolate the key influences on the construction of this problem, to ask how and why the treatment of human remains has become troubled by professionals in the collections of Britain. I apply a social constructionist approach. Social constructionists posit that social problems are rarely static conditions but sequences of events that are mediated, sustained and at times, generated by the activities of campaigning individuals and groups, and the institutional responses to them (Spector & Kitsuse, 1977; Best, 1987; Jenkins, 1996). Whilst this analysis has been applied to what have become perceived as deviant or threatening social behaviour, such as child abuse or criminal activity, issues which have been considered a major concern in the public arena, I suggest that we can use this approach to identify how the holding of all human remains has become a problem for museum professionals. In this analysis I draw on the work of Spector and Kitsuse, who outline social problems can be conceived and defined as an activity by which groups "identify as 'problems' which they claim to be harmful, undesirable, unjust and in need of corrective attention" (2001 p.ix). I favour a weak approach, which understands that social problems are created in reference to cultural context (Best, 1993). I thus analyse the claimsmaking rhetoric and activities of campaigners and their promotion of the problem. I examine how the problem was diffused and institutionalised. I also identify the broader social trends that influenced the identification of this problem and which granted the various claims legitimacy.

The scholarly literature on disputes over human remains and cultural property tends to focus on contestation in America, Australia, Canada or New Zealand. In the main the contestations are analysed as influenced by indigenous movements in the respective countries (see for instance, Jones, G., 2000; Chamberlain & Pearson, 2001 pp.180-188; Phillips & Johnson, 2003; Hole, 2006, 2007). John Cove's (1995) study of the issue in Australia examines the influences on the problem in Tasmania. He charts the changing relationship between the claims of the value of science and the rising Aboriginal rights movement from the 1970s onwards. He examines shifting disputes over emerging identity issues and the movements' demands to land rights, cultural heritage and then skeletal remains. Jeanette Greenfield's *The Return of Cultural Treasures* (2007) is an extensive account of a number of different cases, legal decisions, 'returns' and 'non returns' such as the Parthenon Marbles. Her study focuses on the transfer of objects considered special to national history, or culture. Greenfield interprets the claims for return as the assertion and claims on national identity. She suggests that the transfer of cultural treasures to their country of origin contributes to refurbishing national identity by nationalising symbolic capital. Whilst it is not an directly an analysis of the influences on this particular problem, in the main Greenfield assumes that cumulative external pressure from community groups or government has brought results and that the claims expressed concern national identity. There is one chapter in her work entitled "The First People" (p.300) which is a discussion of the claims for the transfer to Australia of Aboriginal human remains. This short section characterises professionals in Britain as responding intransigently to claims from Aboriginal groups and the rise of concerns about human remains in Britain as tied to this cultural group. In a similar vein, papers in the edited collection by cultural theorists Barkan and Bush, *Claiming the Stones Naming the Bones* (2002), interpret contestation over

cultural property; in which they include human remains, as expressions or assertions of ambiguous and shifting conceptions of national identity. The objects and claims for them function to anchor fluid or difficult identities, according to the editors (Barkan & Bush, 2002). In the same anthology Claire Lyons posits that objects and icons can create a sense of belonging (2002, p.116). In a similar vein, theorists Hallam, Hockey and Howarth, mention briefly the contestation over Aboriginal and Native American human remains in their work *Beyond the Body: Death and Social Identity* (1999). They too, if only in passing, characterise this issue as driven by claims by indigenous groups on human remains that hold nationalistic meaning and community identity (p.140). For all these theorists, the drivers of this issue are indigenous groups who claim human remains because they hold socially influenced and politicised meanings pertaining to national identity, claims, which are interpreted, or assumed, as being resisted by museum professionals.

In this thesis I argue that these observations have limitations when applied to the British context. In Britain where the claimsmaking activity from overseas indigenous groups is comparatively weaker, it is not adequate to interpret significant shifts in British law and museum policy as primarily due to external claims from overseas groups that seek to reclaim identity. Furthermore, the analysis does not address why human remains have become the focus for campaigning activities, and would not be able to account for the extension of the problem to unclaimed human remains. Archaeologist Mike Parker Pearson (2003) also briefly analyses this contestation as driven by indigenous movements. But, importantly, he recognises a more dynamic response to their claims, than other theorists. As he writes:

> Since the 1960s indigenous peoples have waged campaigns for the redressing of injustices, which include requests for the restitution of their cultural property, the non-disturbance of graves, and reburial of their ancient and sometimes no-so-ancient dead. At the same time some archaeologists and physical anthropologists began to question the morality of their discipline (p.171).

Whilst under-explored, Parker Pearson's insight is that a sympathetic response of archaeologists to these claims has impacted upon this problem.

This thesis demonstrates that one of the most significant aspects to the construction of this problem in Britain is that the strongest claims and campaigning activity made in relation to the treatment of human remains have been waged, not by social movements external to the institution as it is frequently characterised, but by insiders. Senior curators, directors and policy makers within the sector have been instrumental in raising various manifestations of the treatment of human remains as a problem. Some of them were highly visible members of prestigious museums and the professional body for the sector. Indeed new individuals within the profession emerged during the contestation and the promotion of this problem, to expand the issue to all and unclaimed human remains. Furthermore, whilst the problem was vigorously contested initially by a significant minority of professionals, over a period of time the resistant individuals have accepted many of the initial arguments put forward by claimsmakers within the sector, and as my case study shows in Chapter Five, resistance within the profession attenuates.

I argue that the activities of campaigning museum professionals in promoting this issue, is a response to a crisis of cultural legitimacy and an attempt to secure new legitimacy by distancing themselves from a discredited foundational remit. A number of scholars examining a broad crisis of legitimacy in institutions have focused primarily on the medical profession, but the dynamic they describe, holds similarities to the one I advance. Theorists have identified the medical profession as making a number of responses due to a crisis of legitimacy. The work of sociologist William Arney and Professor of Psychiatry Bernard Bergen (Arney & Bergen, 1984), on the relationship between American patients and physicians, concludes that the inclusion of patients' experiences in medical discourse, that has come about since the 1950s, is as an activity that was precipitated and invited in by the medical establishment itself in a responses to concerns about its authority, rather than as a response to patient demand. Lindsay Prior has advanced a similar theory in relation the medical profession in the UK; that the response to a legitimation crisis has to been for the medical profession to become inclusive of patients views and encourage a democratisation of decision-making procedures (Prior, L., 2003). I demonstrate a similar interaction in the museum profession in a response to a crisis of cultural authority due to external and internal influences which have subjected the foundational remit of the institution to widespread and destabilising scrutiny.

This is something of a new departure the analysis of museums. There is a substantial body of work on the museum institution that has reflected on the influences of the market and intellectual influences on its foundational remit, and theorists suggest the consequent shifting ethos of the institution. However there are limitations with this body of work. I venture that it has broadly overlooked and underestimated the role of members of the sector themselves in the questioning of the cultural authority of the museum and the aim to re-orientate the remit in response. In particular, the common characterisation of contestation as a result of external challenges to the institution existing in tension with a resistant profession, neglects an exploration of an internal contribution to such contestations. The original contribution I make is to venture that the dynamic which warrants theoretical attention is an internal one. There is no significant literature on this problem in Britain where, I argue, there are under theorised influences on the problem. Thus this study aims to draw attention to and contribute to this neglected area: to establish the construction of this problem; to understand who the central claimsmakers are, why they identified human remains as a problem, and how and to what extent their claimsmaking has been successful. I draw together and review scholarship on related questions. I engage with the sociological theory on the museum institution, in particular, the thinking on shifts in its remit and influences on contestation. I also address the issue of why human remains became the focus of this contestation. To answer this I engage with the literature on dead bodies and the body.

In 1993, Tony Walter observed that sociologists were not sure how to engage the issue of the dead body. He advised that, with one exception, the new sociology of the body had yet to look at dying or dead bodies (p.276). This absence has been noted and there is a emerging literature that raises the question of the meanings of the dead body, especially in the late modern period where it is widely

recognised that the body has increased significance for identity work (see for instance, Rugg, 1998; Hallam, Hockey & Howarth, 1999). The theory which has begin to address the broad gap in sociological thinking on the dead body tends to focus on the recently deceased (see for example Harper, 2008), where human remains are clearly once a person, where their liminality is most acute, and where there is a continuity with live social relationships. Older remains, such as those that I discuss in this thesis, which are hundreds, if not thousands of years old, and at times from overseas, have previously been considered more object-like because of their location outside of immediate social relationships and therefore less problematic and instead viewed as anatomical objects (Hallam, Hockey and Howarth, 1999).

The contribution that I make to the theory on the dead body draws on sociological theory on the body, to establish how these older remains, historically considered artefacts, have become symbolic objects in museum collections. I engage with the anthropological literature on human remains as emblematic vehicles to discuss their unique, timeless qualities (Verdery, 1999; Rév, 2005). I suggest that human remains are an effective symbolic object that can locate issues due to their unique properties. Crucially, however, I argue they are manipulated by the living in a context which is culturally located. To explore the contemporary influences on the symbolic work of human remains, I draw on the scholarship on the significance of the body in the contemporary period as a site of identity and political struggle (Giddens, 1991; Turner, 1995; Shilling, 2003). I posit that these broader social trends informed and valorised the argument that human remains are a special object. I argue that these social and intellectual influences have helped to create the additional significance of human remains in this study where there is a tension between a rise in the distrust in the concept of clinical detachment in scientific medicine, and the importance of the body which is humanised.

Chapter Outline

The first chapter details my methodology and research questions. In Chapter Two, I outline how this issue emerged and developed. I analyse the claims and how they are framed examining the rhetorical motifs that campaigners promote. Advocates argue for the transfer of human remains to culturally affiliated claimants, through a discourse of therapeutic reparations. I demonstrate that the claimmakers successfully extended the domain of their claims by linking to high profile contemporary controversies over the retention of body parts, which expanded the problem to one that included the treatment of uncontested remains from the British Isles. I discuss the counterclaims mounted by professionals who contested the shifts in practice around this issue, but establish that they failed to advance a case for their scientific research that had purchase. Through an analysis of the claimsmakers, I explain that direct contact between key individuals internationally, coupled with an ideological receptivity, was instrumental in the diffusion of the problem from North America to Britain and into the museum profession where key issue entrepreneurs advanced the case for repatriation and respect for human remains. Finally, I demonstrate that the claimsmakers arguments were rapidly institutionalised through a number of government reports, government support, legislation and museum policy.

Chapter Three explores why senior museum professionals have been important claimsmakers in the promotion of this problem. I contextualise my answer in the literature on museums which I also review. After a discussion on cultural authority and the emergence of the rational remit of museum institutions formed in the eighteenth and nineteenth century, I outline the external influences on the museum profession which I venture have contributed to a crisis of cultural authority. I posit that the influence of market forces and widespread disenchantment with Enlightenment thinking, which ascended under the influence of postmodernism, cultural theory and postcolonial theory, has subjected the traditional justifications of the museum to significant questioning. I establish the significance of internal influences on the remit of the museum, arguing that new museology, a body of critical thinking on museums, exemplifies a broad self-questioning within the profession and an attempt to re-orientate the purpose of the institution by professionals. I demonstrate that the problem of human remains emerged in conjunction with these ideas.

Chapter Four illustrates how the crisis of authority is internalised and represented by the sector's professionals. Here I turn to my empirical material to demonstrate and explore in depth the internal focus of the contestation over human remains. In particular I illustrate how actors show considerable unease towards their own foundational authority and a continued desire to question it. I conclude that proposed resolutions to this problem thus have a provisional and limited quality.

Chapter Five is a case study of Pagan claims on human remains in museum institutions. Exploring the formation of the new group, Honouring the Ancient Dead (HAD), reveals how prevailing cultural ideas about human remains and the role of museums creates new claimsmakers. This case study also elucidates the central importance of the response to claimsmakers in the construction of problems. The reactions by the profession to HAD are divided into two camps in my analysis. One was a highly positive endorsement of their claims, primarily, but not exclusively, from issue entrepreneurs at Manchester University Museum who formed a coalition with HAD. The second reaction I discuss is from those in the sector who not consider Pagan claimsmakers as legitimate. Despite considering HAD as illegitimate, there is little active resistance, indeed relatively weak contestation of their claims by professionals. Significantly, I argue, members of the sector are unable to mount an effective rationale for HAD's exclusion due to confusion about their purpose of the museum institution and the basis for its legitimacy.

Chapter Six explains why the focus of this contestation is over human remains, rather than artefacts in museum collections. I critically review an emerging literature on the agency of human remains to argue that responses to dead bodies are constructed by the living and are historically located. Human remains are not agents. I explain that human remains have unique properties that make them good symbolic objects. But what is crucial in this case, is that additional social influences, including the emerging distrust of the scientific conception of the body, the rise of the body as a site of identity, and political struggle, has meant that human remains in museum collections in Britain have become a site where

these different trends are located. Human remains in museum collections have become emblematic of the detached outlook associated with medical detachment and the empirical rational remit of the museum institution. Activities that move this material around or debate how human remains are treated reflect an internal debate about the problems with this detached outlook.

Finally, in Chapter Seven, I draw together my research and observations and discuss potential future research questions.

CHAPTER ONE
METHODOLOGY AND RESEARCH QUESTIONS

I first became interested in the debate over human remains in collections while working at the London based think-tank, the Institute of Ideas, where I was director of the arts and society programme. As part of this brief I attended the Museums Association conference in 2002 which included a debate on human remains that I found fascinating. Subsequently I wrote a number of newspaper articles (see for instance, Jenkins, 2003) and published an *Occasional Paper* (Jenkins, 2004) broadly arguing against repatriation, making the case for the scientific value of human remains. In the course of writing these pieces and engaging with the debate, I found that a number of questions were raised that could not be answered, nor addressed, by journalism, which is more conclusion orientated than academic research which explores contradictions, complexities and paradoxes. For example, when I tried to point out in my articles that a number of senior professionals were arguing for repatriation this was at times edited out, or not considered important, by the editor who wanted to follow the conventional representation of the issue along the lines of resistant museum directors fighting off intransigent indigenous groups. Additionally, I felt that no account could explain why once valued scientific research was no longer considered important and indeed why the scientific claims made of the material had failed. It also struck me that the interesting developments in policy and practice, which concerned the extension of the problem to unclaimed human remains, were not explored. In my view, both 'sides' of the debate were unable to explain the rapid rise of the issue, the success of repatriation arguments and the failure of the scientific case, and the problematising of other human remains. Neither was able to distance themselves from their opinions on the problem to analyse it. In short, the outlets in which I discussed this issue: journalism and a few public debates that I organised, did not address the complexity or the significance of the issue and the extension of concerns to unclaimed human remains, and there was little, if any, analysis of why it has become so important to professionals within museum institutions.

By this stage I was intrigued by such issues and wanted to address these questions. I decided to leave my job and commence this research. I thought that academia was the best place to conduct credible and extensive research in a more open-ended fashion with peer support and review. For the first year I read broadly around the problem and immersed myself in the literature on museums, the body, death and writing on research methods and the discipline of sociology. The latter was essential to helping me move from a journalistic orientation to that of an academic researcher. In the course of my reading I came across the work of social constructionists and, in particular, Joel Best and Philip Jenkins. Inspired by their work I decided to try a similar approach to analysing the construction of the problem of human remains.

Social Constructionism

Sociologists have developed an approach known as the social construction of social problems which has gained ground since the 1970s. This method explores why and how a condition, or behaviour, becomes constructed as a problem through social activities (Spector & Kitsuse, 1977; Jenkins 1992;

Best, 2001; Loseke, 2003). The contribution social constructionists have made is to argue that perceived problems are so understood because of the process of interaction between competing interest groups, social, political and bureaucratic forces, that influence how a problem is regarded. As Joel Best states: "our sense of what is or what is not a social problem, is a product, something that has been produced or constructed through social activities." (1989 p.xviii) There are variations within the approaches of social constructionists. Strong, or strict, social constructionism, argues that social problems are created without reference to social context. Advocates of this approach caution against the epistemological assumption that one can understand the social context. They concentrate on the analysis of language and discourse. Weak social constructionism, on the other hand, contends that social problems are created in reference to a broader cultural context, although subject to constructionist processes. This approach recognises that problems and claims draw on and relate to an existing social context which may also constrain problem construction. Theorists following this approach seek to examine the motives, ideas and conditions that result in popular understandings and responses to issues. I favour the weak approach in this thesis. This is primarily because, as Best (1993) argues, strict constructionism's focus on language is illogical, unsustainable and circular. All language must mediate a broader social context and this must be assessed according to standards set by the analyst. Activists can achieve little unless external events or underlying changes in social attitudes contribute to creating ideas that are receptive to those argued (Best, 1983, 1987; Jenkins, 1996). Thus whilst I analyse the rhetoric, discourse, and the campaigning activities, I also demonstrate that problems are constructed successfully in this instance because they draw on a broader cultural context which have contributed to creating the contestation over human remains in the UK.

My overall research strategy was guided by the following questions:

- How do actors argue for the repatriation and changing treatment of human remains?
- Who are the key claimsmakers in raising this issue and why?
- How was this issue diffused?
- How was this issue institutionalised?
- What are the boarder social and cultural drivers influencing and validating the claims in this problem?

Data Gathering

I gathered a wide range of data for methodological purposes. The combination of interviews, document analysis and observation allowed me to crosscheck evidence and this multifarious strategy helped me to consider the full range of rationales of the issue. It also corresponded with the specific research problem I was looking at. The aims and frames articulated with those promoting the problem of human remains in museum collections, shifted over time and in interaction with different groups. It had a highly fluid quality that mean a range of data and material that was gathered and analysed as the study progressed was appropriate. I will now discuss these particular methods in more detail.

Document Analysis

In his analysis of environmentalism, Hannigan (1995) points to the importance of rhetorical idioms and rhetorical motifs in sensitising people to particular social phenomena and shaping their consciousness and behavioural responses to problems. Drawing on a range of sources: media reporting, documents in the form of written papers, articles, and statements produced by participants in this debate, I analysed the different rhetorical idioms and motifs that were promoted in the different manifestations of this issue. I spent considerable time analysing documents produced by campaigners, professionals, and their interventions across the media and at sector conferences. Fairclough (2003) describes the method of discourse analysis of such material as both "oscillating" between the specific texts and the more abstract, durable "order of discourse", in which particular representations acquire a coherence of ideological meaning and internal logic (p.3). The method of document analysis which involved the close study of documentary texts can help the researcher explore a range of questions about the process, enabling one to make an examination of the meanings and ideological assumptions that underlie developments. This approach treats language and the organisation of texts as "elements in social processes" (Fairclough, 2003 p.6). By exploring the choice of vocabulary, semantic relations, the categorisation of events and processes, and the affective or evaluative character of a text, I deconstruct representations of social reality and their potential effects on social action. As well as papers, and newspaper articles written or framed by activists, I also analyse a number of policy documents. Some of these are issued by the Department of Culture Media and Sport, and others are sector policies, either published by the body for the museum sector, the Museums Association, or individual museum policies. I examine this material to analyse how actors influence debate and how this is implemented in sector policy, which is essential to identifying the success and limits to institutionalising the problem.

Social scientists who have investigated the construction of social problems argue it is vital to identify the influence of issue entrepreneurs who vocalise concerns, raise awareness and point to specific examples to build a case for change (Best, 1990; Hannigan, 1995). A substantial part of my study is concerned with identifying and studying these issue entrepreneurs. I first examined the different individuals and groups that became involved in this issue, initially in North America and Australia, to establish how the issue was introduced into the British museum profession. I charted the different individuals involved and their networks, analysing how this issue was diffused, through their publications, reports and newspaper coverage. Diffusion is the process by which ideas spread among people can be identified through studying the activities of those people with the ideas originate and how those ideas were spread across networks sectors and countries (Soule & Strang, 1988).

Semi-Structured Interviews

As well as studying the claimsmakers as a method of examining the diffusion of the problem, Philip Jenkins (1992) outlines that social problems should be understood in terms of those attempting to define them. This was especially important in this case, as this is a debate which concerns the re-

orientation of museum practice and is promoted by members of the sector. Furthermore, whilst any document or policy analysis is a useful method to assess ideas, to explore how they are framed and their institutionalisation, this focus has certain limits because texts usually serve a function of rationalising policies. I needed to know how professionals interpreted and understood this problem when they were writing about it or campaigning around it and to explore the more incoherent aspects of it. Therefore it was important that I analysed how professionals understood the issue. Interviews were particularly helpful to do this, because they explore the world of beliefs and meanings (Arksey & Knight, 1999). Through interviewing the actors, I was able to examine why they were involved in different aspects of this debate and assess how they interpreted their involvement in this issue.

My history as a commentator on this issue, however, presented problems for gathering responses. Some of the people I interviewed I knew reasonably well and had even debated. This was a benefit in as much as it meant I knew who to speak with and how to contact them (I was already in contact with about twenty of those I later interviewed), but I also knew that their knowledge of my previous position on the problem could negatively influence their response to me as a researcher. I was interested in the above research questions, which did not mean taking a side, but my interviewees might not see it that way. To try and mitigate the problem of my perceived bias, without being so naïve as to assume it was entirely successful, I tried to indicate to those I would come to interview formally that I was now a researcher. I did this in a number of ways. First I emailed or spoke with them to inform them of my decision and reasoning. Many were not surprised, in as much as they were aware that this was an issue I had become interested in beyond my role as a commentator. I decided not to interview anyone for a year to create distance between myself as a commentator and myself as a sociologist. And I stopped commenting on or writing pieces on this issue.

In the meantime I attended events that discussed the issue, or were museum related, and acted differently to how I had beforehand. This was a conscious decision, but I also found that I was interested in different, more open, questions rather than making a polemical point, so it was not difficult to make this transition. Indeed throughout my time of study I attended a number of sector events to sensitise myself to the salient issues pertaining to this problem and to museum practice more broadly. These did not always address the specific issue of human remains, but concerned developments in the museum sector more generally, most notably the annual conference run by the Museums Association (MA), which I attended in 2005, 2006 and 2007. This was to supplement my grasp of the debates and issues within the museum profession more broadly and to encourage an appreciation of the status of this particular problem and how it was understood within the sector. In the course of doing so, I was able to talk to an additional number of people, which helped me to become alert to the themes they raised and how they viewed the problem, as well as identifying other interview subjects. A list of consultations and events I attended follow after the description of interviewees.

After over a year of reading, and observing such events, thus creating some distance between my identity as a commentator and researcher, I decided to commence my interviews. Over the time frame

of 2006-2008 I interviewed 37 professionals involved in this debate, with semi-structured interviews. I selected these individuals first by identifying those prominent voices in the debate, which I ensured encompassed a number of different attitudes towards it. I then spoke first with those I knew less well, as I thought it would be sensible to speak with people I was unfamiliar with initially. I then expanded this group by identifying and interviewing individuals at all the museum institutions which had published policy on this issue, or where the institution had been involved in the discussion in some way, either through a particular decision, or actions around human remains. This meant speaking with people I was familiar with but by this stage there was at least a year, if not a year and a half, between my commenting on the issue and announcing my change of role to that of a researcher. Nonetheless, as I discuss below, I think my previous role influenced some of the responses. But it also brought the benefit of access. There were a number of museum directors with whom I was able to speak to in lengthy interviews. Given their seniority, it is likely that they would have refused an interview, or spent less time on it, had I not already met them through my previous role.

In depth individuals are often described as a conversation between interviewer and participant (McCracken, 1988; Rubin & Rubin, 1995). This approach seemed appropriate because I was not investigating a problem which would be answered by a specific set of ordered questions. Instead I was keen to let the interviewee lead much of the direction of the discussion, which was a major consideration for me. I planned a series of 4-5 questions in advance, and during the course of the interview would encourage the interviewee to talk and then elaborate for much of the conversation. These were questions such as:

- Do you think it is appropriate to transfer human remains out of collections? Followed up with a why and how?

- How should professionals treat unclaimed human remains? Followed up with a why?

I would probe their answers by saying something open and encouraging such as 'Can you tell me more about that?' Or 'can you give me an example?' and 'what do you mean/feel about that?'.

I conducted all the interviews. All bar two were conducted face-to-face, the two others by telephone. They ranged in length from forty-five minutes to two hours. All were recorded and transcribed verbatim. I repeated the interviews with 10 individuals, either because they were still involved in the debate which shifted over the course of two years, or because I thought their views might have changed and I wanted to explore these developments with them. I also spoke with many of the same individuals again at different conferences and related events.

I found that the majority of people I spoke with were immensely helpful and took time to talk to me and explain their decisions. But in the course of two interviews I thought the interviewees were not quite as candid as they could be and that this was due to my previous role as a commentator. This is a

gut response that I had, and I acknowledge that I may have missed this response in other interviewees. To try and mitigate this problem I was careful to interview other individuals at the same organisation so I could double check a few specific answers about practice. Apart from the vague response that I received to a few answers from these two individuals that I thought was unusual, there were aspects of the interview that were not really subject to this kind of care and caution. They were, I felt, vague in response to a few of my questions, but their response under analysis still provided much food for thought. Their interview material was still very useful and revealing even though I felt that my role as a commentator had influenced their answers. I think my previous role as a commentator also influenced interviewees in another way to those that were vague or appeared to withhold information. Two spent considerable time explaining their motives and reasons for their actions almost, I felt, as if they were trying to convince me. With these two I felt that my research, in their eyes, was a kind of affirmation, or validation, that what they were doing was important. And I had to take this into account when analysing their reports.

I raised the question of anonymity with my interviewees, many of whom, especially those who advocated the changes I discuss, did not express a desire for anonymity. In the interests of consistency I have not, except where necessary – especially in the case study and where it would be impossible to disguise them - indicated their names. This decision was also taken because I didn't want interviewees thinking they might have an identifiable role in the thesis which may influence their answers. I list below how I describe and coded these individuals, what kind of museum institution they work for and what position they hold, in the thesis below.

The 37 semi structured interviews with professionals primarily took place mid-2006 – mid 2007, with some extension into 2008 primarily for the case study. I have described them in the text as such.

D-director
C-curator
AC-archaeologist in a museum
P-policy advisor
S scientist

NM National Museum
RM Regional Museum
UM University Museum

For example:

[DNM1] Director of a national museum, number 1.
[DNM2] The second director of a national museum I interviewed.
Where the interview is one of two conducted, I indicate this in the text.

Conferences and Consultations Attended:

Museum Association Annual Conference, 24-26 October 2005. London, Queen Elizabeth II Conference Centre.

Workshop on the Human Tissue Authority's draft Code of Practice on the Public display of human bodies, body parts and human tissue, 22 June 2006. London, Royal College of Surgeons of England.

Respect for Ancient British Human Remains Conference, 17 November 2006. Manchester, Manchester University Museum.

Museums Association Annual Conference, 23-25 November 2006. Bournemouth, Bournemouth International Centre

The Value of Human Remains in Museum Collections, conference 2-3 March 2007. London, Museum of London.

Consultation on Lindow Man exhibition, 10 February 2007. Manchester, Manchester University Museum.

Association of Polytheist Traditions Annual Conference 26 May 2007. Manchester. Manchester University Museum.

Museums Association Annual Conference, 22-24 October 2007. Glasgow, SECC.

Reportback on Lindow Man Consultation, 16 February 2008. Manchester, Manchester University Museum

Launch of Lindow Man Exhibition, 18 April 2008. Manchester, Manchester University Museum.

At the different events I took notes, recorded particular individuals who delivered a speech and the reaction to it which was of particular interest and where possible, obtained a copy of the written speech if there was one.

Case Study

I did not commence this research planning to do a case study. But as it progressed, a development in the debate presented itself as a good opportunity for a specific study. A group of Pagans began to make claims on museum institutions and had gained some headway with certain issue entrepreneurs in the sector. I realised that by analysing the emergence of their claims and their progress, I could follow the process of making claims on human remains and the reaction from the sector within a particular context over a period of time when I did not know the outcome of the process. The case study research is regarded as a suitable tool for open-ended research where questions are exploratory in nature and demand a degree of flexibility in design (Yin, 2003). The additional advantage of the case study approach is that I was able to deploy a number of methods, in order to gather multiple sources of evidence, and to triangulate data and test the reliability and validity of findings. The methods were primarily document analysis (of textual statements and conference papers), semi-structured interviews with key actors in the museum profession and the Pagan community, and the observation of interaction between the group and the sector at conferences and consultations. I interviewed (and have included them in the total of 37) 4 professionals at Manchester University Museum on a number of occasions. I also interviewed 5 Pagans, one of whom is named in the following chapters, with her consent, because anonymity would not be possible given her position as the head of the campaign group. To a lesser extent I conducted participant-observation during events and meetings where my own input was necessary to encourage responses from others.

Coding

I decided against the use of computer software to analyse the data collected. This was my first time researching a large scale project and I was keen to do it myself as I felt this gave me more control and a greater understanding of the process. I transcribed the interviews verbatim. All data was coded and analysed by myself. When coding the results initial concepts were used as a basic 'jumping off' point, which were also informed by document analysis. The process of coding was rigorous and repeated and although there was a set of initial themes upon which I based the analysis, many new codes and themes emerged from the data. Analysis involved a lengthy process of repetitive recoding; based on the results, the core of my argument was developed. And despite these well organised and invaluable files, I found that re-reading and re-reading the original transcriptions after leaving it for a month or so, or going back to it whilst I was writing a new section, or had a different idea, always meant that I noticed remarks or themes in the transcription the significance of which I had not previously appreciated. Also, whilst there were obvious key themes that arose in my material that I discovered through coding myself, I was also interested in the way people spoke. The computer programmes that I was aware of were adept at searching and organising material, but less good on the intricacies of the spoken word – the 'umm' or "I don't know, well", the pauses, and the structure of paragraphs - and it was this that was important to me. This was also the case when trying to account for my influence on the interviewee. When I examined the interviewee material I had to engage with it with a number of questions in my mind which included did I influence their response and how. Whilst my presence may have changed

specific answers, I think it was harder for interviewees to modify all of their responses, especially later into the interview when they had relaxed and were rambling or explaining an answer, when the middle section of their response was the most interesting. Indeed one of the most interesting aspects of the responses was divisions in their discourse, which I discuss in Chapter Five, and the inadvertent comments about museum professionals, rather than one answer to a specific question.

In terms of my research methods, my understanding would have benefited from greater access to internal documents and closed meetings. I would have liked to be able to observe more private debate within the groups studied. But, this access and these documents were not available. Of course, interviews, public documents, policy and media coverage remain useful sources of data in terms of understanding the dynamics of a given situation, but they each contain separate risks in terms of bias, selection and inaccuracy. Any future research on this topic should consider the possibility of greater access to professionals and their private meetings. This is especially important in this research, which argues that it is the internal aspect of construction of the problem of human remains, and contestation in museums, that warrants further scrutiny.

CHAPTER TWO

SOMETHING SHOULD BE DONE: TRANSFORMING CONCERNS FOR HUMAN REMAINS INTO AN ISSUE

This chapter analyses how the holding of human remains in museum collections for research or display purposes became problematic for the museum profession in Britain. Joel Best (1987, 1995) advises that there are three important foci for studying social problems from a social constructionist perspective: the claims that are made and how they are framed, the claimsmakers, and the claimsmaking process. I analyse the frames made by claimsmakers in the first section. Advocates argue for the transfer of human remains to culturally affiliated claimants, through a discourse of reparations. They contend overseas indigenous communities suffered from colonisation that has left a detrimental legacy on their lives, which can be alleviated by repatriation. In the second section, I discuss the counterclaims mounted by those contesting the problem of human remains. In the third section I demonstrate that the claimmakers extended the domain of their claims by linking to high profile contemporary controversies over the retention of body parts, which expanded the problem to one that included the treatment of uncontested remains from Britain. In the fourth section, I analyse the respect motif. I argue that it expresses a concern about the activities of the researcher, rather than human remains. In the fifth section I study the claimsmakers. I identify that the majority are members of the archaeological and museum profession. I establish that direct contact between key individuals internationally, coupled with an ideological predisposition, was instrumental in the diffusion of the problem from North America to Britain and into the museum profession. Finally, in the sixth section of this chapter, after a discussion on the cultural resources that granted these claims legitimacy, I explain the claims were rapidly institutionalised through a number of reports, Government support, legislation and museum policy. Detailing the incorporation of the claimsmakers arguments into decisions pertaining to human remains in previously resistant museum institutions, completes the section on the institutionalisation of the problem.

Section One: Framing the Claim

It is helpful to briefly outline the social context for the contestation over human remains elsewhere and how the claims were framed in these countries, to illuminate the developments in Britain, drawing out the similarities and identifying diverging trends. Whilst the contestation over human remains in Australia and America, and indeed Canada and New Zealand, was different in each country, there were parallels in the way the question of human remains in museum collections emerged. In the late 1960s and early 1970s the development of an American Indian political movement and the Australian Aboriginal land rights movement gained support and achieved legislation on questions of religious freedom and land rights (Cove, 1995; Tilden Rea, 1997). In this context, prominent debates were conducted over the failures of assimilation, the definitions of identity and the rights of such groups to land (Smith, 2004a). There was a congruent concern about the fate of cultural heritage and an interest in preserving the past, with a growing focus on heritage and its significance to Western societies

(Hewison, 1987; Lowenthal, 1990). Ideas about the problems of indigenous groups became linked with debates about the importance of the past (Smith, 2004a). In *What the Bones Say*, sociologist and anthropologist John Cove (1995) charts how the emergence of the Tasmanian Aboriginal rights movement emerged by asserting claims over land in the 1970s, as did similar movements in the US and Canada. Cove outlines how such campaigns were encouraged by broad social trends to reframe these claims through the motifs of a distinctive culture and their need for and right to historical cultural heritage. The problem and claims for human remains were similarly framed. Requests to institutions to transfer remains were discussed though the motif of recognising the needs of indigenous groups to interpret their own history (see for instance, Tivy, 1993; Ubelaker & Grant, 1989; Zimmerman, 1989a; Hurst Thomas, 2000). From the mid 1980s onwards codes and policy and laws were passed calling for a more sympathetic attitude towards the transfer of human remains out of collections to communities. In the case of the National Museum of the American Indian Act (NMAIA) of 1989, and the Native American Graves Repatriation Act (NAGPRA) of 1990, passed in America, the legislation compelled the inventory of human material and associated material from all federally funded institutions and the delivery of material to lineal descendants and culturally affiliated tribes. In all cases; law, policy or codes of conduct, the concern expressed was the rights and needs of the indigenous groups to their history, in the respective countries.

The contestation over human remains in British collections became prominent a decade later in the 1990s. Whilst holding similarities to America, Australasia, Canada and New Zealand, the debate in Britain, over time, saw different frames develop. From the outset this was primarily due to the absence of the indigenous peoples question in the UK and the distance of and weak pressure from overseas indigenous groups on British institutions. This is not to present these groups as a single or fixed grouping in each country. The politics of who is part of what tribe, what and why they hold certain aims and which are considered legitimate, is complex. Nor is it to compress the differences between these contestations.[7] It should be noted that the most extensive and sustained pressure on British collections has been from Aboriginal activists who have also had the backing of their Government, which in part has contributed to their success in repatriation decisions, whereas there have been only a few claims on institutions from Native American groups. Despite these differences, the aim here is instead to indicate that there has been comparatively limited pressure from these groups as a whole on British institutions. Whilst there were requests for human remains on institutions from overseas indigenous groups, these were not high in number, nor was there a rise in requests. Indeed in the words of the Human Remains Working Group Report (HRWGR) the report of a body sympathetic to repatriation, claims from overseas indigenous groups on institutions are characterised as "low" (DCMS, 2003b p.16). A survey conducted to evaluate the number of claims discovered only 33 claims on English institutions, 7 of which had already been agreed to, some were repeat claims (DCMS, 2003a). This relative lack of pressure from groups and the less pertinent comparable issue of indigenous groups in Britain, partly explains why the attention to the question of human remains

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[7] See for instance, Brian Hole (2007) on contestation within New Zealand which, he argues, was far more muted and co-operative than elsewhere.

emerged over a decade later than elsewhere. It also points to the influence of other factors influencing the problem when it does.

Making Amends for Past Wrongs

In March 1993 the professional journal for the sector, the *Museums Journal,* dedicated an issue to the question of human remains in UK museums. The cover stated: "REBURYING HUMAN REMAINS Making amends for past wrongs."[8] The magazine devoted five opinion articles, one news item and the editorial to the problem of human remains in collections. The reference to reburial in the cover headline was borrowed from campaigners in America and Australia. Anthropologist campaigners had named the problem the "reburial issue" (Hubert, 1989 p.131). The use of the term 'reburial' rhetorically acts to suggest that all remains had been uprooted, or exhumed unnaturally; presenting burial as the original and normal state, even though remains once transferred to communities are often not buried and frequently have not been recovered originally from a burial ground. The use of the term reburial was soon dropped and replaced with a focus on the need for 'repatriation' by the majority of activists in Britain in the 1990s. Whilst repatriation is a term that is commonly used by all participants in this debate, regardless of their position on it, the word used accurately describes the return to 'home' of an object or person. The assumption in the use of the term repatriation, is that the human remains have a home to be returned to. But this is not the case in all instances. The human remains may be sent to a museum for holding and the original tribe or person from which they were obtained may never be known. The dominance of the term and the use of it by campaigners from very different positions as well as in other accounts indicates the acceptance of a term which suggests that there is a rightful home and the remains could be returned to it.

'Making amends for past wrongs' is the dominant frame for claims makers in the UK in the 1990s. The debate is conducted primarily within archaeology and museum profession. Activists, mostly professionals with an archaeology or museological background, aimed to change the minds of those in the sector who contested the repatriation of remains, predominately the scientists who research the remains. The case that the transfer of remains is essential to 'make amends' is firmly present in the secondary literature advocating the repatriation of human remains and demanding changes in museum policy including books, guidelines for professionals, policy submissions, as well as in speeches and at conferences for the sector and media coverage. Whilst a motif of making reparations for colonisation is present in campaigning material in America and Australia, in relation to the problem of settler societies (see for instance, Monroe, 1993; Mihesuah, 2000; Hurst Thomas, 2006; Conn, 2006; Cooper, 2008), there is a more substantial focus in the UK. This is further elaborated with research by activists specifically on the role of British collectors and museums in acquiring and using human remains. In addition a number of different aspects of the harm caused, for which making amends is necessary, are delineated.

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[8] MA. (1993) *Museums Journal,* 93, 3, March.

The first reason for making amends campaigners contend, is problems with the original acquisition, a case often made with powerful rhetoric. Activist and anthropologist Jane Hubert is one of many who refer to it as "Grave-'robbing'" (Hubert, 1989 p.136. See also, Zimmerman, 1989b; Fforde, 2002; Macdonald, 2006). Museologist and activist Moira Simpson describes "the removal of bodies from battlefields, the theft of bodies from mortuaries, graves, burial cases and other mortuary sites" (1996 p.176), as "plundered" and part of "systematic looting" (2002 pp.199-201). The director of Manchester University Museum, Tristram Besterman argued at a public debate: "the collections in our Western museums derive, at their most innocent, from grave robbing, and at their worst, from wholesale slaughter." (IoI, 2003 p.3. See also, Urry, 1989; Richardson, L. 1989; Bromilow, 1993; Stone, 2001; Morris & Foley, 2002; Hinde, 2007). Speaking on Radio 4's the *Today* Programme Marilyn Strathern, Professor of Social Anthropology at Cambridge University and member of the Working Group on Human Remains (WGHR), stated: "We are thinking of theft of a very brutal nature." She continued:

> Bodies were dug up from graves, taken off battlefields, butchered on the spot..that's no more or less brutal than what happened here in this country, but that abuse - to borrow a late Twentieth Century term - that abuse does weigh with people and we need to know they are affected by it.[9]

Strathern's use of the contemporary fashionable term 'abuse' whilst self-conscious, is another description of a recognised social problem, which adds to rhetoric that aims to establish the historical removal of human remains caused harm to communities that needs to be redressed today.

In the 1990s, campaigners conducted new research on the circumstances of the acquisition of human remains during the time of British colonial expansion in Australia. This was predominately undertaken by the archaeologist Cressida Fforde who researched the collecting of Aboriginal human remains by Europeans and the contents of Aboriginal remains in the collections of Britain (Fforde 1992a, 1992b, 1992c, 1992d, 1992e, 1992f, 1992g, 1992h, 1992i, 1997, 2002, 2004). Fforde investigated how collections were amassed, and she outlines, often stolen. This research adds to the documenting of historical material during the period of British colonisation, thus acquiring an Australian focus, to use in building the case for repatriation on the basis of the problems with acquisition, such as her submission to the WGHR where she states:

> The Working Group, may, for example wish to examine as a case study [...] remains such as those currently held by a UK museum that are Australian Aboriginal individuals killed in a 'punitive expedition' in 1920. The leader of the expedition boiled down the bones of the massacre victims after slaughter was complete in order to prepare them as museum specimens (Fforde, 2001 p.4).

In this excerpt from Fforde's submission to the working group on human remains, Fforde uses a particular case to graphically illustrate the terrible treatment of individuals whose bones were then

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[9] *Today* Programme. (2004) Radio 4. 18 May, 08:30.

given to museums, and now held in on in the UK. The use of the words boiled, massacre, victims and slaughter, are all powerfully employed to indicate that this is how museums obtain their collections. The use of the word specimens contrasts with the others, almost implying that people are killed to be prepared into museum objects.

A similar account, which appears to reference the same case and employs the use of numbers, was included in a newspaper article in the *Guardian* newspaper, by the then editor of the *Museums Journal,* Jane Morris (2002). Statistics or numbers are often an important element in rhetoric (Best, 1990). This quote from her article indicates that the numbers of remains, described here as "body pieces", in museums becomes a rhetorical tool for campaigners, instead of amounts of claims made on institutions:

> The Natural History Museum's collections (of 20,000 body pieces) include a skull and leg bone from a 25-year-old man shot in 1900 in a punitive expedition near the Victoria River, Australia. The bones were prepared for a collector on the spot, with the skin boiled off in a pot (Morris, 2002 p.15).

In this article for a national newspaper, the editor of the *Museums Journal* uses the term "body pieces" instead of – for example - skeletons or human remains. Here the body is referenced rather than bones, although the human remains in the Natural History Museum are more often than not, bones. Morris refers to 20,000 body pieces, which is rhetorically more effective that the description of the collection from the Natural History Museum, which is described the following way in a press release:

> The Natural History Museum holds the national collection of human remains, comprising 19,950 specimens (varying from a complete skeleton to a single finger bone). The remains represent a worldwide distribution of the human population and a timescale of 500,000 years. The majority of the collection (54 per cent) represents individuals from the UK (NHM, 2006b unpaginated).

The article by Jane Morris describes the remains as body pieces instead of specimens which are more empathetic and emphatic than the term bones or remains from hundreds if not thousands of years ago. The use of the term body pieces makes the items sound more life like and more person like. The use of the numbers of body parts, instead of the number of requests for return, acts to suggest the scale of the problem is great. The reference to 20,000 body pieces instead of the Museum's own record of 19,500 human remains, and crucially, the 33 claims on museum institutions, is clearly far more rhetorically effective. It also begins to highlight all remains as part of the problem. The implication in article by Jane Morris, is that the 20,000 bodies pieces are suspect and may have been acquired in a similar fashion to that of the 25-year old man whose skin was boiled off.

The sociologist Philip Jenkins (1992) notes that a cause can be effectively promoted if it is related to a specific individual or known event with which people can identify or sympathise, functioning as an "exemplar" (p.201). Individual cases were highlighted which functioned in this way, demonstrating the

"barbaric" and "inhuman treatment" including that of the removal of the body of Tasmanian Aboriginal William Lanney, who was "decapitated and mutilated less that 24 hours after his death" his "head cut off and stolen [...] a tobacco pouch was made from a portion of his skin" (Richardson, L. 1989 p.186). Activists frequently refer to the plight of Truganini[10] (see, Richardson, L. 1989; Hubert, 1989; Fforde, 2002, 2004 p.97-100; Simpson, 1996). Truganini was one of the last surviving Tasmanian Aborigines moved to Flinders Island. Two years after she died in 1876, her body was exhumed by the Royal Society of Tasmania and placed on display Tasmanian Museum and Art Gallery, although her wishes were for undisturbed treatment of her remains. During the 1970s her bones became the focus of a struggle between the emerging Tasmanian Aboriginal rights movement and the Tasmanian State Government over Aboriginal status, identity and land claims. Her skeleton became the focus of debate about Aboriginal Tasmanian extinction. The skeleton of Truganini came to symbolise the colonisation of all Aboriginal Australian people in Australia, which had purchase for the media and the public in Australia, playing an important role in the promotion of the problem there (Cove, 1995; Perera, 1996). Campaigners in Britain adopted her story to suggest that the holding of human remains is a problem due to the circumstances of the way remains were acquired and treated (for instance, Barkham & Finlayson, 2002; Morris, 2002; Woodhead, 2002). The legal scholar, Norman Palmer, a repatriation advocate and the chair of the WGHR, was reported in the press as having visited Bruny Island to see her final resting place.[11]

The second aspect to the mounting argument that museums need to make amends for past wrongs, is the institutions were involved and implicated in colonialism. Two reasons are outlined. Firstly, that repatriation should occur due to the general wrongs of colonialism. It is argued that museums were established during this historical period, that they are therefore associated and should make some kind of reparation (see for instance, McGuire, 1992; Peirson Jones, 1993; Simpson, 2001, 2002; Fforde, 2002; Smith, 2004b). The then editor of the *Museums Journal,* Maurice Davies stated in the editorial: "Many UK museum collections were built up in the 19th and 20th centuries, a time when a certain set of political attitudes prevailed." Continuing to argue that the bodies of indigenous groups still in these museums are "a legacy of colonial collecting", Davies concluded that UK museums should agree to return human remains (1993 p.7). This standpoint extended the argument from the wrongs of acquiring material, to the wrongs of the historical period, regardless of how material was collected. As activist Moira Simpson (1994) makes explicit when she argued in the *Museums Journal*:

> The fact that material of human origin was acquired legally is often used as a defence against possible repatriation. However, the debate cannot ignore the colonial ancestry of the collections or the insensitivity of the methods which many items were acquired (p.31).

In the 1990s and in the 2000s, human remains were transferred to Australia from museums in Britain. Museum professionals and activists cited the wrongs of colonialism as a primary reason for this (see

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[10] Also spelt Truganni in some accounts. E.g. Woodhead, 2002.
[11] *The Melbourne Age* (2002) Pioneering journey home for Truganini. 30 May. Available from: <http://www.theage.com.au/articles/2002/05/29/1022569791663.html> Accessed, 2 August 2008.

MUM, 2003a; Mclaughlin, 2008). The director of Manchester University Museum and activist Tristram Besterman stated in the press release pertaining to the decision and transfer of remains from that institution:

> These remains were removed during the colonial era at a time of great inequality of power. Their removal more than a century ago was carried out without the permission of the Aboriginal nations, and they have been held in the Manchester Museum ever since, in violation of the laws and beliefs of indigenous Australian people (Besterman, 2004 p.8).

Joel Best (2001) outlines that claims for a problem requires the diffusion of an idea of the villains who perpetrate the harm. In this case the villains who perpetrate harm are the scientists or science which researches the remains. Activists contend that the high social value accorded to science legitimated the acquisition and scientific analysis of human remains during this period, which was used to identify and measure racial characteristics. Science, they posit, was central in constructing the case of Aboriginal and Native American people as inferior (see for instance, Peirson Jones, 1993; Simpson, 1996; Riding In, 2000; Hurst Thomas, 2000; Fforde, 2002, 2004; Phillips & Johnson, 2003). As Cressida Fforde writes: "It is also clear that even those collectors who regarded grave robbing as perhaps less than morally correct believed that such actions were justified in the name of science" (Fforde, 2002 p.27). Peter Stone of the World Archaeological Congress (WAC) and lecturer in museum studies at Newcastle University, has also identified science as legitimating wrongful acts: "the pursuit of 'science' was believed by non indigenous people to justify what they knew were offensive acts" (Stone, 2001 p.5). For activist, Moria Simpson (2001) the very presence of human remains in museum collections, is "in itself" evidence of the fact that the "academic and scientific interests have been placed before the interests and wishes of the deceased and their descendents" (p.2) a situation which she argues should be reversed.

In a book chapter co-written by activist Jane Hubert and Cressida Fforde, both suggest that medical detachment has permitted terrible treatment of the dead: "Such 'medical detachment' would perhaps explain why early scientists with close indigenous friends felt able to deflesh their bones as soon as they died" (Hubert & Fforde, 2005 p.116). For these activists, the detached outlook of scientists allowed them to remove the flesh from their friends. The use of the word "deflesh" powerfully describes the physical material of the body in their rhetoric, and the use of the term "friend" instead of the less emotive term of human remains, or skeletons which are the object of contestation. The use of the term "deflesh" also has something of a horror connotation. Australian academic Paul Turnbull and Cressida Fforde contend that the specific study of the body, conducted on the human remains, was central to the domination of the Aboriginal people (Turnbull, 1991, 1993, 1994; Fforde, 1997, 2004). Fforde drew on Michel Foucault's analysis, that from the seventeenth century the body became an object and target of power, which is realised through a technique of scientific classification and regulation (Foucault, 1977 cited in Fforde, 2004a pp. 84-85). Fforde and others argue that scientific knowledge about the Aboriginal body has been fundamental in sustaining and constructing relations of power (see also, Peirson Jones, 1993; Riding In, 2000).

Sociologist Philip Jenkins (1992) argues that successful claims makers must show that the problem is widespread, that it is growing worse and that it causes real harm. In the third aspect to the 'making amends' frame that develops in the late 1990s and early 2000s, it is possible to see the construction of a more forceful idea about the harm caused to contemporary communities. Activists contend that the removal of human remains originally and colonisation in general has caused suffering today which could be alleviated by repatriation. Speeches, articles, books and policy documents frequently refer to present day pain, distress and poor living conditions of groups as sustained by the retention of human remains. In an anthology edited by Cressida Fforde, Jane Hubert, and Paul Turnbull (Fforde, Hubert & Turnbull, 2002), American anthropologist Russell Thornton, refers to the theory of a "trauma of history" which he clarifies "is meant events in the history of a people which cause a trauma to that group much in the way that events in the lives of individuals may cause a trauma to them" (Thornton, 2002 p.20). For Thornton, repatriation can achieve a therapeutic impact on groups, the "repatriation process" helps groups "to achieve some closure on traumatic events of their history, a closure which was not possible as long as human remains and cultural objects associated with these events were held by museums and other institutions" (p.22). Here there is a broad inclusion of who is considered harmed by historical acts. It can include any member of a cultural group that was wronged in the past, extending beyond identifying specific individuals who were involved, or their relatives and responding to individual definitions of harm.

The director of Manchester University Museum made a link between the return of human remains to communities and healing the 'wounds' of colonial history. During a public debate in London, he stated: "We now have the opportunity to redress that historic imbalance acknowledging that this may well mean a loss to science that will in its turn heal open festering wounds" (IoI, 2003 p.4). In this quote from the activist Tristram Besterman, the wounded body, "open festering wounds" is metaphorically employed to describe the damage to the community which could be alleviated by the return of human remains. The Human Remains Working Group Report (HRWGR) also cites the damage of colonisation, compounded by retention, and the healing role repatriation could perform. It outlines continued retention of human remains causes "great pain" (DCMS, 2003b p.31) to communities, particularly overseas indigenous communities, which hampers their advance today:

> Until this wrong is redressed, there will be no closure in respect of past injustices and an arguable enduring violation of fundamental human rights. The physical and psychological health, and indeed the social advancement, of indigenous communities are in consequence impaired (p.123).

The report concluded that repatriation stimulates a "healing process" (p.252). This is a discourse that attributes healing properties to the process of repatriation and the return of human remains.

Claimsmakers often use evidence to back up their claims (Best, 1987) but apart from one reference to evidence in the Human Remains Working Group Report (HRWGR) which refers to the testimony of an Aboriginal Tasmanian group (DCMS, 2003b p.48), there is no citing or using of evidence or any kind

of research, in this aspect of making amends in the report or by claimsmakers. Indeed there is very little research conducted on the process of the transfer of human remains and the impact on communities, which is significant in the light of the strong claims that are made in its favour. The lack of resistance to this argument as well as the lack of evidence promoted by activists, suggests that the therapeutic claims have broader cultural purchase. The two pieces of minor research conducted, only one of which addresses human remains specifically, arrive at different conclusions. Museologist and repatriation activist Moira Simpson (2005) examined two cases from Canada observing the repatriation of human remains in one and objects in the other. She found that it revitalised knowledge, skills and ceremonial practices. Simpson concludes that the returns had benefits and positive influences upon the cultural and spiritual well being of the groups. Philip Batty (2005), curator of Anthropology and Indigenous Cultures at the Victoria Museum in Australia, researched the repatriation of secret-sacred material in Australia, finding "ambivalence" on the part of the owners about accepting the objects, and "a sense of confusion" about what to do with them (p.74). "Repatriation was a low priority and could trigger old intra-communal hostilities for communities suffering from poverty and declining health" (p.74), he comments.

Section Two: Counterclaims

The claims made for the need for repatriation were strongly contested, predominantly, though not exclusively, by archaeologists, anthropologists and scientists who research the material professionally (see for instance, Meighan, 1984: Mulvaney, 1991; Morris & Foley, 2002; Chalmers, 2003; Stringer, 2003; Brothwell, 2004). Human remains and their context can be important providing, at times unique, evidence of the past including evolution, adaptation, population movement and the impact of the environment. A number of counterclaims were made by those who contested the removal of human remains, who either argued a case for the value of science and the merits of researching such material, or responded to the particular arguments made by the activists.

In the 1990s, requests made to the British Museum and the Natural History Museum in London, from Australian and New Zealand government supported activist groups, were refused by the trustees and directors who cited the importance of the commitment of the institution to science and heritage (TAC, 2001). Neil Chalmers, director of the Natural History Museum, stated they had:

> A duty to the nation to retain those objects and we have a duty to the scientific international community to use them as a very valuable scientific resource. We would find it extremely difficult to return any such objects if there was any doubt at all about their continued safety and accessibility (Culture, Media and Sport Select Committee, 2000 s.162).

Chris Stringer, a senior palaeontologist from the Natural History Museum, vigorously defended his research on human remains which he depicted as under threat. He warned in the *Telegraph* newspaper, of the loss of "ground breaking research." "We could see whole fields closed off to research if we lose key specimens, not least the quest to understand our origins" he wrote, explaining that it was through

the study of human remains that scientists "like me developed the "Out of Africa theory"" (Stringer, 2003 p.18). It is worthy of note that Stringer refers to the material under threat as "specimens", language contrasting to references by activists to human reamins "body parts" or as "defleshed". Robert Foley, who campaigned against repatriation, and who is Director of the Leverhulme Centre for Human Evolutionary Studies and Leverhulme Professor of Human Evolution at the University of Cambridge, argued against repatriation due to the potential loss to science: "The loss to science would be incalculable" Foley was quoted as saying in the *Observer* newspaper, stressing that the potential loss due to the transfer of material which was valuable to science was too great to estimate (Foley, cited in Mckie 2003 p.14).

The most powerful rhetoric employed by repatriation sceptics was by those who argued this was 'destroying history' as the material would no longer be available for research. The term is used to stress that these actions are highly damaging. "Destroying history is not the answer to the problems of these communities" was utilised by Robert Foley (Morris & Foley, 2002 p.5), who similarly stated of the skeletal record: "Destroy that record and we destroy large chunks of our history, just as we would if we were to destroy libraries and books written in the past" (IoI, 2003 p.6). Likewise he commented in the *Observer* newspaper: "There is a real chance some of the most important parts of the Duckworth could be removed and destroyed or put in inaccessible places" (Foley, cited in Mckie, 2003 p.14). Dr Marta Mirazon Lahr, also based at the Duckworth laboratory at the University of Cambridge used a similar phrase in a press release when comparing the action of burying bones to the actions of the Taliban, then recently in the news, aiming to equate the two actions as similar: "I believe no one generation of people has the right to destroy that heritage, the same way that a particular government of Afghanistan did not have the right to erase that country's Buddhist history, however strongly held those views" (SMC, 2003 unpaginated).

Scientists tried to frame their counter claims through an appeal to the idea of future potential for research and knowledge. Whether by asking new and different questions of the material, or due to the development of new techniques and technology, it was argued that in the future even more information could be retrieved. Furthermore, they tried to key into the contemporary interest in history as a positive rationale for their research (see also, Payne, 2004). Chris Stringer stated in the *Telegraph* newspaper:

> [...] with future techniques, who knows what other secrets of our past could be unlocked? We don't yet know what answers to the big questions facing future generations may lie within the bones held in our collections [...]As new DNA techniques are developed, much more will be possible" (Stringer, 2003 p.18).

Professor Simon Hillson of the Institute of Archaeology, University College London, outlined in his submission to the WGHR, that human remains were part of the archaeological record and that "archaeologists and museums have a responsibility to conserve and preserve archaeological remains and records for future generations" (Hillson, 2001 p.1).

These appeals to the value and future potential of science were strongly criticised. Firstly it was suggested that they were over stated and that the contested material was rarely researched by scientists. Tristram Besterman argued: "The Manchester Museum has no record of having received from a bio-anthropologist any request for information about, or access to, human remains which it held" (Besterman, 2004 p.10). Secondly, science, activists contended, was just one value system and should not be elevated above other outlooks (Klesert & Powell, 1993). Thirdly, the benefits to science were characterised as holding less value compared to the benefits of the transfer of the material to communities. In a guidebook on how to treat human remains for the profession, Mary Brookes and Claire Rumsey (Brooks & Rumsey, 2006) from the Winchester School of Art, encapsulate this opposition between uncertain future and questionable benefits, which they imply only a small group of people are interested in, and the immediate needs of larger communities, when they outline:

> Published scientific research on human remains, on the other hand, tends on the whole to focus on research questions that are of interest to other specialists, but rarely can it be said to be a clear 'benefit' to a wider community. Against that we must set the groups for whom the ancient dead are experienced as still part of their communities: those communities have interests and needs now, in the present – not some uncertain future potential (p.266).

Note their reference to the "uncertain future potential" which suggests future research holds little tangible value for these practitioners compared to the needs of communities. Similarly in the anthology edited with Cressida Fforde and Jane Hubert, activist Paul Turnbull wrote:

> Institutions such as the Natural History Museum and England's Royal college of Surgeons have explained the benefits that are likely to gain from the continuation of research on remains [...] Rarely if ever have these arguments been tempered by consideration of the benefits to health and well-being arising from the expression and enjoyment of cultural heritage (Turnbull, 2002 pp.64-65).

It is clear from this extract that, according to this activist, the value to science from this research is negligible compared to the benefits to the well-being of communities that will be achieved by the transfer of human remains.

Critics contesting the claims for repatriation tried to respond to the arguments made by activists. Chris Stringer and Robert Foley disputed the inference that science permits or encouraged domination and racism, countering that it was research on human remains that led to insights about human evolution and which showed relationships and similarities between cultures, breaking down the notion of static and separate races (Foley, 2002, 2003; Stringer, 2003). In the *Observer* newspaper, Robert Foley argued the research would shed light on the whole of human history and disputed the suggestion that collections were all down to colonial pillage. "Nor is it fair to depict the Duckworth as a vast repository of colonial pillage: 7,000 of our remains are of ancient Egyptians and 5,000 are British. They are here for what they can tell us about human history" (Foley, cited in Mckie, 2003 p.14). Sebastian Payne,

Chief Scientist at English Heritage, and critic, also disputed the racism charge. He argued that such research, far from being racist, countered racist thinking by telling us about the shared past of human history and the relationships between peoples (Payne, 2004 p.419).

Nonetheless the archaeologist Laurajane, Smith based at the University of York, responded that researchers in the present may not have been involved in past colonisation and domination, but that they still benefit from such practices and to not acknowledge the wrongs of the past suggests that the research community sees itself as outside the consequences of colonial history. They should play a part in reparations, Smith argued, or they are complicit in wrongs:

> The retention of collections of Indigenous human remains by British institutions conveys a powerful symbolic message, however unintentional that may be. At best, the message that is conveyed is that the British community sees itself as positioned outside the consequences of its own colonial history, while at worst, it affirms the legitimacy of that history and the negative continuing consequences it has for Indigenous peoples and their campaigns for recognition and equity (2004b pp.408-409).

Whilst Robert Foley and Chris Stringer contested the implication that human remains in their collections were taken under dubious circumstances during the period of colonisation, activists forcefully and effectively suggested that museums contained the bodies of people stolen under duress at the time of a great imbalance of power. To not acknowledge this and remove human remains from collections was equated to endorsing this history which would have highly negative consequences for people today.

In the counterclaims of those contesting the case for repatriation, there is little that questions therapeutic claims put forward by activists, suggesting it is difficult to contest. Only two critics who resisted repatriation challenged the claims for the therapeutic impact of repatriation and then only in passing, echoing the debates within the politics of recognition and material provision (see Fraser, 1995). Norman H Nail, a museum consultant to the Royal Cornwall Museum, argued in the *Museums Journal* that demands for human remains are a "smoke screen for the real needs of oppressed communities" (Nail, 1994 pp.32-34). Commenting on the problems of Australian Aborigines, Robert Foley, director of the Centre for Human Evolutionary studies at Cambridge University, suggested their circumstances required political and material solutions rather than human remains: "it is a strongly disadvantaged community. It does not have access to health in the same way as other Australians; and that is a major political, cultural and economic issue" (IoI, 2003 p.19).

Throughout the 1990s, those resistant to the transfer of human remains out of collections, cited the law as a reason that they could not remove human remains from their collections (See for instance, (Anderson, cited in TAC, 2001 s.36). The legislation cited was the British Museum Act of 1963 which generally restrains museum trustees from the disposal of any object from the collection. In this vein the Natural History Museum stated in a memorandum to the House of Commons Enquiry into Cultural

Property in 2000: "The Museums policy has two strands: There are specific legal constraints on disposal of objects from the collection, coupled with a strong presumption by the Museum against disposal" (NHM m.296 p.15). Critics of repatriation, in particular those at the British Museum and the Natural History Museum, came to focus on the legal barriers as a reason for why they could not repatriate human remains due to this Act. The historian and author of *The Return of Cultural Treasures* ,Jeanette Greenfield (2007), makes the distinction that in the 1990s, Scottish museums tended to negatively respond to requests with scientific value cited as the reason and the English with legalistic claims (p.302). As a consequence of citing the law as preventing repatriation, changing the law became a focal point for activists. Overall the contestation contributed to creating a number of oppositions. One, between science and the needs of communities; two, between the future potential of research versus the present needs of communities; three, between ignoring and endorsing the wrongs of colonisation versus the possibility of making amends; and four, between changing the law or not.

Section Three: Expanding the Frame

Social problem frames evolve over time and claimsmakers will often aim to extend the problems boundaries of debate (Best, 1990). In the early 2000s, activists link the campaign to repatriate human remains to a number of different social problems. This extends the debate from an issue associated with human remains from overseas groups, to one where the holding of all remains including those from the Britain is deemed problematic. Whilst a number of problems are referenced including the Holocaust, the most important contemporary event to be linked to was what came to be termed - in the popular press - the scandal at Alder Hey (Seale, Cavers & Dixon-Woods, 2006). During the late 1990s and early 2000, there were a number of controversies over the retention of children's body parts by hospitals. In 1999 a medical scientist giving evidence to the Bristol Royal Infirmary Inquiry, set up to investigate the quality of paediatric cardiac surgery, made reference to a large collection of children's hearts stored at the Royal Liverpool Children's National Health Service Trust (Alder Hey). The storing of children's body parts was picked up by the media, presented as a scandal and a controversy broke with a group of parents protesting about the retention, which they were previously unaware of. *The Bristol Royal Infirmary Inquiry* (2000) and *The Royal Liverpool Children's Inquiry* (2001) investigated the circumstances leading to the removal, retention, and disposal of human tissue, including children's organs. The inquiries established that organs and tissues had been removed and used without what was considered proper consent. These findings contributed to large scale public outcry when it was further revealed that the pathologist who was Liverpool Health Authority Chair of Foetal and Infant Pathology, Dick van Velzen, "systematically ordered the unethical and illegal stripping of every organ from every child who had a post mortem." These comments were attributed to Alan Milburn, the then Health Secretary, in media reports, including the front page of the *Guardian* Newspaper, within an article with the headline: "He stripped the organs from every dead child he touched" (Boseley, 2001 p.1). The Alder Hey report also revealed that over 104,000 organs, body parts and entire bodies of fetuses and still-born babies were stored in 210 NHS facilities. Later that year the General Medical Council ruled that van Velzen should be temporarily banned from practicing medicine in Britain.

These events were high profile political issues that dominated the media and raised prominent questions about consent in the donation of body parts. A survey of the media reporting of the body parts scandals at the different hospitals observes that it became so dominant a frame that it operated as a news template for other stories about the use of other human tissue regardless of whether they concerned organ retention or not (Seale et al., 2005 p.403). The Inquiries recommended changes to procedures for obtaining consent for post mortems and retaining organs and tissues for research or education. Some of the recommendations, including new law on informed consent became law with the Human Tissue Act 2004 which was informed by concerns raised at Bristol and Liverpool.

There were other events during this period that were to influence questions about the dead as an object of display. From the late 1990s, several exhibitions in London displayed dead human bodies which were popular but created an element of controversy. These included: *London Bodies: The Changing Shape of Londoners from Prehistoric Times to the Present Day* at the Museum of London (October 27, 1998 to February 21, 1999), *Spectacular Bodies: The Art and Science of the Human Body from Leonardo to Now* at the Hayward Gallery in London, (October 19, 2000 to 14 January, 2001), and *Body Worlds: The Anatomical Exhibition of Real Human Bodies* in the Atlantis Gallery, London, a non traditional gallery space (March 23 to September 29, 2002). *Body Worlds* was an exhibition presented by Gunther von Hagens, who has since repeated and extended this show across the globe. The exhibition consists of dead bodies, preserved through an injection with formaldehyde and liquid polymer posed for display. The von Hagens exhibitions have been met with divided reaction (Woodhead, 2002; Stern, 2006). They have been the focus for a number of newspaper articles which raised questions about the ethics of displaying such bodies and questions pertaining to where and how they were obtained (see for instance, Jeffries, 2002; Searle, 2002). One news report in the *Observer* newspaper (Harris & Connolly, 2002), raised the problem that the bodies were removed from the mentally ill, prisoners, as well as from Eastern Europe or China, keying into the contemporary concern that body parts are taken without consent from the vulnerable. Pity II, a pressure group formed by parents involved in the Alder Hey medical scandal asked for the exhibition to close (Jefferies, 2002). Repatriation advocates associated their cause with these prominent issues at the top of the policy political and media agenda which raised questions about how contemporary body parts were acquired, stored and used, by the medical profession and artists (see for example, Besterman, 2002). Linking to these controversies and others, gave their issue greater weight and credibility as a problem. It also contributed to expanding the problem.

Linking to the Holocaust

Sociologist John Torpey (2006) outlines that the Holocaust has emerged as the principal legacy of the twentieth century with respect to the way contemporaries think about the past and that it has facilitated attention to the catastrophic past more generally. He argues that it has a paradigmatic role in the contemporary consciousness of catastrophe encouraging attention to other catastrophic pasts. Campaigners link the problem of human remains to the Holocaust, which by association deems the collecting and display of human remains linked to both colonisation and the Holocaust. The deputy

director of the Museums Association, Maurice Davies made the following point at a public debate, referencing the Holocaust, employing the description of killed Jewish babies, to advocate the curtailment of research on human remains:

> [...] a couple of years ago they were digging around in the vaults of a hospital in Austria; they found the remains of some tens of babies, Jewish babies who had been killed by the Nazis. They're not being studied by scientists; those remains have been respectfully laid to rest. So there are a lot of double standards around (IoI, 2003 p.12).

Ratan Vaswani, also from the Museums Association, associated proposed restrictions on research on human remains as good practice, comparing it to the restricted use of material from the Holocaust, in a conference paper he gave to the sector:

> Academic freedom is not the absolute right to study anything you wish in any way you wish. The principle that some research is unacceptable is firmly established by precedent such as treatment of results from Nazi experimentation on unwilling human subjects (Vaswani, 2003 unpaginated. See also, Morris, 2002; Fforde, 2002, 2004; Joyce, 2002; Peers, 2004).

The remarks by Davies and Vaswani compare the scientists who wanted to study the remains with the Nazis, thus inferring dubious aims and motives to the scientists reinforcing the idea of science and scientists as villains.

Writing in the magazine for the British Association for the Advancement of Science, *Science and Public Affairs*, then editor of the *Museums Journal* Jane Morris linked the return of objects "looted" from families by the Nazis with the return of human remains taken from communities in Australia and North America (Morris & Foley, 2002 p.4). In the *Guardian* newspaper, Morris evoked the Holocaust and war in Vietnam and Bosnia, to suggest that the collection of Aboriginal human remains was uniquely horrific. No one would collect other bones or victims like this, she argues, also employing the rhetorically powerful word of "genocide":

> Widespread collecting of Tasmanian bodies was happening at the time of the "black war", the genocide which by 1830 had almost wiped out the Aboriginal population. No one would, or could, collect like this today. There are no collections of Holocaust victims, or Vietnamese or Bosnians (Morris, 2002 p.15).

In this article in a national newspaper, the collections of human remains in museums are compared with holding a collection of the victims of the Holocaust, and the Vietnam and Bosnian war. Similarly museologist and activist Moira Simpson outlined that human remains on show were problematic and compared this to material from the Holocaust: "one would not wish, for example, to see the remains of Jewish holocaust victims of Auschwitz or Belsen displayed for all to see, as they were found in the gas chambers and incinerators" (Simpson, 1996 p.177). Simpson's use of the Holocaust reference is different to Davies and Vaswani, but similar to that of Jane Morris. Instead of associating scientists

with Nazis, she associates the remains of Jewish Holocaust victims more generally with exhibitions of human remains. The focus for Morris and Simpson in these extracts are the human remains on display which they compare to holding the victims of the Holocaust. This is a shift in focus away from the individuals researching remains or the problems of communities, to the human remains themselves.

Linking to Body Parts Controversies

In the same speech to the sector that referenced Nazi experimentation, Ratan Vaswani spoke of the controversies over body parts: "Logical and ethical consistency demand that the debate about human remains in museums cannot, at least in Britain, be separated from debate about body parts held in other institutions" (Vaswani, 2003 unpaginated). In the early 2000s campaigners began to refer to the body part controversies in their writing, papers and speeches on the need for repatriation, focusing on events at Alder Hey. There are a number of different problems that are identified. Firstly it is suggested that the feelings of the parents at Alder Hey are similar to those experienced by indigenous groups. Cressida Fforde and Jane Hubert write that:

> [...] this desire to bury the remains of a relative appears to echo the responses of indigenous people, who have for many years been trying to take home the various human remains of their own dead, to dispose of them with due rituals (Hubert & Fforde, 2002 p.13).

The Human Remains Working Group Report (HRWGR), by the Working Group on Human Remains (WGHR) also suggests an equivalence in the "distress" experienced by parents and indigenous groups, noting:

> The Working Group feels that there are strong resonances between the recent distress suffered by the relatives involved in the Alder Hey revelations and the distress of those indigenous peoples who are still mourning the loss of their ancestors taken from them decades ago (DCMS, 2003b p.81).

It is worth noting the description of the removal as "decades ago". This is not wrong in a formal sense, but is less accurate, as it sounds like the remains were taken more recently than 200 years ago, the correct timeframe. It is more rhetorically powerful to give the impression that the remains were taken in more recent times.

Writing in the *Guardian* newspaper Jane Morris also made the link between the remains from overseas communities with the events at Alder Hey, suggesting that indigenous groups were not receiving the same public sympathy accorded to the parents, which was problematic:

> Contrast this with the public outcry when Alder Hey hospital revealed it routinely held children's body parts without parental consent. Is it one law for today's British children and

another for the ancestors, for example, of the Aboriginal people of Australia and indigenous tribes of North America? (Morris, 2002 p.15).

Linking the two groups - parents and indigenous communities - reinforces the case to repatriate human remains, by arguing that overseas indigenous groups are distressed and upset in a similar manner to the parents which had received prominent political and media sympathy. It also works to suggest that the problem is a contemporary and immediate one rather than a historical issue.

The second problem that is identified is the question of consent. With the concept of consent high on the political and media landscape, campaigners begin to use the term to indicate that human remains in museum collections were taken without consent. Peter Stone from the World Archaeological Congress argued in his submission to the WGHR: "In the past, collecting was rarely – if ever – carried out with what would now be termed 'informed consent', and such practices would now, in almost all cases, be deemed unethical" (Stone, 2001 p.5). "Surely there is a parallel?" with Alder Hey and the need for repatriation, Jane Morris the editor of the *Museums Journal* asserted in the publication *Science and Public Affairs*, arguing: "Consent is a crucial issue" (Morris & Foley, 2002 p.5). Writing in the introduction to her book, *Collecting the Dead* Cressida Fforde (2004) opens with a passage which links the problem of human remains in British collections with the controversy at Alder Hey and the issue of consent:

> In the United Kingdom, museums and other collecting institutions contain human remains [...] As exemplified by the scandal that surrounded the discovery that a doctor at Alder Hey Hospital in Liverpool had removed and kept organs from deceased babies without the consent of their parents, feelings can run high if it is perceived that body parts have been removed or used without the prior and informed consent of relatives (p.1).

The Human Remains Working Group Report devoted a chapter to the problem of consent stating that it is of "paramount importance" (DCMS, 2003b p.282).

Identifying a third problem, campaigners try to suggest that the British public is also concerned about human remains. They suggest that research and displaying them is a problem for the public in the UK. In her submission to the WGHR, Cressida Fforde refers to the Marchioness disaster of 1989[12] as well as Alder Hey, linking both events to the problem of human remains in museum collections, to suggest that there is public disquiet about the holding of all this material and the general treatment of human remains:

> The Alder Hey scandal has further highlighted the inequitable treatment of human remains under the law in Britain. This scandal, as well as that which followed the discovery of the treatment of the bodies of those who had died in the Marchioness disaster, demonstrates that not only is concern for appropriate treatment of the dead by no means an indigenous matter,

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[12] The Marchioness pleasure boat sunk in 1989 drowning 51 passengers. There was a debate over the removal of the hands of passengers to ensure identification, which was deemed by some as disrespectful (Pond, 2002).

but that there is a wide void between general public assumptions about how remains are treated and the reality of what actually takes place (Fforde, 2001 p.4).[13]

Here we can see the linking of Alder Hey and the Marchioness disaster to emphasise the idea that human remains should not be kept in collections. Fforde also introduces the idea that that the public feel major disquiet by how human remains are currently treated. Peter Stone, chair of the WAC made the same link and suggestion in his submission to the WGHR:

> The outcry over the treatment of the remains of infants at Alder Hey Hospital, Liverpool and those of the victims of the Marchioness disaster demonstrates the high level of UK public concern about the treatment of human remains in UK collections (Stone, 2001 p.5).

Fforde and Stone's submissions are constructed in a similar way to an article written by the historian Ruth Richardson (2001a) published in the *British Medical Journal*, which was part of her forceful critique of the medical profession and their attitude towards dead bodies. It demonstrates a cross over of rhetorical frames between the campaigners of the problem of body parts and consent in contemporary controversies, and the issue of overseas human remains in museum collections.[14] Richardson writes also linking these issues together: "Recent scandals—at Bristol, at Alder Hey, and the Marchioness disaster [...] revealed the prevalence of a callous medicalised attitude towards dead bodies that permits abuse of corpses" (p.398). It is worth pointing out we can identify the construction of the dead body as the victim in the problem of the retention of body parts in this article. Indeed the title of her piece is "Respectful storage of dead patients needs to be addressed", the word 'patients' humanising the deceased.

Activist Laura Peers, a curator from Pitt Rivers Museum Oxford and member of the WGHR, referenced the reaction to Alder Hey and Gunther von Hagens in the journal *Anthropology Today*. In this article she argues the treatment of all human remains is a widespread concern, aiming to make the same point as Fforde and Stone - that there is a public disquiet about the use and display of human remains:

> Recently, the issue of human remains has sparked controversies in Britain ranging from the Alder Hey scandal, through reactions to Gunther von Hargen's 'Body Worlds' show, to the debate over the disposition of remains from overseas indigenous groups held in museum collections (Peers, 2004 p.3).

The suggestion that the public are concerned about the treatment of human remains is an attempt to orientate the problem away from concerns about human remains from overseas groups and the related needs of those groups, to the idea that the treatment of all human remains is of concern to all the public. This is a significant development in the expanding of the problem. However research conducted to

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[13] See also Fforde, 2004a p.4 for a similar passage.
[14] See Dewar & Boddington (2004) for an analysis of the rhetorical frames and motifs used in the Royal Liverpool Children's Inquiry, which indicates that they are similar to those employed by the activists of the problem of human remains.

investigate audience concern about human remains on display suggests the public are not distressed by the display of human remains. They expect and want to see human remains on display (Swain, 2002; Barbian & Berndt, 2001; Barham & Lang, 2001). Indeed human remains have been displayed to raise audience numbers (Swain, 1998). It is of interest to note in our analysis of the construction of the issue, that there is no evidential demand for the withdrawal or change in treatment of human remains on display or in storage in museum collections by the public, borne out in other work and studies (see for instance, Chamberlain & Parker Pearson, 2001; Carroll, 2005). This would indicate that despite Fforde's suggestions, and despite the controversies over the retention of body parts and the display of human remains, this problem is not influenced by public demand.

Hugh Kilmister from the Petrie Museum of Egyptian Archaeology in London set out to investigate whether museums were becoming "unduly sensitive" about the issues surrounding human remains by interviewing visitors about their attitudes to display (Kilmister, 2003 p.58). His study is revealing in relation to the construction of the problem of human remains in collections. Kilmister found was a "very high proportion" – 82.5% of visitors surveyed believed that the museums should be allowed to display human remains in "whatever way they see fit" (p.62). Kilmister's reaction to these findings is instructive. Despite this public interest, he concludes that the display and treatment of human remains needs to change. He states: "Although not as contentious as the display of Aboriginal or Native American remains, the public is generally positive about the display of ancient Egyptian remains, but we perhaps need to look at the future re-display of these remains" (p.65). He further comments in relation to the high public trust in professionals to decide the future of human remains: "this trust is perhaps not justified" (p.66) which reveals that whilst the public may trust the profession, this curator doesn't. Kilmister suggests that the profession should in future restrict the way human remains are treated in collections and that the public should view more respectfully:

> A possible, more appropriate, future display arrangement could be a separate museum area, thereby giving visitors the choice to view the remains or not. Such a special exhibition area might be darkened with a more subdued atmosphere [...] This public control might encourage more respectful viewing (p.65).

He concludes long term exhibitions should not show this material even though it is uncontested and not claimed by any group: "Perhaps in a permanent display of death from ancient Egypt one no longer needs to see actual human remains" (p.66). In this response it is possible to identity a focus away from the idea that holding of human remains is a problem because of public reaction, indeed in spite of positive public attitudes towards display, to the idea that human remains need special attention or care and their display is of concern regardless of attitudes.

Section Four: The Respect Motif

By early 2000 archaeologists and museum professionals begin to develop a discourse of respect that is used to advocate action and concern in relation to all human remains (Curtis, 2003; Lohman, 2006; Brooks & Rumsey, 2007). The use of the term is often vague but as it changes over time it can be broken down into three arguments. Firstly, it is argued that respect must be shown is to other cultural values and feelings on human remains. This is either respect for the original community or their present day descendents. For example items Two and Three of the Vermillion Accord advocate "respect" for the wishes of the dead and the local community (WAC, 1989: unpaginated). In a similar vein, the Museums Ethnographers Group Guidelines on human remains argues for restricted access to human remains: "where unrestricted access may cause offence or distress to actual or cultural descendants" (MEG, 1991 s.2.2). It also states: "All requests for the return of human remains should be accorded respect and treated sensitively" (s.4.1). Similarly concerned with the feelings of affiliated people today, the International Council for Museums (ICOM) Code requires that public display should be carried out "with great tact and with respect for the feelings of human dignity held by all peoples" (ICOM, 2002 p.19) as does the *Code of Ethics for Museums*, published by the Museums Association, which states museums should: "respect the interests of originating communities" (MA, 2002 p.17). With these codes, human remains should be respected because of the feelings of cultural or actual descendents. However, Neil Curtis of Marischal Museum Aberdeen has pointed out that despite the rhetoric of respecting the wishes of the original people or their descents, this is not driving certain actions (2003). He cites as an example of an unwrapped Egyptian mummy at the Manchester Museum, whose groin was covered in 2001, as unlikely to be following the wishes of those who buried the body or who were buried (p.25).

The second part of the case put forward for respect advocates parity of treatment. If some human remains are treated with special care then all should be, it is suggested. Edmund Southworth, curator at National Museums and Galleries on Merseyside and editor for the Society of Museum Archaeologists points out in an article titled "A Special Concern" a title which suggests that human remains are a particular problem, in the *Museums Journal*, that there is a contradiction between displaying Egyptian mummies and Iron Age men yet hiding away Maori heads (Southworth, 1994 pp.23-24). Ratan Vaswani of the MA also contends in the *Museums Journal*: "The important questions we need to consider are those of consistency. By what standards do we consider it 'acceptable' to exhibit Egyptian mummies but decide to withdraw Maori heads from display?" (2001 p.35. See also, Rumsey and Brookes, 2007 p.266). In a similar vein, Hugh Kilmister, a curator at the Petrie museum in London, suggests the removal of Egyptian remains, to avoid a "double standard":

> [...] the public is generally positive about the display of ancient Egyptian remains, but we perhaps need to look to the future redisplay of these remains. This has been made more timely by the fact that contentious remains in many museums have been removed from display, but

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those remains that are unlikely to be repatriated have been left on exhibit, thus creating a double standard (2003 p.65).

Here we can see the idea developing that if one set of remains have been taken off display others left on exhibit are thus treated unfairly or without due and similar consideration. This excerpt should also remind us that this is not an idea that is driven by public pressure.

Thirdly, there is the thinking amongst some professionals towards the idea that all remains need special treatment and protection. This includes the idea held by some that remains should be not shown or that they should be buried. Commenting on the ICOM Code, Per Kåks of The International Council of Museums Ethics Committee argues respect is "not just a question of showing the objects in a solemn setting, but perhaps of not showing them at all, or not allowing them to be handled except by very few and relevant persons" (1998 p.10). The International Council of Museums Code of Ethics states, "Collections of human remains and material of sacred significance should be acquired only if they can be housed securely and cared for respectfully" (ICOM, 2006 s.2.5). Charlotte Woodhead argues that proper 'respect' for the dead means that they should be "undisturbed". In one of her articles, she makes it explicit that this also means European remains whilst referencing the symbolic case of Truganini:

> It is now appreciated that acts such as the exhumation and subsequent display of Truganni's remains, against her last wishes, showed grave disrespect to the dead. Whilst we understand the importance of leaving our loved ones undisturbed, perhaps we should also extend this respect to our own ancestors. One might take heed of the advice: "You cannot fulfill your dreams if you insult your ancestors." This should apply not only to indigenous peoples but equally to Europeans (2002 p.339).

Woodhead explicitly concludes that "human remains warrant special attention" (p.346) and that they are different to objects. She continues: "We in Britain now have an opportunity to ensure this happens and should instigate a clear policy with regard to human remains outside the political arena with the primary intention of affording respect to those remains" (p.347). Central to this third aspect of respect is the idea that humans remains are unique and different to other objects.

It is ambiguous or inconsistent as to whether they are unique and warrant respect because they were once a person, or due to the different meanings invested in them. Ratan Vaswani (2003) of the Museums Association erred on the side of the latter when he argued in a speech to the sector:

> Museums have until recent times operated under an assumption inherited from the past that human remains, particularly those of indigenous peoples are mere 'objects'. It is now generally and will increasingly be recognised that human remains are unlike any other category of material in museum collections. They are invested with social and cultural meanings. Any museum which denies, ignores or devalues those meanings will not be

licensed or otherwise privileged to hold them (Vaswani, 2003 unpaginated).

This excerpt from a speech advises human remains require special attention from professionals, because they are invested with social and cultural meanings. The implication is that they are special or unique, unlike objects, because of the values inured in the remains by communities, rather than the properties of the human remains themselves. There is warning in his extract, to professionals who do not credit these meanings. Whereas Charlotte Woodhead argues that all human remains should be treated respectfully because they were once individuals, regardless of public feelings on the matter. They "deserve special consideration" due to "the fact they were once individuals". For this reason, although she recognises "there is no widespread movement in Britain for the removal of remains from collections" (2002 p.337) they should nonetheless be treated differently. The HRWGR makes a similar case, that all human remains should be treated as unique. It proffers suggestions on the principles for the Human Remains Advisory Service, the second of which pertains to respecting human remains.

> Respect and reverence. Human remains must always be treated with respect. Responsibility for them should be regarded as a privilege. Museums owe the highest standards of care to bodies and parts of bodies within their collections, regardless of their age, origin, or the circumstances of their arrival in the collection (DCMS, 2003b p.171).

In this principle, the bodies and body parts (note not described as human remains or skeletons), require respect and reverence. This does not apply because of the feeling of the communities or the circumstances of historical acquisition but because all bodies and body parts require respect.

In a recent publication for the sector (Cassman, Odegaard & Powell, 2007) on handling and caring for human remains, the discourse of respect and the idea that human remains require special protection is ventured. The book is dedicated: "To institutionalized human remains wherever they are found" (p.v.). The foreward outlines that previously "caring for the dead" (p.xiii) "was one of archaeology's dirty little secrets" (Fagen, 2007 p.xviii). The use of the phrase "archaeology's dirty little secrets" implies that there is something very sordid about the way archaeologists used to treat human remains that they wanted to hide. Describing human remains as "the dead", rhetorically works to humanise human remains, as does the subject of the book's dedication, which would usually be to a living person. The introduction makes this point again, through advising the calculated use of particular language to describe human remains:

> The use of different vocabularies tends to reveal or impose a level of regard by those that word with the dead. Words that imply the greatest distancing include *artifact, object, specimen, decedent,* and *corpse.* [...] Words that convey a sense of connection include *individual, person,* and *human remains.* The latter are used throughout this book to reflect greater respect in order to promote improve care and management (Cassman, Odegaard & Powell, 2007 p.1).

In this extract, respect means considering human remains as connected to us and as holding human characteristics. Disrespect, by implication, is to distance oneself from the remains and consider them a specimen. Similarly in the HRWGR, objectifying human remains, not treating them as people, is identified as a problem:

> All these human remains were once parts of living individuals. Museums have tended to objectify them, as this makes them easier to deal with, but many museum staff would now contend that society believes that human remains need special treatment (DCMS, 2003b p.352).

I have argued that scientists and scientific research was identified by campaigners as the villains of the problem. In this extract, the actions of the villains are those professionals who objectify the remains. Their outlook which objectifies human remains or treats them as objects or specimens is identified as a problem. Joel Best has established that the construction of the problem of particular crimes in the contemporary period also needs to create a new victim (1999). A problem needs a victim. In this case the victims that are established are initially and primarily the overseas indigenous groups, but in this nebulous discourse of respect, we can always see the promotion of the idea that human remains are the victims. In the concern expressed about the human remains, especially through the discourse of respect, it is possible to identify the construction of the human remains as needing protection as if they were people. It should however be noted that this is a weak construction of human remains as a victims. It is not as firmly and unequivocally put forward as that of the victim of overseas indigenous groups.

Overall whilst a number of different actions and reasons are ascribed to the notion of respect, all converge on the idea that the holding of human remains requires specific and special care together with a confusion about why. Hedley Swain, a curator from the Museum of London, writes of the research and display of human remains, encapsulating this uncertainty and the use of the term respect to manage that: "Many of us sense that it may not be quite right. We cannot identify or articulate why, so we compromise. We do it, but with 'due respect'"(Swain, 2002 p.97). The term respect operates rhetorically to expresses the idea that there is a problem with the way human remains are treated in museums, without specifying why or how they should be treated. Significantly, the focus of the critique is the action of the professional; they need to treat this vulnerable material respectfully. Respect therefore means the professional needs to be more careful and self-critical, maybe not objectify them, or refer to them in certain ways, rather than a rationale for dealing with human remains in a particular way. This focus on the professional, rather than the remains, is explicit in a recently published handbook for professionals on how to treat human remains, in a chapter written by the archaeologist Vicki Cassman and Nancy Odegaard Conservator at Arizona State Museum:

> At minimum human remains should be accorded gentle handling and handlers must have an awareness of the potency of the remains, the privilege given to handlers, and their

responsibility. Human remains are not specimens; they were people – they are individuals. To begin with, handling should be undertaken only with a specific purpose. One should not browse as if in a library, picking up bones and articulated joints without purpose. Simply put, a mental state of propriety is required of handlers (Cassman & Odegaard, 2007 p.49).

In this extract professionals are instructed that they require a special "mental state of propriety" when holding human remains which should be conducted gently. The point is made again, that to consider them specimens is to treat them with disrespect. The human remains, are not just people, they are individuals, they authors stress. The authors focus on the behaviour of the handlers, rather than how the remains should be housed. The discourse of respect, or the idea that human remains require special treatment, therefore concerns the professional rather than human remains. That is why there is a focus on their attitude; how they treat or see the human remains is the focus of concern rather than a considered view of what is being respected and why.

Section Five: The Claimsmakers

Hannigan (1995) points to the influence of 'issues entrepreneurs' in the creation of social problems who are individuals who vocalise concerns and raise awareness to build a case for change. This section establishes that key issue entrepreneurs in framing the problem of the holding of human remains were archaeological, anthropological and museum professionals. Many activists were initially from the US and Australia, but individuals in the UK quickly adopted the problem through a process of diffusion. Diffusion refers to the process by which ideas spread among people. It can be identified through studying the activities of those people with the ideas originate and how those ideas were spread across networks sectors and countries (Soule & Strang, 1988 pp.19-20). One mechanism for the diffusion of claims across countries is direct relationships between actors, as McAdam and Rucht explain: "such ties are especially critical at the outset of the process in helping to encourage the identification of adopters with transmitters of social movement ideas" (1993 p.60).

It is possible to chart the emergence of the problem of human remains in this sector and outline the influence on museum professionals in the UK through direct relationships, by following the activities of actors in the World Archaeological Congress (WAC). The WAC is a non governmental organisation which runs an international congress every four years on the theory of archaeology. The WAC established links between individuals across America and Australia concerned about the problem of human remains and adopters in the UK. The anthropologist Peter Ucko was National Secretary and organised the first Congress in Southampton in 1986, where he was based at the university. Previously Ucko had been Principal of the Australian Institute of Aboriginal Studies in Canberra, a semi government research Institute designed to record language and customs of the Aborigines. Although the first WAC was dominated by debates about academic freedom, due to a decision to exclude South African scholars as an act of opposition to apartheid, it was here that the concern about the treatment of the human remains of indigenous groups emerged and gained prominence as a problem (Ucko, 1987,

1989). In one session, Jan Hammill, a representative of the organisation of American Indians Against Desecration (AIAD), spoke about the problems of the storage of ancestors and desecration of sacred sites and how this affected American Indians. The reaction to her speech resulted in a request to repeat the session, to participate in other sessions and address the plenary session, after which she was co-opted onto the Steering Committee of the WAC (Ucko, 1987). There were other speakers at the WAC from America and Australia who were campaigning around the problem of indigenous groups and human remains. Papers were presented and published from the American anthropologist and activist for reburial Larry Zimmerman; anthropologist and activist Jane Hubert who was Ucko's partner; American anthropologist and activist Randall H. McGuire; Robert Cruz, an activist and Tohono O'odham Indian from Arizona; and Lori Richardson Aboriginal advisor to the National Museum of Australia. The publication of the conference was edited by Robert Layton (1989) an anthropologist at Durham University. The problem of human remains subsequently became a "crucially important" issue for the WAC (Ucko, 1987 p.228). Ucko consulted with AIAD about the problem of American Indian human remains, travelling across Indian reservations with Jane Hubert, Robert Cruz, and Jan Hammil, to discuss the issue. The Steering Committee, including Ucko and Hammil, encouraged museums in Britain, including the Pitt Rivers Museum in Oxford in Britain, to remove skeletal material of overseas indigenous groups and "raised the problem" (Ucko, 1987 p.231) amongst the professional community, arranging meetings for them with archaeologists and Aboriginal groups.

Peter Ucko and Jane Hubert assumed an ownership of the problem whilst they worked in Britain, acting as issue entrepreneurs. Cressida Fforde, Ucko's research student, built further links with other campaigners and groups through the WAC and British museums. It is through her direct relationships between individuals in the WAC and professionals in the UK, that Fforde contributed to the diffusion of this problem to the profession. As I have explained, Fforde researched the acquisition and collection of human remains in British collections through examining historical documentation and examining the individual collections. In 1997 she worked with FAIRA, the Foundation for Aboriginal Islander Research Action, and the London-based Aboriginal activist Lyndon Ormond-Parker to identify and document Aboriginal Torres Strait Islander Ancestral Remains held in British and European institutions (Ormond Parker, 1997). In 2004, she conducted a scoping survey of pre-1948 human remains in University College London collections for UCL (Fforde, 2004b). Fforde was also invoved in Government processes; contributing to the HRGWR (Fforde, 2001); and was consulted by the subsequent joint Government and museum guidance (DCMS, 2005), as was Peter Stone, Chief Executive Officer of the WAC, who is based at the International Centre for Cultural and Heritage Studies at the University of Newcastle (see Stone, 2001). Fforde was subsequently appointed to the Human Remains Advisory Service, and has acted as an archives researcher, searching the museums for human remains that are not known of to transfer to communities. For example one set of bones she tracked down was transferred out of the University of Edinburgh collections in July 2008 (personal communication, 2 July 2008).

Receptive Museum Professionals

Theorists of diffusion make an analytic distinction between relational channels involving direct interpersonal contact between transmitters and adopters and channels which do not involve personal ties (McAdam & Rucht, 1993 p.59). In a paper on institutional diffusion, Strang and Meyer make the observation that linkages may be cultural as well as relational, which may help to explain diffusion that is especially fast (1993 pp.490-491). Whilst it is possible to chart the direct relationships formed between campaigners in the WAC (Peter Ucko, Cressida Fforde, Peter Stone and the museum profession) many museum professionals were highly receptive to their ideas and adopted concepts quickly suggesting also there was cultural purchase for their ideas.

In the 1990s the Museums Association (MA), commissioned the museologist and activist Moira Simpson to undertake two research projects to determine its members' views about repatriation (Simpson, 1994, 1997). She found the vast majority of respondents accepted the notion of repatriation. In one question, only 3 were categorically opposed to repatriation out of the 123 respondents. Of these respondents, only 17 institutions out of 164 had received enquiries or requests for repatriation (Simpson, 1997 p.17).[15] This suggests a hospitable reaction to the concept of repatriation which was not stimulated by specific requests. That this research was commissioned by the MA is noteworthy and indicates that the professional body was sympathetic from the outset which continued throughout the decade and beyond. Similarly significant is the support from the professional journal - the *Museums Journal* - published by the MA. Two editorials support repatriation in 1990s (Davies, 1993, 1994). In the first the editorial argues that UK museums should "stop dragging their heels over the return of human remains" (Davies, 1993 p.3). The editor and writer of both editorials was Maurice Davies who later was appointed deputy director of the MA and a member of WGHR. The articles included in the 1993 issue are primarily concerned with the relationship between museums and indigenous groups, with pieces written by a Canadian scholar Dan Monroe one of the authors of NAGPRA, and a public affairs officer from the Department of Foreign Affairs and Trade in Canberra. Both pieces act as case studies from abroad for the profession in Britain to follow. In 1994 the *Museums Journal* devoted an issue to the problem of human remains in UK museums. In this edition British professionals and museologists take up the baton. The editor of the Society of Museum Archaeologists, Edmund Southworth pens a piece advocating general policy and principles are established to deal with human remains and restitution (Southworth, 1994). Moira Simpson reported on her survey and discussed a positive case study of the transfer of Aboriginal remains from Glasgow museums (Simpson, 1994). In 2002 the MA invited the ATSIC[16] Commissioner for Tasmania, Rodney Dillon, an Aboriginal campaigner to address their annual conference. This demonstrates how individuals in the UK concerned about the issue, organised for important campaigners from Australia to help promote the cause to the rest of the sector.

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[15] Historic Scotland (1997) notes a similar sympathetic reaction in relation to the issue of reburial amongst archaeologists and museum professionals, which it comments is surprising (p.9).

[16] Aboriginal and Torres Strait Islander Commission.

The receptivity of members of the sector is further demonstrated by decisions taken by senior professionals to repatriate human remains to overseas indigenous groups. In the 1990s Bradford, Peterborough, University of Oxford Museum of Natural History, Pitt Rivers Oxford, Horniman Museum in London, Exeter and Witby museums took the decision to transfer human remains to Australia, Canada and New Zealand (see DCMS, 2003b p.21; DCMS, 2003a p.29). In 1991, Edinburgh began to transfer their collection of skeletal remains initially requested by the TAC in 1982 (Greenfield, 2007 p.304). In 1997, Exeter City Museum and Art Gallery returned Truganini's necklace and bracelet (Museums Association, 2006). In 2000, Edinburgh University repatriated its remaining collection of Aboriginal remains, and its collection of Hawaiian remains. In 2002, the Royal College of Surgeons returned remains to Tasmania (RCS, 2002). Whilst these decisions were in response to requests from overseas groups one was initiated by the then Keeper of Ethnography as a report on human remains in UK collections outlines: "Nor did the impetus to return material always come from overseas. The return of Maori human remains from the National Museums and Galleries on Merseyside was instigated by the then Keeper of Ethnography" (DCMS, 2003a p.28). Whilst Manchester University Museum agreed to repatriate requested human remains in 1992 (University of Manchester, 1992), once the agreement was made no action was taken to retrieve the remains. In 2003 the Museum was able to, in the director's words, "revive" the issue (Besterman, 2004 p.4) When an ATSIC representative went to the UK to give evidence to a government committee the director of the museum, Tristram Besterman a campaigner for repatriation and member of the WGHR, acted proactively to return the remains. Further receptivity is evident in recent museums policy, some of which advocate the pro-active contacting of groups, to see if they might be interested in receiving material, initially advocated in the Museum Ethnographers Guidance (MEG, 1991; SM, 2001; B&H, 2006; MUM, 2007; Bolton, 2007, UCL, 2007). With these policies, museum professionals do not wait to be contacted by indigenous groups, but contact a related organisation or government if they have material they believe to come from that community to encourage them to take it.

Reparations Politics and Therapy Culture

Joel Best (1999) explains that claims about different problems are connected and validated through different cultural resources which claimsmakers draw on when talking about the issue. Picking the right cultural resources helps in institutionalising a problem. Best outlines the choices made are not "random" but "patterned" (p.165). There may be a great number of different cultural resources that activist can chose from, but they do not pick the issues they promote and the frames by accident; they may be consistent with the ideology of advocates, or because it seems likely to appeal to the claimsmakers' audience. Crucially, activists can achieve little unless external events or underlying changes in social attitudes contribute to creating ideas that are receptive to those argued (Best, 1987; Jenkins, 1996). In the construction of this problem, activists draw and reference a number of concerns that were already established in broader society. Two of these concerns: making reparations and a therapeutic sensibility, were drawn on extensively by campaigners to give their claims force. Such

rhetorical idioms of reparations, making amends, suffering and harm used by activists, gave their claims authority.

After World War II, a role was seen for nations or governments to play in acknowledging past wrongs they committed. According to political theorist Hannah Arendt "the 'subterranean' stream of Western history had finally come to the surface and usurped the dignity of our tradition" (Arendt, 1973 p.ix). Historian Elazar Barkan (2003) observes that the demand that nations act morally and acknowledge their own historical injustices took the form of restitution for past victims and increased after the end of the Cold War. Restitution is commonly defined as the payment of compensation or the return of objects or property, a trend that Barkan suggests has subsequently become a major part of national politics and international diplomacy. Sociologist John Torpey (2006) documents that whilst the term reparations was initially used exclusively to describe what were effectively fines exacted among states pre WWII, it now refers to a much broader making of amends towards non state groups and individuals. Sociologists Olick and Coughlin (2003) also note this expansionary element of these terms which seeks to recognise past wrong doings by nations and organisations. They group together different types of retrospective practice: restitution, reparations, apologies, and criminal prosecution, under the identification of a general trend they term the "politics of regret" (p.56). They situate the explanation for this shift towards making amends, as tied up with the decline of the nation state and the failure of the state. For Olick & Coughlin, the politics of regret is no passing fad, but characteristic of our age. Torpey (2006) has identified the extensive contemporary concern with past injustices as a significant shift in progressive ways of thinking about politics. He argues efforts to rectify past wrongs have arisen on the one hand as a substitute for expansive visions of an alternative human future and as a response to the rise of identity politics. As a consequence, the idea of making reparations and making amends was one which had broad appeal.

The central motifs of harm, suffering, pain and therapeutic possibility of return, had considerable purchase due to the rise of what has been called 'therapy culture'. Social theorists have identified the complicated and shifting ascendancy of therapeutic culture in contemporary society (Rieff, 1966; Lasch, 1979; Laster & O'Malley 1996; Nolan, 1998). Frank Furedi (2003) identifies that the expanding effect of psychology was one of a number of influences in western culture until the 1960s when it started to heavily influence contemporary culture "and arguably dominate the public's system of meaning" (p.17). Whilst the origins of this trend towards a psychologised and increasingly individuated understanding of the social world can be traced to social changes over the second half of the twentieth century including the weakening of tradition, religion and shared moral values and the development of psychology, Furedi maintains that it subsequently become institutionalised in the 1980s since the decline of major political ideologies and its wide promotion by institutions since the end of the cold war. The decline of older forms of ideology, he contends, has entailed a profound loss of meaning in society, resulting in a 'therapeutic ethos', in which selfhood and individual psychology have become the focus of political and cultural concern. The taken-for-granted relations that had existed between people have weakened and the individuated life-journey becomes the primary way in which to make

sense of the world and one's experiences (p.85). Furedi argues that the rise of the discourse of emotions, the confessional mode, and the blurring of the line between public and private is now a major cultural force. People's experiences are now mediated through a new cultural script which emphasises their feelings of vulnerability and insecurity. He ventures that it is a way of forging relationships with an individuated public and provides the authorities mechanisms of social control (p.165). Political theorist Wendy Brown also notes the incorporation of the therapeutic sensibility into state actions (1995). She argues it reflects a re-orientation of state activities towards the provision of social repairs on a society "stressed and torn by secularising and atomizing effects of capitalism" (p.17). Similar to Furedi, Brown charts the orientation towards identity politics with a therapeutic sensibility, as dependent upon the demise of class politics (see also, Purdy, 1999). The tendency for state policy to address the condition of suffering is supported by broad cultural norms, she writes which establish "suffering as the measure of social virtue" (p.70). Both motifs of making amends reparations and the therapeutic concern, of harm, are drawn on and promoted by campaigners, with some success. The language of emotions, and suffering, such as the pain and distress described of the feelings of the overseas indigenous groups, and the therapeutic properties attributed to the transfer of human remains had a broad cultural purchase because of its already established authorative status in contemporary culture

Section Six: Institutionalising the Claims

Claimsmakers succeed when others validate the claims, either through expressing concern about it, or establishing policies to deal with it (Best, 1990). In this case campaigners required support outside the sector to shift resistance by the professionals within it, who contested their claims and resisted repatriation especially those who contested claims at the Natural History museum and the British Museum. As these critics cited the British Museum Act of 1963 as a reason that they could not repatriate, Government involvement in the form of changing the law, was essential to institutionalising claims. The support of the Government was not only necessary in relation to legislative change. Furthermore, such support was not only essential in relation to the legislative change, but also in endorsing the problem. It is worth nothing the point made by Berger and Luckmann (1966) that the ideas which humans develop collectively - if incoherently - to rationalise the world become externalised and institutionalised through specific entities, such as the state, its laws and government. It is then that these ideas acquire a degree of legitimacy and durability and act back upon individuals through knowledge. The role of government and law, then, is important as a legitimising function, giving significant weight to certain rationales and ideas (pp.78-85).

Campaigners rapidly received policy makers' support. In 1999, the Labour Government established a House of Commons Select Committee to consider issues relating to cultural property. It focused on cultural property but the question of human remains was raised. The Committee recommended that DCMS focus separately and further on human remains (Culture Media and Sport Select Committee, 2000 s.164). Giving evidence to the Committee, Alan Howarth, then Arts Minister, stated: "I think we

should be willing to look sympathetically and constructively at whether it is possible to ease the law so that if the trustees so wish they can make amends and they can return human remains" (Committee on Culture, Media and Sport, 2000 s.686). In this quotation from the Arts Minister, we can see the uptake of the discourse of making amends to endorse the act of repatriation, and the suggestion that the law should be changed, by a senior politician.

Soon the Prime Minister also became involved. The support of this problem by Tony Blair sent a clear message to resistant professionals affirming the case for repatriation. A joint UK/Australia Prime Ministerial statement on Aboriginal remains was issued in July 2000, stating: "The Australian and British governments agree to increase efforts to repatriate human remains to Australian indigenous communities" (Blair & Howard, 2000). The influence on the development of the issue by this intervention by Blair; the most senior political figure in the country, cannot be underestimated. This statement by the Prime Minister Tony Blair, in favour of the repatriation of Aboriginal remains, came as a great surprise to one scientist I interviewed, who works at a significant national museum and who opposed repatriation:

> And then of course there was this remarkable Tony Blair press conference which you saw. I mean I was just gob smacked to see Blair saying this. I mean, this is a government that said it was going to promote science. [SNM3]

By then, this interviewee explained he thought "the writing's on the wall". It sent a clear message to those contesting repatriation, that they were not supported by the Government.

The Working Group on Human Remains

The Minister for the Arts, Alan Howarth MP, set up the Working Group on Human Remains (WGHR) in 2001 to consider the desirability and possible form of legislative change. From its initial establishment the committee were instructed to look at the practicalities of legislative change, assuming a degree of desirability. The committee, appointed in consultation with Maurice Davies were overall, though not exclusively, sympathetic to repatriation.[17] Notably the Chair Norman Palmer was the Chair of the Ministerial Advisory Panel on the Illicit Trade in Cultural Objects and a member of the Spoliation Advisory Panel, established to advise on the resolution of claims to cultural objects looted or otherwise displaced during the period 1933-45. He was also the author of *Museums and the Holocaust* (2000), the membership of these organisations and his writing furthering the association with the Holocaust. Significant, there was only one scientist on the committee (Chalmers) and whilst he was the director of a major research institution, he was a biologist and did not directly research human remains.

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[17] The following members of the committee were known to be sympathetic to repatriation: Tristram Besterman, Director Manchester University Museum; Maurice Davies, Deputy Director, Museums Association; Sally MacDonald, Manager, Petrie Museum of Egyptian Archaeology, who was involved due to her involvement in a sensitive display of Egyptian human remains (personal communication, 27 April 2007); Professor Sir Peter Morris, President of the Royal College of Surgeons; Laura Peers,Curator at the Pitt Rivers Museum, University of Oxford; and Professor Dame Marilyn Strathern, Professor of Social Anthropology at the University of Cambridge. Two members who were resistant: Dr John Mack, Keeper of Ethnography, the British Museum, and Neil Chalmers, director of the Natural History Museum. Whilst members were sympathetic to repatriation this view encompasses different degrees and reasons for such support.

The lack of an appointment of such a scientist was criticised in the submission to the group, by Margaret Cox on behalf of the British Association for Biological Anthropology and Osteoarchaeology:

> It continues to be unfortunate that the WGHR contains no member who is directly involved in the archaeology and analysis of human remains. This situation is extremely unfortunate as such practitioners and researchers have a legitimate interest in the outcome of the deliberations of the Group, and much relevant expertise and knowledge that would serve to enhance the ability of the Group to arrive at findings that represent a balance of opinion and interest of those directly involved in the outcome (Cox, 2002 p.21. See also, Brothwell, 2004).

It was clear from the lack of an appointment of a scientist who worked on the remains and the high proportion of individuals in favour of changing the law, that the intention of setting up the WGHR was to endorse legislative change and repatriation.

The work of the WGHR was formally linked with the controversy over the retention of body parts at Alder Hey institutionalising the intertwining of these two problems. The Department of Health set up the Retained Organs Commission (ROC) to investigate medical collections after the controversies over the retention of body parts. The ROC and the WGHR agreed to exchange legal information, meet, and work on common policy meeting on various occasions between 2001-2003 when the Chair of the WGHR Norman Palmer met the Chair of the ROC and officials of the Department of Health to discuss matters of "common interest" (DCMS, 2003b p.7). As the HRWGR states:

> The Working Group feels that there is much merit in including museum collections of human remains within the regulatory structure proposed by the DH for health authorities and hospitals. Such a structure has the potential to bring about better standards of care and treatment of human remains nationally (DCMS, 2003b p.83).

From the inception of the WGHR and the ROC, the idea that human remains require special consideration is advanced, which is further formalised in the process deliberation by both groups. That the treatment of human remains was coming to be seen as a widespread problem is further demonstrated by the establishment in 2001 of a joint working group by English Heritage and the Church of England to address the issues concerning burials from a Christian context in England from the 7th-19th Century (Church of England & English Heritage, 2005). Maurice Davies, sat on this working group, reinforcing the links between them.

The Report of Working Group on Human Remains

The WGHR published their report (HRWGR) in November 2003 (DCMS, 2003b). One of the main recommendations was that the law should be changed to allow museums to release remains. This proposal further contributed to the formalising of the idea that the holding of human remains was a problem, by interlinking the body part controversies. In particular it focused on and expanded the

concept of consent. One chapter is dedicated to the problem of consent, arguing it is of "paramount importance" (DCMS, 2003b p.282). This suggests the concept is relevant in relation to historic human remains (those aged from 1500-1907), proposing that institutions will have to research the provenance of all remains and proactively contact any possible related community groups to discuss the remains and consult on their future. As it is retrospective, this broadens the definition of consent from that applied in the debate at Alder Hey. Furthermore, it creates a definition where it would be difficult to ascertain consent was granted. The HRWGR implies where there is no evidence of protest, or lack of consent for the removal of material, this should not be taken as consensual: "Museums might wish to look critically at the political, economic and other reasons for any silence or absence of protest" (DCMS, 2003b p.150). It continues: "A formal or apparent consent should be evaluated in terms of the ascertainable conditions prevailing at the time possession was vacated. Such evaluation might suggest that an apparent consent was vitiated by colonial dynamics of power or equivalent factors" (p.151). The HRWGR outlines a broad definition of consent, in that it applies the contemporary concept of consent back through history, and from this clarification in the report it is clear that even if consent can been established to have been granted, this would be considered dubious.

Two more proposals in the report reinforce the idea that all human remains require special treatment. The report states that all human have a unique status and that they should be treated with, "Respect and reverence. Human remains must always be treated with respect. Responsibility for them should be regarded as a privilege" (p.135). This is regardless of claims, as the HRWGR states:

> Most human material in English museums is of UK origin, and its retention and treatment has hitherto been non-contentious. [...] Claims are in fact very uneven in their incidence: requests for return mostly originate from North American, Australasia and the Pacific, despite the fact that many remains in English collections are from other regions. For instance we received no submission on the return of Egyptian remains, despite the large holdings of such remains in some museums. We believe nevertheless that many of the principles we have formulated and the recommendations we make apply with equal force to the care of all human remains, whether claimed or not (p.8).

The HRWGR proposes that all institutions holding remains must be licensed by the Human Tissue Authority (previously they needed no license), and that a panel of 'independent experts' should be appointed to oversee claims, as well as other issues relating to the remains, including storage, handling, treatment and use, outlining that this panel should not include any scientist or researcher who works on remains, suggesting instead the inclusion of those "versed in belief systems" (p.137). The HRWGR thus suggests that human remains require a special license and that only ethical (and non scientific) experts are able to decide how they are treated. The 'expertise' of the scientists, in this proposal, is not considered valuable or helpful, instead experts in ethics are considered to be the right people to play a role in this.

Repatriation sceptics contested this report on a number of levels. None however opposed the changing of the law; indicating that that argument had been won by activists and accepted by those contesting repatriation, nor did they question the idea that human remains require special care. Neil Chalmers formally dissented, issuing a 'Minority Report' stating that the HRWGR was biased against science (Chalmers, 2003). Whilst he takes issue with some aspects, he agrees that the law needs to be changed so those museums "prevented from returning human remains" are given the "discretion" to do so (p.222). Critics questioned the proposal for proactive obtaining of consent and mandatory return, primarily because it was impractical or costly, rather than contesting the expanded concept of consent. Robert Foley argued on the Radio 4 programme *Analysis*: "That would be a vast undertaking which I think would absolutely devastate the resources that most collections have available to them" (Malik, 2004). Professor Paul Harvey, a Fellow of the Royal Society commented in a press release in response from the Royal Society: "The suggestions that institutions proactively obtain consent for the retention of human remains is problematic. Such a requirement would place a huge and financial burden on such institutions" (Harvey cited in Royal Society, 2004 p1). Furthermore the Minority Report of Neil Chalmers endorsed the idea that human remains require a special licence. Whilst he rejected the need for a human remains panel, he agreed that "There needs to be a Licensing Authority with the power to enforce high standards of care for human remains that are held in museum collections, and there need to be transparent and publicly acceptable procedures for responding to claims for their return" (Chalmers, 2003 p.220). Chalmers may have argued against certain aspects of the HRWGR, as did others who contested the practical implications of proactively obtaining retrospective consent, but ultimately the case for repatriation was accepted and in the endorsement of the Licensing Authority so was the idea that human remains require codes of practice.

Legislation, Guidance and Policy

Following the HRWGR, a consultation document was then published by the DCMS (2004) inviting feedback from the sector. Legislation was quickly passed to permit the deaccessioning of human remains in the form of the Human Tissue Act 2004 (HTA 2004) which came into force in England, Wales and Northern Ireland in April 2006. This Act replaced the Anatomy Act 1984. It regulates the removal, storage and use of human tissue and introduced an expanded definition of consent. It also amended the British Museum Act and removed the barrier to repatriation cited by professionals. They could no longer claim that they were prevented from repatriating remains due to the law. That this was the legislation to come out of the Royal Liverpool Inquiry reinforced in law the link between the problem of overseas human remains and contemporary body parts controversies.

The HTA 2004 established the Human Tissue Authority (HTA) as the regulatory body in England, Wales and Northern Ireland for all matters concerning the removal, retention, use and disposal of human tissue (excluding gametes and embryos) for specified purposes. This included a responsibility for licensing the public display of whole bodies, body parts and human tissue from the deceased (if they died after 1 September 1906), which has further contributed to the idea that holding this material

is different to other objects and that it requires special guidance. All museums holding human remains less than 100 years old have to purchase a licence from the then established Human Tissue Authority (HTA). In 2005, this was set at £5000 per annum. After complaints that this was too costly, it has been reduced to £3600 per annum for the main site and £500 per annum for satellite sites. For museums considering claims, a Human Remains Advisory Service (HRAS) was established to assist museums negotiating claims. The HRAS was designed to provide advice upon a formal request regarding how to proceed and deal with specific claims.

The *Guidance for the Care of Human Remains in Museums* (DCMS, 2005) was issued by the DCMS and the MA, supported by organizations from the sector: the National Museums Directors' Conference, the Museums Libraries and Archives Council, and the Welsh Assembly Government. This indicates the coming together of different parts of the sector to formally affirm this problem. Whilst this guidance is not statutory, it is a first. Previously there was no such outline for how museums dealt with human remains in their collections. Whilst endorsing the repatriation of remains from overseas communities, this document presents a confused message regarding holding other human remains. On the one hand, it suggests that the holding of human remains is not a major problem: "The vast majority of human remains in UK museums are of UK origin, excavated under uncontentious conditions within a clearly defined framework" (DCMS, 2005 p.7). It also outlines that one ethical principle that should be taken into account when making decisions is "Respect for the value of science" (p.14). On the other hand, it also suggests that all human remains could be subject to concern. Whilst it was drawn up to advise institutions how to deal with claims, there are a number of small shifts in the policy which broaden it out to begin to consider the treatment of all human remains as a problem. Firstly it is concerned with the treatment of human remains of all ages and all countries whereas the HRWGR was confined to historic remains (aged 1500-1946). Secondly whilst the policy has three sections only part three deals with claims for repatriation. The other two sections address the curation, care and use of human remains, including sections concentrating on education and display, contributing to the institutionalising of the problematising of treatment for all human remains, by raising it as an issue. For example, in the section on public display it states:

> There are many valid reasons for using them in displays; to educate medical practitioners, to educate people in science and history, to explain burial practices, to bring people into physical contact with past people, and to encourage reflection.

> Nevertheless, careful thought should be put into the reasons for, and circumstances of, the display of human remains (DCMS, 2005 p.20).

This "careful thought" is advocated regardless of public opinion. As it acknowledges "visitor surveys show that the vast majority of museum visitors are comfortable with and often expect to see human remains..." (p.20). It continues, advising nonetheless that:

Those planning displays should consider how best to prepare visitors to view them respectfully, or to warn those who may not want to see them at all. As a general principle, human remains should be displayed in such a way as to avoid people coming across them unawares (p.20).

The suggestion that people should be warned or not come across human remains unprepared gives the impression that display of such material is difficult and precarious. It may also express an anticipatory concern that people may be offended, even if they have not been.

The policy is similarly contradictory and confused in the section on "Use, access and education" where it states:

Handling sessions at museums or at special events are a good way in which the general public may learn about archaeological remains. However, the use of human remains poses special problems. Direct contact by the general public may entail a greater risk of offending religious and other sensitivities than is the case in a more controlled environment. Those contemplating handling sessions should weigh carefully the potential benefits against the risks involved (p.20).

So, on the one hand it states handling this material can be positively educational. But on the other hand, it warns that it may offend people, which it suggests is a 'risk' which should be weighed carefully.

Fourteen museums have subsequently drafted individual policy on human remains contributing to the idea that human remains require specific guidance or care.[18] Manchester University Museum, Glasgow Museums and the Natural History Museum have specific 'Human Remains Panels' for their institutions, which indicates the importance of the issue for the institutions Significantly one panel member for the NHM is Ian Kennedy, the Professor of Health Law, Ethics and Policy at UCL, who chaired the Bristol Royal Infirmary Inquiry thus further reinforcing the links between the problem of overseas indigenous remains and the body part controversies.

Contested Claims Resolved

Once the Human Tissue Act (2004) was passed, two decisions to transfer human remains out of collections were made, that signalled a shift in practice and compliance in previous resistant institutions. In 2006 the British Museum and the Natural History Museum, agreed to transfer Aboriginal human remains after years of refusal, citing the change in law as permitting their change of policy (BM, 2006a; NHM, 2006b). Both institutions framed their decision through the discourse of harm caused by colonisation and the need for therapeutic reparations. This framing by these institutions signalled the acceptance of claimsmakers' reparations and therapeutic discourse. The high profile

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[18] See SM, 2001; NMGW, 2006; B&H, 2006; BM, 2006; LCMS, 2006; MUM, 2007; MoL, 2006; NHM, 2006a; NML 2006; OUM, 2006; PRMO, 2006; Science Museum, 2006; Bolton Museum, 2007; UCL, 2007; WT, 2007.

barrister and British Museum trustee, Helena Kennedy, fronted their decision writing an opinion column in the *Guardian* newspaper which rationalised the decision as due to the wrongs of colonisation, naming it "genocide" and stressing the uniqueness of human remains as opposed to objects:

> The law prohibits trustees from disposing of any part of the museum's collection - a sensible measure to protect against short-term financial or political pressures. But it has long been obvious that human remains are not like other objects held by museums. Descendants are distressed that the remains of ancestors have not reached their final resting place, in accordance with indigenous customs. And when, as in the case of the Tasmanian Aboriginals, those ancestors suffered such an egregious wrong, that distress is likely to be very intense (p.29).

This framing is important in terms of signalling the acceptance of the activist arguments in relation to historical suffering by a resistant institution. It also indicates the promotion of the uniqueness of human remains by the institution, in order to defend any ramification of such a decision on the potential claiming of artefacts.

The decision taken to repatriate the remains of 17 Tasmanian Aboriginals from the Natural History Museum was similarly framed. The written advice from their Human Remains Advisory Panel to the Trustees states that whilst they are of scientific value, this is not reason alone to retain the remains when there are other ethical considerations:

> The remains have been the subject of extensive research in the past and continue to be of interest to scientists. They represent an important part of the spectrum of human diversity, current understanding of which is based in part on research that generated data from these remains [...] We do not consider unique or very limited research access to be sufficient reason alone for retention if other ethical considerations weigh in favour of return (NHM, 2006b, p.1).

The advice states that although the remains were legally taken at the time, to hold on to them today would be considered immoral by contemporary standards. The panel conclude that return should occur because of what it could achieve for the community:

> We are moved by the situation of the community in terms of its history and modern position. The significance of the remains to the modern community is beyond doubt and a strong sense of connection and responsibility has been described. There is a clear sense that the return of human remains can have an important role for the living community in moving forward from a negative historical experience (NMH, 2006b p.2).

In these two decisions, the scientific benefit of the remains is considered of lesser value that the therapeutic impact of the transfer of human remains, removed under colonisation, to communities.[19] In these two decisions, by previously resistant and highly symbolic institutions, we can identify the success of claimsmakers activity regarding the problem of human remains.

Conclusion

This chapter charted the construction of the problem of human remains. I analysed the framing of the problem and its expansion, the process of claims making, the claimsmakers, and the institutionalisation of the issue. In the first section of this chapter, I established that the problem of human remains was initially framed by a discourse of reparations. The focus on repatriation was promoted as necessary to make amends for colonisation and, it was argued, would have a positive therapeutic impact on communities. This frame was expanded by campaigners, who linked to contemporary controversies over body parts. Whilst the frames and aims were strongly contested, primarily by scientists, on the whole the value of science was juxtaposed to firstly the therapeutic needs of communities and latterly and more loosely, the need to 'respect' human remains. I argued that the motif of respect is a way of conveying that human remains require special treatment, without clarifying what this is or why, but overall implying that researchers and scientists in particular need to regulate and be careful about their actions. I explained the process of linking to historical wrongs and different body part problems and the rapid endorsement of these problems through activists, policy and legislation, has led to a situation where the holding of human remains is considered problematic by professionals. I demonstrated that the claims were rapidly institutionalised through a number of government committees; including the support of the Prime Minister, reports, law, and museum policy, as well as the incorporation of the claimsmakers arguments into decisions pertaining to human remains in previously resistant museum institutions. I identified that the majority of claimsmakers are members of the archaeological and museum profession and argued that direct contact between key individuals internationally, coupled with a cultural purchase for their ideas, was instrumental in the diffusion of the problem. The key question that is raised by these observations is: why have senior professionals in the archaeological and museum sector been the central claimsmakers in this problem? Answering and exploring that question is the focus of the following chapter.

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[19] Whilst these decisions signalled a symbolic change in significant museums practice, it should be noted that in 2008 the British Museum refused a repatriation requested from the Maori community.

CHAPTER THREE

THE CRISIS OF CULTURAL AUTHORITY

Sociologists examining the construction of problems identify and explore the claimsmaker's interests in promoting an issue. Joel Best (1990) observes that activists may stand to acquire more influence, or there may be indirect symbolic benefits which contribute to explaining their activities. In this case it is significant that museum professionals have participated in activities that appear to question their status, which has resulted in the removal of, at times, highly valued material from research collections, and which undermines the empirical role of the museum. These are acts that were previously counter to the remit of the museum which historically values empirical research and which appear to call into question their role. This chapter will address why members of sector have been central in the promotion of the problem of human remains. I argue that a crucial factor is a crisis of cultural authority experienced by the museum profession due to external and internal influences. The activities they participate in and which call into question their status, is a response to this crisis and an attempt to secure new legitimacy by distancing themselves from a discredited foundational remit.

In section one, I discuss cultural authority and the emergence of the rational remit of museum institutions formed in the eighteenth and nineteenth century. In section two, I outline the external influences on the museum profession which have contributed to a crisis of cultural authority. I posit that the influence of market forces and widespread disenchantment with Enlightenment thinking, that ascended under the influence of postmodernism, cultural theory and postcolonial theory, has subjected the traditional justifications of the museum to significant questioning. In section three, I establish the significance of internal influences on the remit of the museum, arguing that new museology, a body of critical thinking on museums, exemplifies a broad self-questioning within the sector and an attempt by professionals to re-orientate the purpose of the institution. I demonstrate that the problem of human remains emerged in conjunction with these developments. In section four, I review the literature on museums that have reflected on the social and intellectual influences discussed and, as theorists suggest, the consequent shifting ethos of the institution. However, there are limitations with this body of work. I venture that it has broadly overlooked and underestimated the role of members of the sector themselves in the questioning of the cultural authority of the museum and the aim to re-orientate the remit in response. In particular, the common characterisation of contestation as a result of external challenges to the institution existing in tension with a resistant profession, neglects an exploration of an internal contribution to such contestations.

Section One: Cultural Authority

Max Weber's (1968) conceptualization of legitimacy in relation to state authority has provided the analytical framework for most analysis of authority (Ritzer, 1996). Weber was interested in legitimate forms of domination. Broadly, he argued that society evolved historically from political orders based on charismatic and traditional types of legitimation, to a modern state legitimated primarily on legal grounds. Authority demonstrates possession of status or a social position which compels trust or

obedience. As part of this ability to demand trust or obedience, authority suggests the potential to use force or to penalise people in some fashion. For example, political authority can threaten imprisonment, which makes people reliant upon such authorities for their freedom. However political authority requires respect and consent, rather than domination. Authority therefore incorporates two sources of control: dependence and legitimacy. The latter rests on the acceptance that the state or the law should be followed and the former on what will happen if it is not. Political philosopher Hannah Arendt (1977) is careful to stress these two foundations of authority identified as crucial by Weber, both of which are equally, concomitantly required. Where and when force is used, she argues, authority has failed. It has also failed when only argument and persuasion are used, for this presumes equality rather than superiority (pp.92-93. See also Rose, 1996).

Richard Sennett (1980) echoes these observations about the importance of legitimacy for political authority, in his exploration of professional and personal relationships. Sennett characterises the ability of the conductor Toscanini as inspiring both respect and fear primarily due to his superior ability and ability to demonstrate this, which make an authority: "Assurance, superior judgment, the ability to impose discipline, the capacity to inspire fear: these are the qualities of an authority" (p.18). For Sennett, Toscanini was authoritive because he inspired both respect and fear, due to his greater and demonstrable ability. He thus held the position of a legitimate authority. Authority then, can involve more than laws or rules. It can also refer to the outlining of definitions of reality or judgments of value and meaning, where the legitimacy of that or those defining reality or making judgements is crucial. Paul Starr (1982) terms the authority which defines and affirms judgments of meaning and reality 'cultural authority' (p.13). Social and cultural authority differs in several ways, Starr outlines. Social authority controls actions and behaviour through law, rules and instructions. Cultural authority involves the construction of reality through definitions of fact and value. Institutions like the church and universities make authorative judgements about the nature of the world, he explains.

The Emergence of the Modern Museum

Museums hold a cultural authority which frames and affirms the pursuit of truth and defines what is historically and culturally significant. These institutions, which can have varying specialisms including science, natural history, art and anthropology, play a role in affirming ideas about the pursuit and organisation of knowledge, for reasons that are historically constituted. Whilst aspects of the museum can be traced back to the medieval Schatz, or private collecting in the Renaissance, it is the development of public collections in the eighteen and nineteenth century which arguably, rationalised private collections into a specific meaningful public context, a profound development (Abt, 2006). The museum in this period is generally understood as forming in two overlapping stages. The first is the moving, initially of the Royal Collections in France, into a semi-public context, in the eighteenth century, reconceptualising the space and the collection from randomly collected artefacts chosen by private individuals, into a rational organisation of artefacts based on ideas of progress (Prior, 2002). As museologist Eileen Hooper-Greenhill writes of this period: the French Revolution "create the conditions of emergence for a new "truth", a new rationality, out of which came a new functionality for a new institution, the public museum" (Hooper-Greenhill, 1989 p.63). With the Enlightenment, ideas

developed about the absolute character of knowledge, discoverable by the methods of rationalism and its universal applicability, which informed the purpose of the museum and the rationale of the display of artefacts. Museum theorist Tony Bennett (1995) argues the emergence of the museum coincided with, and presented, the new set of disciplinary knowledge:

> The birth of the museum is coincident with, and supplied a primary institutional condition for, the emergence of a new set of knowledges – geology, biology, archaeology, anthropology, history and art history – each of which, in its museological deployment, arranged objects as parts of evolutionary sequences (the history of the earth, of life, of man, and of civilization) which, in their interrelations, formed a totalizing order of things and peoples that was historicized through and through (p.96).

The collection of private objects which had been categorised as unique artefacts was transformed into a collection that demonstrated scientific themes and rational principles of classification. This was a significant change where museums holding objects became more than displays of exceptional treasures and developed into institutions concerned with the pursuit and display of positive knowledge in a rational framework (Hooper-Greenhill, 1992; Bennett, 1995; Arnold, 2006).

Developments in the nineteenth century museum consolidated these classification principles. Carol Duncan and Tony Bennett outline this period in the development of the museum as informed by the symbolic use of such institutions to the emerging modern state (Bennett, 1995; Duncan, 1995). Pointen (1994) argues that the promotion of the European state in the late eighteen and early nineteenth century developed with the modern national museum, in his analysis which concentrates on the Louvre in France. The Louvre had been a palace for the King. When the French revolutionary government nationalised the King's art collection it became a symbol of the fall of the old regime and the rise of the new order. For Carol Duncan (1995) too, the transformation of this palace into a public space accessible to everyone, made the museum a demonstration of the state's commitment to the principle of equality and, in her exploration of the development of the discipline of art history, the idea of national identity.

Whilst Britain did not have a royal art collection to take over as a national symbol, it is argued that museums did become places of Britishness (Bennett, 1988). In his study of museums and modernity in Britain, sociologist Nick Prior (2002) outlines that museums in the eighteenth century were not, usually, owned by the state, but later many came to be in the name of the public, in the nineteenth century, following the emergence of citizenship, governance and democracy (Prior, 2002). The first Museums Acts in the mid-nineteenth century demonstrated the idea that the state and its institutions of culture could make society and shape its citizens (Bennett, 1988; Ross, 2004). The nineteenth century, according to Nick Prior (2002), gave clarity and concrete form to the museum project, which was then taken up across Europe:

> It is the early nineteenth century which saw the mobilisation of the nation-state as the guardian of the museum idea and its crystallisation into something recognisable to us today. It is the early nineteenth century, in short, where nation, state, bourgeoisie and fine art met in their modern forms (p.37).

Benedict Anderson's (1983) discussion of nation states as imagined political communities details that museums were used as repositories and narrators of official nationalism and were symbols of those imagined communities. He analyses museums as tools for remembering and narrating national identity, an idea that is also explored by Jessica Evans (1999) in her introduction to *Representing the Nation*: "The point about "imagining" is that nations have to be imagined in a particular and selective style. [This style] achieves tangible and symbolic form through traditions, museums, monuments and ceremonies in which it is constructed" (p.2).

The organisation of the social space of the museum occurred alongside the formation of the bourgeois public sphere. Tony Bennett (1995) argues that the opening to a greater public in the nineteenth century should be read as a regulating mechanism that aimed to expose the working class to the pedagogic mores of middle class culture, to civilise them. Bennett, drawing on Foucault and Gramsci, highlights the ways in which the development of the museum was involved in attempts to transform a populace into a citizenry. Bennett discusses what he terms the 'exhibitionary complex', where the exhibition space was a response to public order which won heart and minds, while the prison institution disciplined and controlled bodies. "As such, its constituent institutions reversed the orientations of the disciplinary apparatuses in seeking to render the forces and principles of order visible to the populace - transformed here into a people, a citizenry - rather than vice-versa" (p.335). Bennett contends that the public museum is a product of the outlook which seeks to civilise and educate the masses to produce a "self-regulating citizenry" (p.63).

Theorists have thus argued that museums are institutions of "overpowering cultural authority [...] [expressing] ambitious and encyclopaedic claims to knowledge" (Karp & Kratz, 1991, cited in Corsane, 2005 p.39). However, in the last forty years in particular, this cultural authority has undergone a number of criticisms and scrutiny which, I argue, means this 'overpowering cultural authority' has been significantly weakened.

Section Two: External Influences

It is widely recognised that the state and associated institutions including education, medical and cultural organisations, are in a condition of crisis (Arendt, 1977; Habermas, 1988; Gabe, Kelleher, & Williams, 1994; Owens, 1985; Eagleton, 1993; Nolan, 1998; Brown & Michael, 2002; Prior, L. 2003), although there is considerable debate over the causes, periodisation and a diverse focus on institutions. Broadly, a legitimation deficit arises when older sources of justification for institutions have been undermined and eroded (Habermas, 1987; Nolan, 1998). In what follows, I outline a number of overlapping social and intellectual shifts which have resulted in significant and widespread questioning of the purpose of the museum. I argue that these influences have weakened its traditional sources of justification and thus contributed to a crisis of cultural authority. I do not claim to outline a comprehensive historical survey, nor do I have space to analyse the complexities of the trends that I outline, rather, my aim is to demonstrate that the traditional justification for the museum has been challenged by a number of social and intellectual shifts which have destabilised its purpose. It is this crisis of cultural authority that helps to explain why professionals have become key advocates in the

questioning of the role and purpose of museum institutions and their role in the elevation of the problem of human remains.

Zygmunt Bauman outlines that the late eighteenth and early nineteenth century, the time of the emergence of the modern museum, was a time when men of knowledge - the intellectuals had authority which could be described as legislative:

> Metaphorically, the kind of authority in which such a vision of the world established men of knowledge could be described as 'legislative'. The authority involved the right to command the rules the social world was to obey; and it was legitimised by a better judgement, a superior knowledge guaranteed by the proper method of its production (1992 p.11).

This intellectual climate underpinned the formation of the modern state and official institutions of culture, including education, and the early public museums. In the contemporary period, Bauman argues, the role for intellectuals as legislators of meaning has weakened. They no longer securely hold the authority which is legislative or the ability to define meaning and outline judgements. Instead, men of knowledge play a role characterised by the metaphor of the interpreter role. It is this shift and the reasons for it, that is pertinent to exploring the role of the museum today.

Bauman traces the changing role of intellectuals, the 'legislators of meaning', in relation to the development of the state and the market over the last two hundred years, in his book *Legislators and Interpreters: On Modernity, Post-modernity and Intellectuals* (1987). The dependency of the state on intellectuals for legitimation was superseded in the nineteenth century, he writes, by political technologies of panoptical power and seduction, fields within which ranks of experts, and fields of expertise, proliferated. Expertise developed with the creation of techniques of surveillance, medicalization and education. As the state's reliance on culture for the reproduction of its power diminished, market forces rose to challenge their autonomy. Bauman describes a clash of interests between philosophers and aestheticians, with emerging market orientated intellectuals who give their opinions in the various media, where the production of culture serves the market:

> It is therefore the mechanism of the market which now takes upon itself the role of the judge, the opinion-maker, the verifier of values. Intellectuals have been expropriated again. They have been displaced even in the area which for several centuries seemed to remain uncontestably their own monopolistic domain of authority – the area of culture in general, 'high culture' in particular (1987 p.124).

A role in social reproduction remains for intellectuals, Bauman opines, but it is a weaker role of bureaucratic usefulness rather than of legislative power. The market now plays the role of outlining judgments and values, he argues.

Postmodern Thinking

In addition to the constraints and pressures arising from the operations of the market and a reversed situation of dependency in relation to the state, the central tenets of the Enlightenment, which informed the remit of the museum in the eighteenth and nineteenth century, have been called into question (Foster, 1985; Bennett, O., 1996, 2001). Whilst there was always hostility towards the principles of the

Enlightenment, a number of intellectual trends since the late 1960s have furthered this stance, thus challenging the truth claims, and the idea of the museum as a distinct realm removed from social and political forces.

Postmodernity and postmodernism are frequently used and extensively explored terms (Foster, 1985; Docherty, 1993). Broadly, postmodernism is a periodising concept which describes a break with the aesthetic field of modernism and has come to be used as a term which describes a rupture in the last few decades of the twentieth century, against, or from, the modern period and modernity (Jameson, 1993). The aspect of postmodernism relevant here is a way of thinking as an attitude or a critique that developed out of poststructuralist theory in the 1960s and 1970s. French theorist Jean François Lyotard, proposed postmodernist thinking as an attitude of incredulity and scepticism about modernist ideas. He summed the two outlooks up, in the following way: "I will use the term modern to designate any science that legitimates itself with reference to a metadiscourse". He continued to reject modernism in favour of the postmodern which he characterised as: "I define postmodernism as incredulity towards metanarratives" (1989 p.xxiv).

In relation to intellectual practices the terms modernism and postmodernism indicate differences in understanding the nature of the social world and the purpose of intellectual work. Bauman (1987) notes that the modern view of the world is mostly one which interprets it as an "ordered totality", whereas the postmodern view of the world is one which sees it as an unlimited numbers of models of order, each one generated by a relatively autonomous set of practices (p.3). Scholar Terry Eagleton (2003) makes a similar characterisation when he describes the outlook of postmodern thinking in the following way:

> [...] the contemporary movement of thought which rejects totalities, universal values, grand historical narratives, solid foundations to human existence and the possibility of objective knowledge. Postmodernism is sceptical of truth, unity and progress, opposes what it sees as elitism in culture, tends towards cultural relativism, and celebrates pluralism, discontinuity and heterogeneity. (p.13)

In the modernist outlook, relativism was to be struggled against and overcome. Yet the postmodern outlook holds the view that knowledge is relative. Bauman (1987) makes a helpful distinction between the two, explaining that whilst it is debatable whether philosophers of the modern era ever established the foundations of objective knowledge, the point is they pursued it with "conviction." Instead, he suggests, post-modernity has abandoned the search having decided it was pointless (p.120).

Cultural relativism has become a prevailing intellectual force since the 1970s. Furedi (2004) maintains that whilst these ideas were previously held by a small group of artists and intellectuals, they became increasingly influential from the 1960s, when they were adopted by left wing thinkers, the 'New Left', having originally been instigated by right wing thinkers in the nineteenth century as a defence of religion and traditional morality. This is a development described by the American cultural critic, Alan Bloom (1987) as the "Nietzscheanisation of the left" (p.217), when left wing thinkers became disillusioned by modernism and embraced particularism and heterogeneity.

Cultural Theory

Cultural relativism influenced the development of cultural theory. Its central idea is that culture is a signifying practice which is bound up with value judgments (Hall, 1992). Milner and Browitt (2002) identify that cultural theory developed within the academy in the late 1960s, although they trace the origins to the ideas of earlier, nineteenth century thinkers. Cultural theory advanced a broad definition of culture beyond the fine arts, to a more anthropological understanding of common meanings and material practices in a whole society. Culture did not exist in reified spheres but was a product of social and material relationships and therefore could be 'ordinary' Raymond Williams wrote in the late 1950s (Williams, 2001). The emergence of cultural studies and the work of academics such as Raymond Williams, Richard Hoggart, Australian museologist Tony Bennett and Stuart Hall, popularised a political role for culture in society. These theorists were part of a new institution established to address questions of 'cultural apparatus', the Birmingham Centre for Contemporary Cultural Studies, founded in 1964 (Hewison, 1995; Milner & Browitt, 2002). Their contribution to academic debate was also reflected in the roles they undertook in the arts world. Williams sat on the board of the Arts Council in the 1970s and Stuart Hall has played a prominent role in artist networks and cultural institutions.

Broadly there are two strands to cultural studies. One involves theorists who argue that it is a critique that impartially analyses cultural products and representations, to greater understand structuralist dynamics predominant in early cultural studies (see for example, Jameson, 1998; McGuigan, 1996, 1999). This approach draws on a Gramscian analysis of the hegemony of the state in shaping ideology and it sets out to create strategies of resistance to this through critique. The second strand is from those who argued that it was impossible to think that cultural studies could be separated away into a transcendent space for abstract analysis. Theorists argued that cultural studies could never be free from the agenda of state power. Tony Bennett was an influential advocate of this position, arguing that cultural studies was problematic if it saw itself as a critique, for culture would always be used politically (Bennett, 1992, 1998). Reformation rather than revolution was seen as the solution.

Museums, for these theorists, are not able to abstract rational thinking for the public but instead reinforce the values and position of the elites and should be subject to critical engagement, or consciously used to tackle contemporary political problems. Theorists argued that theory should challenge the implicit universalism of the museum display and to develop an explicit subjectivism that shows how relative, unreliable and temporary, interpretations of artefacts can be. Stuart Hall (2001) argues that the history of modernity in the Western canon needed to be reconsidered, that whilst this would be difficult, because "museums are still deeply enmeshed in systems of power and privilege" (p.23). The museum:

> [...] has to be aware that it is a narrative, a selection, whose purpose is not just to disturb the viewer but to itself be disturbed by what it cannot be, by its necessary exclusions. It must make its own disturbance evident so that the viewer is not trapped into the universalised logic of thinking whereby because something has been there for a long period of time and is well funded, it must be 'true' and of value in some aesthetic sense. Its purpose is to destabilise its own stabilities (p.22).

For Hall, then, the museum must destabilise its own stabilities. It should no longer claim to be the legislator of truth, or to consider itself as benign, as this is not possible, but instead it should constantly question these ideas and to disturb them, to always draw attention to the museum's unreliability. With this approach, permanent and continued questioning is advocated in relation to any idea of truth and value. The authority of the institution, for Hall, must constantly be under attack.

Tony Bennett and museologist Eileen Hooper Greenhill (Hooper-Greenhill, 1992; Bennett, 1992, 1995) have both, following Foucault, argued that the emergence of the modern public museum, was just as interested in disciplining citizens, as ideas about the importance of truth. Thus, Bennett argues the claim to universalism is contingent, although he qualifies that the character of discourse generates internal tensions and contradictions, which makes it possible for subjects of governmentality to exercise power themselves. Bennett argues that museums should discard the old universalist outlook and become a space to discuss diverse narratives and values. Instead of trying to separate the interests of the powerful from culture, Bennett argues that society should emulate their approach to achieve the desired objectives of our own age. It should use culture as a positive political tool, he writes.

In the contemporary period, Bennett (1998) suggests, the curator should discard their traditional position of the legitimate authority and instead become more of a catalyst for debate, referencing Bauman's description of the shift of the position of intellectuals, from a legislator to a facilitator. The museum should not aim to establish a singular truth claim or narrative, or universal standards of 'the best', but to show the inherent instabilities of truth claims, and give different individuals and ethnic or social groups the opportunity to present their own versions of the past and cultural value. Bennett takes issue with Bauman's interpretation of this role, arguing that it is not a role where intellectuals have no influence as Bauman might interpret it. Instead, Bennett argues, it is a highly important and political role where they act as the central mediator of difference and cultural value. This theorisation of culture and politics itself makes explicit that notions of universalism and objectivity and the pursuit of knowledge, which had been the basis of legitimacy of cultural institutions in the modern era, is considered illegitimate. By asserting that cultural work is determined by its functional use in the exercise of power, the role of the institution is re-orientated.

The rise of these theories and the interest in the political role of broadly defined culture coincided with, and reflected, growing disillusionment with the conventional framework of class politics. Terry Eagleton (2003) explains that this interest in cultural politics replaced declining and failed traditional political concerns. Eagelton (2000) argues that the turn to culture in this way is fundamentally utopian and that it is a desire to achieve in the realm of the imagination a resolution of the fundamental structural contradictions of capital. For him, the poststructuralist turn to culture attributes historical agency to individuated, culturised strategies of representation at the realm of consumption. It abandons collective strategies at the level of production. Cultural critic Robert Hughes (1999) describes how students on campuses in the 1980s in the US became concerned with supporting diverse cultures and ethic identity instead of the traditional concerns of material resources and equality.

The cultural turn was reinforced by ideas from the politics of recognition which became influential in the social sciences in the late 1980s and 1990s and lent it a therapeutic sensibility. It suggests

individuals require not just material distribution but the positive affirmation or 'recognition' of their identities by state and institutional bodies (Taylor, 1992; Young, 1990). Advocates of the politics of recognition argue that culture should be attributed as much weight as political representation because it deals with the psychological aspect of the individual's relationship to society (Honneth, 1995). Even political theorist, Nancy Fraser (1995), who has criticisms of this approach, suggests that the redistribution of material wealth is not enough and that attention must be paid to cultural exclusion:

> This could involve upwardly revaluing disrespected identities and the cultural products of maligned groups. It could also involve recognising and positively valorising cultural diversity. More radically still, it could involve the wholesale transformation of societal patterns of representation interpretation and communication in ways that would change everybody's sense of self (p.73).

The therapeutic ethos, that is the need for institutions to recognise and support the emotional needs of citizens, is increasingly a central function of governments today (Nolan, 1998; Furedi, 2003) and, it is argued, cultural policy (Furedi, 2004; Mirza, 2005), which has contributed to the museum's shift away from the pursuit of empirical truth to that of a role in identity work.

Postcolonial Theory

The growth of postmodern thinking and cultural studies stimulated post colonial studies. Helen Gilbert and Joanne Tompkins (1996) clarify in *Post-Colonial Drama: theory, practice, politics,* that this outlook is a critical engagement rather than a periodising concept.

> [...] the term postcolonialism — according to a too-rigid etymology — is frequently misunderstood as a temporal concept, meaning the time after colonialism has ceased [...] Not a naïve teleological sequence which supersedes colonialism, postcolonialism is, rather, an engagement with and contestation of colonialism's discourses, power structures, and social hierarchies (p.2).

Postcolonial theory made a link between the intellectual subordination of non-Western ideas, history and values, and the physical subjugation of the Third World through colonialism (Malik, 2008). Western politicians and the military dominate and conquer the Third World and Western scientists and intellectuals dominate and conquer the minds and intellectual world of the Third World, through imposing their world view, it was argued. It is contended that the consequence of this Western intellectual imperialism is the dehumanisation of non-Western peoples (Young, 1990).

With the rise of postcolonial theory ideas about truth, and in particular the discipline of science, came increasingly to be viewed, not as universal and objective, but as a reflection of the local prejudices of European cultures. This outlook is reflected in the writings of the Native American scholar and activist Vine Deloria Jr. in his work, *Red Earth, White Lies: Native Americans and the Myths of Scientific Fact* (1995). Science is only a "myth" (p.9) which has ignored and dismissed the theories of Native Americans. As he writes:

> Regardless of what Indians have said concerning their origins, their migrations, their experiences with birds, animals, lands, water, mountains and other peoples, the scientists have

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maintained a stranglehold on the definitions of what respectable and reliable human experiences are (p.19).

Science is responsible for the exclusion of Native American views in mainstream culture and their treatment as "subhuman" (p.20), he argued. Furthermore, Western science legitimised and encouraged the "robbing of graves" and "slaughter" (p.19) suggesting a relationship between this intellectual outlook and the identification of the problem of human remains, and echoing similar views to those of Cressida Fforde and Peter Stone discussed in Chapter Two.

With the rise of postmodern and postcolonial theories, culture and science came to be viewed, not as universal or objective, but as a damaging reflection of the prejudices of European cultures. The impact of these ideas stimulated the 'culture wars', 'history wars' and 'science wars' in the 1980s in North America, in which Enlightenment ideas of truth, universalism, judgment, and progress were criticised, defended and debated (Hunter, 1991; Gitlin, 1994, 1995; Gross & Levitt, 1994; Ross, 1996). As a consequence of these intellectual shifts, the outlook of the earlier period which informed the role of museum, to validate the superiority of modern reason, to make judgments, to pursue the truth and to claim to pursue the truth, have been severely attenuated.

Section Three: Internal Influences

The debates over objective truth, relativism and the identified explicit political role for culture, either as potentially liberating or damaging, present in postmodernism, cultural and postcolonial theory, were rapidly assimilated into museology by theorists and practitioners. Until the 1980s, most literature on museums was devoted to reports of exhibitions, discussion about equipment and histories. Whilst there was some examination of the social and educational role of museums (see for example, Bazin, 1967) it was marginal (Merriman, 1991). This shifted dramatically in the 1980s when a body of work developed criticising the idea that museums were value free, arguing that they are inherently and unavoidably political. French sociologist Pierre Bourdieu's work, *Distinction: A Social Critique of the Judgement of Taste* (1984) was a catalyst for this approach, in which he explores the social roots and organization of judgment and taste. In this work and *The Rules of Art* (1996) Bourdieu developed the idea that cultural discernment was a marker of class position and that visiting galleries was a way to indicate taste and class. Cultural tastes were really influenced by primary and secondary socialisation processes rather than a response to universal values of truth or beauty. Whilst Bourdieu focused on art galleries in France, his work encouraged a similar analysis of museums. The development of museums in Western societies, it came to be argued by a wide group of museologists and practitioners, occurred in specific historical circumstances and actively supports the dominant classes, maintaining the status quo as natural (see for instance, Duncan & Wallach, 1980; Sherman & Rogoff, 1994).

In 1986, the prestigious British Museum in London hosted an international conference: *Making Exhibitions of Ourselves: The Limits of Objectivity in Representations of Other Cultures*, an event which raised questions about the possibility of museums representing other cultures. Towards the end of the 1980s, a group of British museum professionals and scholars published *The New Museology*

(Vergo, 1989), a collection of essays which aimed to develop new critical theory on museums and to reconsider the social role of museums. It recommended that the study of museums and professional work should adopt a greater degree of self-awareness into not just methods, but to question the purpose and context of the institutions. The stimulus, wrote the editor and Professor of Art History, Peter Vergo, was "widespread dissatisfaction with the 'old museology,' both within and outside the museum profession [...] it is too much about museum *methods* and too little about the purposes of museums" (Vergo, 1989 p.3). There were a number of interventions made in this volume. Firstly the idea was developed that the meanings of objects are contextual rather than inherent, suggesting that the current social and political conditions and context frame the meanings of the object rather than the object itself (see for instance, Saumarez Smith, 1989). Secondly the argument was put forward that museums were not as isolated from society as had been thought, that instead they were far more influenced by the social circumstances (see for instance, Bahn, 1989). And thirdly there was increased attention on the perceptions of the visitor or others outside of the profession, counterpoised to concentrating on the needs of the elite (see for instance, Merriman, 1989; Wright, 1989) which stimulated a series of studies on the visitor and audiences. Overall this approach argued that the meanings of museums and their contents were more contingent than had been previously considered. Whilst Vergo referred to the new museology as the emergence of theory in the study of museums, it has come to refer to wider change in thinking and practice in the museum world triggered by this critical approach (Ross, 2004). The new museology has been interpreted in different ways in the US, the UK, and France (Davies, 1999), but nonetheless Peter Davies argues that it could be seen as shorthand for a reassessment of the role of museums in society (p.55).

Subsequent to the emergence of the new museology there was what has been described by historian Ralph Starn as a "tidal wave of museum studies" (Starn, 2005 p.68). The ideological mission, the elitism and divisiveness of museums institutions was critiqued in work including those edited by museum theorist Robert Lumley's *The Museum Time Machine: Putting Cultures on Display* (1988) and Sherman and Rogoff's *Museum Culture* (1994), where criticism was focused on the constructions museums have placed on history, difference, class and gender. These edited anthologies developed ideas concerned with and critical of the representation of the past (see also Hewison, 1987; Shanks & Tilley, 1987), and analysed how museums reinforce the social divisions in society (Hooper-Greenhill, 1989; Bennett, 1988). There was a developing specific critique of the role of museums in colonialism and the damaging representation of minorities, influenced by post colonial theory (see Ames, 1992; Barringer & Flynn, 1998; Harth, 1999; Henare, 2005). The theorist and campaigner for the repatriation of human remains, Moira Simpson, was one who argued the museums' origins were implicated in colonialism and are still "inextricably enmeshed" (1996 p.1). Overall, as the historian Daniel Sherman and the art historian Irit Rogoff outline, "a broad range of critical analyses have converged on the museum, unmasking the structures, rituals, and procedures by which the relations between objectives, bodies of knowledge and processes of ideological persuasion are enacted" (1994 pp.ix-v).

Whilst critical, these authors argued that museums had potential to become a positive force. They draw on the work of Tony Bennett and cultural studies scholars, who argued that museums should drop their old claims to knowledge and truth and instead become spaces in which diverse values and narratives

can be debated. Bennett praises the museums in Australia, which he outlines positively, have "ceded" to Aboriginals the right to determined how their culture is interpreted and displayed (1998 p.104). Theorists and practitioners suggest that museums should distance themselves from the traditional justifications of the museum. They suggest that instead the institution should embrace pluralism and include the diverse groups traditionally excluded from the museum (Duncan & Wallach, 1980; Hooper-Greenhill, 1989; Sherman & Rogoff, 1994). In Karp and Lavine's *Exhibiting Cultures: The Poetics and Politics of Museum Display* (1991) and Karp, Kreamer and Lavine's edited collection *Museums and Communities: The Politics of Public Culture* (1992), papers were published from two conferences on the presentation and interpretation of cultural diversity in museums, which took place at the prestigious Smithsonian Institution in Washington. In *Exhibiting Cultures* contributors argue for museums as political arenas where definitions of identity and culture are asserted and contested. Museums they suggested have the power to represent (Karp, Kreamer & Lavine 1992 p.1). In *Museums and Communities*, authors explore the changing ways museums should manage relations with communities. Co-editor and Curator in the Department of Anthropology at the National Museum of Natural History at the Smithsonian, Ivan Karp warns in his chapter:

> All types of museums have responsibilities to communities. These matters are not just the special preserve of cultural-history of ethnic and minority museums. Art and science museums have the same obligations as others. Science museums, for example, usually define themselves as possessing privileged access to verifiable truths. But science is as partial a perspective on the world. Like any other body of knowledge, it can be used in a hegemonic fashion (Karp, 1992 p. 27).

These words express the idea that museums should not claim privileged access to truths, because science is partial and can be domineering. Instead, he argues, the institution has a responsibility towards communities. Similarly, for anthropologist James Clifford (1997), claims to universalism, he argues, are related to concrete social locations and are contextually located. Clifford proposes that the hierarchy of value should be contested and suggests that museums should decentre the collection and include more diverse arts, cultures and traditions. They should operate instead as a 'contact zone' and be orientated towards cultivating and sustaining relationships with communities and becoming places for dialogue. Clifford argues that this shifts the location of authority away from the traditional sources and positively changes both the role of the object and the institution:

> Detached from the monologic universalism of the museum-as-collection, the object is now the site, instrument and occasion for dialogic exchanges structured, ideally, as non-hierarchical relations of reciprocity, between different cultures and communities (p.203).

Contributors are enthusiastic about the significance of culture and museums for identity formation (for instance, Appadurai & Breckenridge, 1992). Here museums are instructed to play a role in the politics of recognition instead of pursuing discredited truth and knowledge. Nancy Fuller (1992), research programme officer of the Office of Museum Programmes at the Smithsonian, argues the museum can be a vehicle for community empowerment. Barry Gaither (1992), director of the Museum of the

National Centre of Afro-American Artists suggests museums can play a role in the reconstruction of society. Laura Peers of Pitt Rivers Museum Oxford, and Alison Brown (2003), celebrate that the relationship between museums and their source communities, the term for those communities considered culturally connected to the artefacts, has changed over the past few decades. As they write: "No longer able to lay claim to a role as the custodian of a post- Enlightenment 'science' or 'knowledge', museums nowadays often promote themselves as field sites or 'contact zones'" (p.2). It is worthy of note, that the co-author of this collection on how to work with source communities is Laura Peers a curator who was a member of the Working Group on Human Remains, a campaigner for repatriation, and advocated an internal review for the removal from display of uncontested shrunken heads at the museum she works for. The problem of human remains, for this professional Laura Peers, is one where the impact of colonisation can be reworked and the possibility of equality created (Peers, 2007 p.140) Similarly, Moira Simpson, the theorist and repatriation campaigner, argued that by reconfiguring relationships with communities, museums can stimulate profound changes in their lives (1996).[20]

The important observation to be made about these many volumes within the new museology, or museum studies, written often by practitioners, is that they have incorporated the intellectual challenges to museum institutions that I have outlined in the section on external influences. Central to my argument is that challenges to the historical claims to objectivity and truth have been promoted by art historians, anthropologists, new museologists and professionals themselves. In place of objectivity and truth, a role in the affirmation of identities is advocated. I contend that the new museology and much of the subsequent museum studies, indicates and reflects an internalisation of the broader intellectual influences I have outlined.

The World Archaeological Congress

It is in the context of these ideas, promoted by theorists and museum practitioners, and influenced by them, that the problem of human remains emerged. It is possible to chart the development of the critical conception of archaeology and museums as ideological institutions that could also play a different and positive social role, with the congruent emergence of the problem of human remains. The first World Archaeological Congress, held in 1986, established a non governmental organisation for practicing archaeologists. Founded in Britain, this first meeting led to the publication of key texts challenging archaeology, primarily for being uncritical of the problematic assumptions of the ideals objectivity and neutrality, unthinkingly political and over reliant on science (see Layton, 1989). The first congress of the WAC has been described as "perhaps the first serious challenge to business as usual for the discipline of scientific archaeology" by the archaeologist Roger Anyon, and member of the Pueblo Zuni tribe in America (Swidler, et. al. 1997 p.263). The organiser was anthropologist Peter Ucko, whom I identified in the Chapter Two as an issue entrepreneur in the transmission of the human remains issue to Britain. He says of the WAC: "The overall theme took as its starting point the proposition that archaeological interpretation was a subjective matter. It also assumed that to regard

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[20] See also Clavir, (2002) for a similar intellectual approach in Canada.

archaeology as somehow constituting the only legitimate 'scientific' approach to the past needed re-examination and possibly even rejection" (1989 p.xi). Ucko, and the authors in the influential texts published from the WAC are critical of 'western archaeology', which is accused of attempting to understand the past without an awareness of different values (Mcbryde, 1992 p.260). For Ucko and other authors in these volumes published from papers at the event, the interpretation of the past is not a given universal; different societies hold different perspectives and values; other cultural truths are equally valid (Layton, 1989). The American archaeologist and activist Larry Zimmerman endorses this position of cultural relativism in one of the volumes to come out of the congress: "We happen to have developed a concept called cultural relativism which says that one worldview is no better than another, and that must include our own as archaeologists" (1989a p.66).

The WAC identified the contestation over human remains as one that presented archaeologists with an opportunity to act differently, by shifting authority in the interpretation and excavation of the past, away from archaeologists, to different cultural groups (see for example Layton, 1989; Shennan, 1989; Hubert, 1989). As I explained in Chapter Two, the problem was raised at this event and became an important campaigning issue subsequently for the WAC. The first guidelines on the treatment of human remains, *The Vermillion Accord on Human Remains* (WAC, 1989), were passed at the congress. These ideas and the resulting campaign to transfer human remains were rapidly taken on board by museum professionals in Britain as an issue in the 1990s.

Reconstituting Authority

The sustained erosion of the traditional justification of the modern museum has stimulated an attempt by the profession to distance itself from this remit and create a new role for itself. Debates have subsequently developed about that role and the source of the institution's authority, primarily instigated by Tony Bennett. Bennett (1998) criticises Bauman's characterisation of the broad shift of intellectual work in society, moving from holding legislative authority to that of a facilitator. Bennett also criticises the interpretation of the museum institution as a site which promotes cross-cultural understanding, promoted by James Clifford. Bennett argues the shifting role of intellectuals, and in particular the museum, is not as neutral as Bauman or Clifford suggest, but neither is this a problem he argues. Bennett contends that a highly important role is being enacted, which he argues Clifford and Bauman do not appreciate. He posits that ,whilst the contemporary museum, which operates as a 'contact zone', holds a different role to that it held in the nineteenth century museum, it is still in the service of government. Bennett writes that the museum is still a "program of the same type - a move, ultimately, in the same space as a part of the same set of relations of government and culture" (p.212). They may play the role of a facilitator, he outlines, but the museum and the professional are still of central importance and still reinforce cultural ideas and norms in the service of government. As an example, Bennett cites the complicated acts and processes in present day Australian museums which are promoting the development of cross-cultural understanding between whites and indigenous Australians. He argues that all these different innovative approaches are highly skilled and important in ways that traditional intellectual work was not. It is "a task of cultural management which requires a degree of administrative inventiveness and an utterly sedulous attention to questions of administrative

detail that would have been well beyond the reach of Bauman's nineteenth century cultural legislators" (p.104). What is important about Bennett's argument is that the facilitator role is one that does hold authority, but it is not the authority to define what is true knowledge. For Bennett, the interpreter and facilitator role of the contemporary museum is more central and significant to government than theorists such as Clifford and Bauman realise.

Bennett suggests Bauman does not appreciate how important and central the intellectual is as a facilitator. However, it is possible that Bennett misreads Bauman's analysis, for whilst Bauman notes legislative authority has shifted away from intellectuals, he suggests that they still aim to retain or refashion their authority. They reposition themselves, he writes, in response to these challenges with the aim to sustain some form of legitimacy. As Bauman outlines:

> While the post-modern strategy entails the abandonment of the universalistic ambitions of the intellectuals' own tradition, it does not abandon the universalistic ambitions of the intellectuals towards their own tradition; here, they retain their meta-professional authority, legislating about the procedural rules which allow them to arbitrate controversies of opinion and make statements intended as binding (1987 p.5).

For Bauman, intellectuals aim to retain professional authority by putting themselves in the position of an arbitrator of procedure and opinion. Bauman concedes that this will be difficult due to the nature of postmodern thinking, it is thus difficult to proffer their views uncontested or hold them with authority: "The contemporary 'general' intellectuals find, however, their territorial claims contested. And with the post-modern strategy around, such territorial claims become inherently problematic and difficult to legitimize" (p.6). There is therefore a continued problem of legitimation, for Bauman, due to the nature of postmodernism. This is a crucial observation that I explore further in the next chapter. What is important to note here, is that Bauman's analysis does not suggest that the shift from the legislator to the facilitator is one which involves the simple ceding of authority. Instead it suggests that the new role formed by intellectuals is an attempt to relegitimise their authority and position.

The re-orientation of the museum away from the weakened objectives of the pursuit of truth and knowledge is part of an attempt to gain authority via the distancing of the institution from its traditional role and an attempt to establish a role for the museum as defining and affirming identities. Theorists examining the American and British state have identified the introduction of the therapeutic ethos, as an opportunity for the state to develop a role as the "authorative voice of recognition" (Furedi, 2003 p.165). In a similar vein, James Nolan also interprets this shift towards a therapeutic ethos as an opportunity for the state which is undergoing a legitimation crisis, because it offers "a replacement to traditional moral codes and symbols, worn by the effects of modernization" (1998 p.17). Refashioning a role for the museum then, as a place of political struggle and the recognition of identity, is a way of establishing the role of the institution as one which affirms and valorises identities. This is an important role that currently holds legitimacy. As Nolan argues in relation to the therapeutic ethos in the American state: "In Bourdieuian terms, it is a form of "cultural capital" that has, in the contemporary cultural context, a high exchange rate" (Nolan, 1998 p.17). Whilst the actions of professionals may signal a shift away from an empirical role as a response to a crisis of legitimacy, it is part of a process

which is an attempt to secure a central role and establish authority for the institution as partly based on community work and recognition. The museum is attempting to relegitimate itself, in part, as an authorative voice of therapeutic recognition.

Section Four: Theory on the Shifting Remit of the Museum

The impact on the contemporary museum of these social and intellectual shifts has been a focus of attention for a corpus of literature resulting, theorists argue, in changes in the remit of the institution, which they suggest is primarily due to the influence of market forces and postmodernism. I will now review this work. Most of the literature on museums sees challenges to the institution as coming from the market, postmodernism and social movements. The contribution I make is to posit a challenge that I contend is under-recognised. In the case of the problem of human remains in the UK and, I suggest, shifts in the remit of the museum more broadly, direct challenges to the traditional remit of the institution have also come from within the sector.

One strand of this body of work on the shifting mission of the museum addresses the growth of spectacular displays and simulational experiences which have arisen with new technology and the growing market orientation of the institution under postmodernity. In 1967, the writer and filmmaker Guy Debord published *Society of the Spectacle* (1994). Debord argued that society was experiencing the colonization of everyday life by commodity culture. Life was becoming lived through the mediation of images. Spectacle became the term for the performance of the visual commodity form, which these theorists critiqued, including on T.V., heritage centres, museums, cinema, advertising and shopping malls (Cooke & Wollen, 1995). The concern for these theorists is that 'real' life and history is compressed with the rise of spectacular images and that the image has become dominant, more 'real' than reality. For another writer in this vein, Baudrilliard, the "disappearance of the real" is the defining characteristic of the postmodern (2001 pp.166-164). Similarly, in *Travels in Hyperreality* Umberto Eco (1987) discusses what he terms "hyperreality" when a larger than life version of history replaces history. 'Real' history no longer matters as it becomes replaced by displays, signs and simulations (p.151).

The museum has become like other spaces of entertainment turning the institution into an "apparatus of capture" (Deleuze & Guattari, 1988 p.424), according to some critics. Theorists, most often postmodern writers in the cultural studies tradition, including Jean Beaudrillard, Fredric Jameson and Mike Featherstone, argue that the museum is a place of cultural intensity designed to stimulate desire transformed into habits of consumption. For Baudrillard (1982), the dominance of the market and the growth of consumer culture have altered the ethos of the museum in what is seen to be a negative process. He describes the Beauberg Museum in Paris as a "hypermarket of culture" which "has all the semblance of housebreaking or the sacking of a shrine" (p.10) as the audiences consume and are manipulated by sensation and the spectacle of culture. For Baudrilliard and other theorists including Alan Wallach, high culture collapses under the weight of mass consumption (Baudrillard, 1982; Wallach, 2003). Mike Featherstone (2007) echoes this critique, arguing that museums have become

like shops, directed at the consumer, both orientated towards sensation, experience, spectacle and consumption. Nigel Whiteley (1994) concurs, concerned with the impact on the audience. They are being turned into consumers, he writes, and that the blurring of boundaries between culture and commerce have homoegenised cultural experience and changed the relationship of the audience to art, from a transformative one to that of a consumer, who can like something rather than be changed by it. This concern about the impact on the audience is also a preoccupation for Frederick Jameson (1998). For Jameson postmodernity has encouraged arenas of visual consumption where the audience is encouraged be in a state of distraction, thus the contemplative remit of the institution has been replaced by stimulation, multiplying sensations and images. The loss to the museum of the contemplative remit, now replaced by distracting sensation, is the focus for Virilio (1994), who complains that aesthetics and thoughtfulness have been replaced by immediate stimulation from new technologies. The museum, for these theorists, is no longer distinguishable from the shopping mall, or the theme park. Visual culture has reached a high level of circulation, and as a consequence people are in a permanent diverted state. These theorists argue the museum has become like other spaces of entertainment whose remit is to stimulate consumption. For them, the rational remit and the contemplative aim of the museum once elevated as separate from society, has been replaced by the high tech and popular centres of distraction which focus a great deal of attention on spectacle or technology and the consumer at the expense of scholarship and research on the object.

Philosopher Hilde S. Hein (2000) addresses the impact on the object due to shifts in the re-orientation of the institution, in her work *The Museum in Transition: A Philosophical Perspective*. Whilst acknowledging the work of Umberto Eco and Guy Debord who respond to the impact of postmodernism, Hein roots these changes in an older tradition. But she does emphasise that there are different pressures on institutions today due the instability of meaning and judgment, the rise of simulacra and new technologies. Hein argues that the engagement and purpose of the object has shifted because of the context within which it is understood and put to use has changed. She acknowledges the influence of new technologies and the market, but her prime concern is the orientation towards the experiential and the resulting neglect of the collection. Historically, she outlines the collection was a central activity to the institution. But today they are used to stimulate experiences and are subservient to this purpose.

> The showing of objects has been the museum's historic mission. Exhibitions traditionally put objects "on view," inviting visitors to inspect and contemplate them, guided by the epistimically privileged museum authority. But what is observed in the museum today is no longer unequivocally an object; objects have been reconstructed as sites of experience, and museums increasingly hold themselves accountable for delivering experiences (p.5).

This is a problem for Hein, as objects are highly valuable as material presences, though she acknowledges they can also be signifiers of multiple meanings. The focus on experience by the contemporary museum is echoed, less critically, by theorist Eilean Hooper-Greenhill who contrasts the 'modernist' museum with one she terms 'the post-museum'. The post-museum is a process or

experience. The exhibition is the focus for multiplying transient activities - dynamic events within and without the museum (Hooper-Greenhill, 2000 pp.152-3).

The critique of spectacle and the visual display of the commodity was reinforced for theorists by shifts in cultural policy. It is widely recognised that British cultural policy underwent a significant change in direction in the 1980s (Pick, 1991; Kershaw, 1994; Hewison, 1995; Sinclair, 1995; Selwood, 2001). Theorists argue that the impact of the fiscal crisis of the welfare state led to cuts in public spending including arts subsidy (Blandina Quinn, 1988; Gray, 2000). During this period arts institutions couldn't rely on the idea of 'art for its own sake' to justify funding and support, but had to find other utilitarian values with which to promote their work. In the context of decreasing state support, and the introduction of admission charges for most nationals, institutions began to conceptualise and promote exhibitions as products to be marketed with the aim of encouraging larger numbers of paying visitors (Macdonald, 1998b). Cultural historian Robert Hewison (1991) argues that the influence of the market during this period shifted the values of the institution away from serious scholarship which has triggered a crisis of purpose. He suggests that scholarship and stewardship have been abandoned due to market forces.

Sharon Macdonald and Roger Silverstone (1999) recognise that the growth of new technologies and the orientation towards stimulating a sensory experience has impacted upon the remit of the museum and with the growth of competing theme parks outside of the institution, raise the question of whether the museum could be threatened by this competition. But they see this development as a process in which the museum may respond by articulating and exploring notions of authenticity. In others words, they suggest there is a dynamic interaction, where institutions may reclaim the primacy of the object in response to the rise of the image, rather then simply being replaced by it or leaving it as a sole focus. Macdonald and Silverstone also point to an internal contestation over the importance of objects within the institution amongst professionals, to suggest that there may be limits to the domineering institutional focus on sensory and distracting experiences.

Macdonald and Silverstone, interpret the orientation towards marketing and the audience as a response to the power of the consumer, as well as the influence of the market. For them, the important shift is away from the idea of museums serving a community, originally the nation, towards a more individualistic idea of the consumer. They argue that the influence of consumer, whilst an unequal and weaker position to that of the cultural institution, is nonetheless a real shift in the balance of power and not an entirely negative threat to the institution, which has to adjust in response. Macdonald and Silverstone, like Hein, contend that this may shift the context of the collection's meaning, objects and the collection becoming meaningful not because of outside reality, but because of the experiential reality based on the visitor's biography. Again, Macdonald, with Silverstone, highlights the contradictions in this process and limitations to critiques of this shift, by suggesting that old ways of presenting material won't necessarily disappear because they are still persuasive and object rich, but they will not be read in the same way and will be problematised by professionals and audiences.

Other theorists have responded in a similar vein that sees the orientation towards the visitor and the growth of marketing not just as market driven, but also as audience orientated, which they suggest is a

positive shift in power. One such article, *Rethinking the Museum: An Emerging New Paradigm* by Stephen Weil (1990), describes what he characterises as the rise of a "superseding paradigm" (p.58). Weil traces the museum industry's definition of purpose for museums. He outlines they moved from the institution defined as a collector, to museums described as educating and servicing the public; from a focus on the collection to one which now is concerned with interpretation, communication and audiences. Gail Anderson, editor of the collection *Reinventing the Museum* (2004), concurs, arguing that the two decades prior saw a paradigm shift from institutions organised around collections to those organised around visitors.

Oliver Bennett (1996), like Macdonald and Silverstone, also cautions against attributing all change to cultural institutions to the market during this period, in his study of cultural policy in the UK. Bennett argues that the inability to justify the role of arts institutions on the basis of art for arts sake in the 1980's, was prompted by more than pressure due to economic cuts. He outlines that the second reason for the emergence of new policy concerns arose from the decreasing legitimacy of culturalist positions and in particular that of the democratisation of culture. The idea of the democratisation of culture had relied on broad agreement about the culture to be democratised but, Bennett explains, this had been gradually undermined. Prior to the 1980s, culture was generally perceived to be the universal values of European high art and should be available for all. Bennett describes the "retreat" (p.7) from these positions as taking place during the 1980s. One reason for this was the cuts to the public sector. The second was the collapse of the consensus on the universal values of European high art due to the influence of postmodernism. Not only were they faced with cuts in public expenditure but, he argues, they "were unable to mount an intellectually convincing defence of their position" (p.1). It is as a consequence of these two changes, Bennett argues, that cultural managers tried to become entrepreneurial.

In her ethnographic analysis of the Science Museum in London, Sharon Macdonald (2002) echoes Oliver Bennett in positing that a fundamental problem facing museums today is the challenges from the intellectual critique of knowledge. This means the principles governing the selection and presentation of exhibits are no longer as straightforward. Science museums, the focus of her study, traditionally relied on the criteria that they showed general scientific principles and the history and philosophy of science which was generally seen as a progressive development. These criteria are less accepted by professionals and audiences today, Macdonald and Silverstone suggest (1999). In response it is argued that the museum now shows new "fictions" (Maconald & Silverstone, 1999 p.427) resulting in exhibits that require greater interpretation, to challenge the original classification. Other strategies in response to this challenge, Macdonald outlines, is the growth of exhibitions in museums of science which question scientific authority, or to reflect upon the process of exhibiting, indicating increased reflexivity (Macdonald, 1998a). The orientation away from grand narratives and truth claims has become more evident in the sector Macdonald argues, observing that feminist, postcolonial and social history perspectives can be found at museum conferences and in the professional journal *The Museum Journal,* including also exhibitions which are self consciously reflecting on the authority of the museum (2002 p.37). This is an important contribution which indicates the internal influences of the process and its impact. Overall, however, with the exception of Macdonald, within museum studies this

observation is limited, and whilst there is reference to institutional critique (for instance, Corrin, 2004) this is very much with the aim of showing how it can be done, rather than as an analysis of why and an exploration of the dynamic behind it.

Sociologist Nick Prior (2002, 2003, 2006) questions the conclusions of these theorists who promote the decline and the end of the museum as a result of market forces and postmodernism. Whilst Prior recognises the trends they identify, he does not conclude they signal the demise of the institution, suggesting instead that instead museums are involved in "double coding" (2006 p.52), where they promote different and apparently contradictory values, at the same time. Throughout history, he argues, museums have promoted apparently contrary sets of values; at times practicing an elitist notion of scholarship as well as presenting a popular democratic institution and servicing ceremonial ritual over secularised objects. These cited changes are not a serious disjuncture but very much part of the contradictions and fashions that have always influenced and been influenced by museums. Prior qualifies, however, that these contradictions in purpose may be more pronounced in the contemporary period. He argues that this suggests the museum is a "radically syncretic institution" (2003 p.63), influenced by the feature of "institutional self-consciousness" a feature of all modern institutions across society. He relates this observation to the work of Giddens, Beck and Lash, and their theories of reflexive modernisation, where organisations are in a process of continual self-examination. He concludes that whilst museums are still as they were formed, institutions of social distinction, it is now possible for museums to hold greater contradictions and that this is positive, especially in relation to exhibition strategies which are more socially inclusive.

Furthermore, Prior argues that audience research demonstrates that visitors are able to negotiate and overturn the meanings offered in different media, they are not a mass block as characterised by critics but far more diverse and they are more intelligent than passive recipients. This leads him to the conclusion that the spectacle discussed is not as domineering as theorists would have it and that the counterposition by these theorists between the traditional and postmodern museum is overstated (Prior, 2006). This emphasis on the sophistication and diversity of the audience is a point also made by other scholars, partly as a response to the thesis that posits the institution is an institution of dominant ideology, and it is argued that audiences should not be interpreted in such passive or homogenised fashion (see Selwood, 1988; Merriman, 1991, 1989; Hooper-Greenhill, 2006).

Nonetheless whilst there are contradictory elements within this institution that have been present historically, as Prior argues, his analysis may overstate historical continuity and underestimate the significance and extent of the institutional reflexivity that he identifies. Firstly his observation that museums have not significantly altered is predominately based on an analysis of audiences. Prior explains that on the basis of visitor figures, attending museums and galleries is still a form of cultural distinction and therefore the original Bourdiean analysis, that the museum is an institution of class distinction, is still correct. Thus he suggests its remit is consistent with its traditional role. But whilst this analysis of audiences is informative it does not mean that the practice of the elites in running museums has not altered or that the remit of the museum has not been significantly challenged. It conflates visiting practices with the idea of what a museum is as if they are the same thing, rather than

related. That institutions no longer consistently hold up the values and purposes they did during their formation in the eighteenth and nineteenth century, is a shift that justifies further attention, rather than being regarded as holding the same remit as its formation, due to the continuity with audience type. Furthermore, while audiences may be highly sophisticated in negotiating spectacle, to concentrate on the response of visitors neglects an analysis of why the sector employs spectacle instead of concentrating their energies on the collection. These conclusions, whilst adding to research on audience engagement, do not sufficiently reflect on the changing rationale of the activities of the professional and their idea of the museum. Whilst museums are involved in double coding, and contradictions can always be found in the traditional museum, this conclusion may overstate historical continuity. Instead, as I suggest below, it is possible that there has been a profound shift in the idea of the purpose and the remit of the institution held by the sector, due to the influence of a crisis of cultural authority, the extent of which and its internal aspect have not been adequately analysed.

Under-Theorised Influences on the Shifting Remit of the Museum

Whilst these theories capture important influences on changes in museum institutions and the profession, there are two significant influences on the remit of the institution that are under-therorised. The reviewed literature tends to focus primarily on the marketisation and postmodern thinking on museums but, is has been argued, there is a general failure to consider other social priorities that have risen to the fore. Both Furedi (2004) and Mirza (2005) have critiqued the tendency for theorists to focus on the marketisation of contemporary policy-making in relation to cultural institutions, for, they contend, this distracts attention from the influence of another development: the popular ideology of social inclusion. Similarly, Anthony Shelton (2005) shows that a significant shift away from the curator has been accompanied by the rise of professional managers and administrators. He contends that they are now subordinate to market forces, but also to the delivery of objectives related to social-engineering. External objects decided by the market *and* social outputs dominate in the place of universal truths. "Formerly accepted universal truths have lost the legitimacy they once possessed, and with them, the intellectual legitimation behind narratives has been displayed to the institution's performance in relation to externally imposed objects" (p.76). The orientation towards social outputs can be identified in cultural policy. The DCMS, the MA and museum professionals have published a number of policy documents, books, and papers that promote the positive social impact museums can have on the emotional lives of citizens today, to improve community, self-esteem and well-being (for instance, Dodd & Sandell, 2001; Sandell, 2002; Silverman, 2002). For example in the policy paper, *Centres for Social Change: Museums, Galleries and Archives for All* (DCMS, 2000), Chris Smith, the then Secretary of State for Culture, Media and Sport outlined that museums and galleries have a significant role to play in tackling social inclusion and the promotion of confidence and self-worth. That participation in culture can contribute to self worth, confidence and well-being as well as address the experience of social exclusion. Increasingly, cultural policy is oriented around the emotional needs of the citizen as their psychological condition is seen to be a significant contribution to the well-being of society (see for instance, Newman, 2005). Social outputs are an important rationale in contemporary cultural policy in museum institutions.

Museums as Sites of Contestation

Before I outline the second contributory factor on the rationale of the museum today, it is necessary to review the literature on museums as a site of contestation. Contemporary contestations in museums have been a subject of attention for theorists reflecting on the ethos of and pressures on the museum remit. Theorists identify important external influences, but as I put forth, they do not substantially advance an analysis of the internal contribution by the profession. During the 1990s, museums in America became a focus of debates concerning the construction of national histories (Zolberg, 1996). The most prominent exhibition that alighted controversy was the Enola Gay. In 1994 the proposed exhibit marking the 50th anniversary of the end of World War II, featuring the B-29 Enola Gay in the Smithsonian's National Air and Space Museum, aimed to raise critical questions about its use. The exhibition stimulated high profile argument over how the institution should represent dropping the atom bomb on Japan. Strong criticism of the planned display was mounted by the American Legion and conservative members of Congress who argued curators had "'hijacked history"; they were "anti-American"' (Engelhardt & Linenthal, 1996 p.2).

Subsequently theorists have examined the museum as 'sites of contestation' and as influenced by a number of social changes. In *Displays of Power,* Steven Dubin (1999) analyses a number of controversial exhibitions in American museums, primarily in 1990s also including one, Dubin argues, in the late 1960s. He broadly argues that museums have become sites of controversy due to three influences. Firstly the legacy of community empowerment which developed in the 1960s: "exhibitions today commonly reflect the interests of groups that are ideologically different from these previously in control – groups that are only recently flexing their muscle, having just elbowed their way into the cultural spotlight" (p.227). The second is the emergence of social history which has encouraged more history from below, which has destabilised the traditional history once depicted, thus creating problems as groups compete for representation. And thirdly, because cultural issues more generally have become so controversial in the 1980s and 1990s partly "displacing" the political sphere as a space of debate (p.62). As a result, he ventures, they have become politicized spaces.

Sharon Macdonald (1998) addresses the political and contested nature of exhibitions of science and technology in the edited collection *The Politics of Display.* Like Dubin, Macdonald concentrates on external challenges as crucial. She acknowledges that the twentieth century has seen the challenging of many nineteenth century ideas: the nation state, empire and "deep truth" (p.14), focusing on developments since the 1960s from external challenges to the institution which have contributed to the displacement of its original remit and its emergence as a site of contestation (p.14). This, she suggests, has been met with escalating resistance:

> While there has undoubtedly been a proliferation of different, particular minority, 'voices' speaking in the public arena, the old political and cultural high ground has not simply been relinquished. On the contrary, what we have seen is an escalation of intellectual battles over the legitimacy of different kinds of representation. The 'Culture Wars' have focused especially on issues of 'political correctness' and 'intrinsic value' in relation to history,

multiculturalism and national identity, focused partly on the *Enola Gay* episode; and the 'Science Wars' have seen fierce debate over the epistemological status of science (p.14).

The controversies over the representations of the past and different histories are predominantly understood as the results of tension due to the challenges from social movements who make demands regarding the representation of 'their culture' and the relativistic claims which threatened to dethrone claims to objective knowledge. The institution and profession are characterised as resistant to those challenges (see also Macdonald & Fyfe, 1996 p.9). In this vein, commenting on controversies over the holding and display of sacred artefacts in museum collections, Jan Marontate, states: "Tensions also arise in relations between museums and their "subjects" about ethics and ownership of cultural information or things" (2005 p.289). Marontate ventures that museum professionals resist these challenges from their "subjects" because they still hold on to ideas of truth and objectivity: "Museum professionals, many of them trained historians, often resist that knowledge is socially constructed [...] This has concrete implications for museum practices. Demands for parity of representation or affirmative action for under-represented cultural groups is a common source of friction" (p.290). For Marontate, contestations arise when audiences challenge the representation or ownership of their culture, and professionals withstand these challenges as they still feel their way of understanding the world; that it has an objective reality discoverable by rational investigation, and the legitimacy of it, is firm. Marontate remarks that conflict does occur between museum professionals within institutions (p.288), but overall she sees challenges to representation and resulting controversial exhibitions, as a process which is resisted by professionals: "Museum professionals may be increasingly aware of the importance of public interaction for meaning-making but they have not necessarily embraced a sense of relativism. Nor have they all relinquished their claims to position of authority" (p.293).

The idea that professionals are resistant to such external challenges is the common conception amongst theorists. It is important to note that when discussing resistance, this often framed as a problem, rather than as an analysis or description. Museum theorist Richard Sandell (2002) for example, warns of the problems of resisting changes towards a socially inclusive museum:

> Many museums, in their desire for autonomy, resistance to change, and disengagement from societal concerns run the risk of becoming increasingly irrelevant and anachronistic in their values (p.21).

Although the museum as a site of controversy is commonly interpreted as stimulated by pressure from external groups challenging resisting institutions, in Macdonald's afterward to *The Politics of Display* (1998a), she is careful not to inflexibly delineate these two sides in stimulating the contestations, explaining that caricatured polarizations do "symbolic violence" (p.290) to more complicated positions. She also acknowledges a more complex interaction in her study *Behind the Scenes at the Science Museum* (2002). Here Macdonald critiques the frequent assumption within academia that professionals hold strict positivist and celebratory attitudes about science. She explains this is different from what she found in her ethnographic study of the Science Museum in London, where she observes that staff were involved in debates about social and cultural perspectives on science (p.60).

In his analysis of narratives of decline, Oliver Bennett (2001), akin to Macdonald, points to a more complicated picture, than that posited by the common analysis of a bipolar contest between a resistant profession and external challenges, when he notes that the relativism which had eroded the defence of high culture was in part felt by the those responsible: the directors of cultural institutions and broadcasters who could no longer uphold a status for the arts as value free (p.132). This departs from Maronate's (2005) assertion that they have not taken cultural relativism on board, an assertion that I would also challenge. Similarly, Prior (2006) notes that museums have changed since the 1960s, despite arguing this is part of a longstanding contradictory process, and that they have engaged with the critique that they are institutions of dominant ideology. And in this vein of acknowledging the role of the profession in these contestations, Dubin (2005) observes change can come from within due to new curators from diverse backgrounds.

However despite a recognition by theorists that the frequent counter-position of contestations as arising from external pressure from social movements on resistant organisations is more complex, I would argue that it is not simply that the two positions - the challenges from the public and community groups regarding to the representation of 'their culture' and resistant professionals - is more complicated as Macdonald suggests, but instead that this characterisation of museums as sites of contestation has not adequately considered the role of the profession in advocating some of these challenges. Whilst Macdonald, Dubin, Prior and Oliver Bennett all acknowledge debate and shifting values within the profession, this is all they do to acknowledge it. What is missing is a substantial exploration of the internal element to these contests; of contestation from and within the profession over the role of the institution. None of these theorists acknowledge the new museology as significant, whereas I would argue it demonstrates the internalisation into theory of challenges to the traditional museum remit. Whilst Macdonald (1998) and Prior (2006) refer to the sector becoming more self-reflexive, and integrating critical theories including feminism and post-colonial theory, I argue this contribution is more influential than has been previously considered. On the whole this literature hasn't sufficiently recognised the significance of and the extensive internal aspect of the contestation over the role of museum institutions and is prone to interpreting it primarily as a profession still committed to objectivity, reacting to and defying external challenges to their authority.

There is one important study that has examined the impact of the new museology and the critical conception of the museum as an ideological institution on museum professionals in the broader context of changes in society that has seen a move in cultural leaders and intellectuals from a position of legislators to interpreters of cultural meaning. Max Ross (2004) examined the changing nature and social functions of the museum in the late twentieth century. Ross argues that the movement in museums towards a more visitor centred ethos corresponds with the idea that professionals have moved from being legislators to interpreters, a theory he adapts from Bauman's work. The authority of museums has been challenged he outlines. He suggests there have been moves to be more inclusive and less didactic since the late 1980s, partly through influences from the new museology but also from the influence of the market and politics. Ross examines these changes from the point of view of professionals, in other words charting the influences on the managers and curators, rather than focusing as much research has done, on the audiences, which is a welcome contribution to addressing this

imbalance. The shifts that Ross highlights suggest significant changes in priorities, including an increased attention on audiences, and commitment to encouraging greater access to once excluded groups and social inclusion, in contrast to the presentation of 'legislated' accounts of history and culture: the grand narratives of the nation, rationality and progress which were present in museums in the eighteenth and nineteenth century.

Ross suggests that market pressures and political shifts have put pressure on to the institution to change which is demonstrated by the new museology. However whilst Ross argues that professionals have been influenced by these ideas, which are in turn impacting on the remit of institution, he concentrates on the resistance of professionals to these changes. Ross identifies that museum workers who attempt to further interpretive strategies find themselves pulled back into furthering traditional concerns. Established practices have a greater sway, he concludes. He suggests that the tendencies associated with a move to interpretative functions are at odds with the internal culture of some museum departments, where traditional subject divisions and classifications serve to define and defend professional and social identities. The weakening of old accounts is thus only partial and contingent he argues. As he writes:

> [...] the new interpretative strategies, as they appear in my research data, are only partial, contingent and limited by what one director described as 'an in-built resistance to change'. [..] I want to argue that the cultural barriers which deter many people from visiting have social functions in themselves and are not to be dismantled without resistance. The public museum remains a contested space where diverse social groups seek to assert a right to access and representation; to articulate social and cultural identities, against the long-standing monopoly of elite, for whom the function of the museum arguably remains as allied to a legislative project (p.100).

Whilst Ross identifies that influences on the institution, including that from the new museology, has shifted priorities, he concludes museum professionals are resistant to change, and that in particular that the internal culture of the institution and the traditional subject divisions define and defend professional and social identity. Overall, he ultimately maintains the characterisation of the changes to museum institutions as that where social groups challenge and demand representation, against the dominance of elite who still consider the museum to be orientated towards a legislative project.

This is an important study which begins to address the neglected internal aspect to challenges to the remit of the institution. In particular, Ross analyses the new museology as an attempt to re-orientate the remit of the institution by members of the profession, even if he argues it is partial. However, my research indicates something different is taking place, in the contestation over human remains. I would suggest that what is significant here is the advocacy work of professionals and their contribution to the construction of this problem. What is most significant about the contestation over human remains is that those arguing for change have been senior museum professionals. As I outlined in Chapter Two, there are those who strongly resisted these changes. In this case, primarily senior scientists, and professionals firmly contested the repatriation and the devaluing of the research potential of human remains. But over time these claims once representing the mainstream and accepted view of the

profession have diminished and are now only publicly held by minority. This indicates that this particular contestation in Britain is substantially fuelled by *internal* interactions within the profession. It also questions the conclusions put forth by Ross: that the sector defends its professional boundaries and disciplines and istill involved in a legislative project. Of course, the internal contribution of professionals in contestations over the authority of the institution is likely to be highly different in each case: it is likely this interaction has changed over the last few decades, and varies considerably in Britain where there is no indigenous issue, and a distant relationship with overseas groups. This is significantly dissimilar to countries such as Australia, Canada, America and New Zealand. But these caveats aside I would argue an appreciation and exploration of internal challenges to cultural authority is a fruitful contribution to analysing shifts in museums more broadly, as well as in this specific case. The challenges to the traditional role of the institution from the new museology and from within the profession are generally underestimated by theorists looking at the museum more broadly, who concentrate primarily on the influences of postmodernism and the market, or concern themselves with the interactions and positions of the audience and who do not recognise these significance as historically different or significant.

Conclusion

In this chapter I argued that what is most significant about the contestation over human remains is the contribution to the problem by museum professionals, which I ventured is the consequence of a crisis of cultural legitimacy. I first outlined the external influences on the museum profession which contributed to this crisis of cultural authority. Secondly I charted the internal influences on the remit of the museum, arguing that new museology, a body of critical thinking on museums, exemplifies this significant self-scrutiny within the profession, and represents an attempt to re-orientate the purpose of the institution by professionals, in response to these influences. I demonstrated that the problem of human remains emerged in conjunction with these ideas. I then reviewed the literature on museums that has reflected on these social and intellectual influences discussed and, theorists suggest, the consequent shifting ethos of the institution. I argued that it broadly overlooked and underestimated the role of members of the sector themselves in the questioning of the cultural authority of the museum and the aim to re-orientate its remit in response. In particular, the common characterisation of challenges to the institution, as resulting from external influences that clashes with a resistant profession, neglects an exploration of the significant internal influences on such contestations. I conclude that to understand the construction of the problem of human remains and the contemporary museum, it is necessary to explore further the role of the sector in the promotion of the problem. In particular, it is important to explore how and why the professionals are involved in this problem and their rationale for it and how this might resolve the crisis of cultural authority.

CHAPTER FOUR

WHO DECIDES? PROFESSIONALS CONTINUE TO QUESTION THEIR AUTHORITY

In Chapter Two, I established that important activists in the promotion of the problem of human remains in collections in Britain were museum professionals. In Chapter Three, I critiqued theorists for neglecting an internal dynamic contributing to shifts of purpose and contestation in museums. Sociologist Philip Jenkins (1992) outlines that social problems must be understood in terms of those attempting to define them. This understanding is particularly important as this is a debate which concerns the re-orientation of museum practice and is promoted by members of the sector. I thus analyse how professionals understand the issue. Through an exploration of my empirical research; drawing primarily on 37 semi-structured interviews with the sector, I illustrate how the crisis of authority is internalised and represented by the professionals.

In what follows I turn to my empirical material to explore in depth the internal influence on the construction of the contestation over human remains. In particular I demonstrate how interviewees show considerable unease towards their own foundational authority and a continued desire to question it. I first examine their attitudes towards the museum collection. I outline that professionals view it as tainted, primarily through the motif of the perceived wrongs of historical acquisition during the period of colonisation, where the influence of postcolonial thinking can be identified. I explain that the actions concerning human remains, repatriation in particular, are validated through the cultural script of making reparations and the therapeutic ethos. In the second section, I turn to analyse the underlying dominant theme in the interview material. I argue that the primary concern motivating actions and ideas about the holding of human remains is the position of the professional. I venture that the target, through the identification of this problem, is the outlook of other professionals. Interviewees articulate the issue of concern as the actions and ideas of members of the section which need changing. Through an analysis of the divisions imposed in the discourse, I posit that many professionals are involved in this problem as a way of defining themselves against the foundational idea of the museum. I suggest that the issue of human remains was stimulated by this broader concern, giving it a focus. Finally, in the third section, I examine critical responses to the *Guidance for the Care of Human Remains in Museums* (DCMS, 2005). Soon after this policy was published it became the focus of criticism by members of the sector. I argue that the underlying dynamic fuelling criticism of this policy is an overriding concern about of the authority of the institution and the perceived problem of professionals deciding the future of human remains. The central and crucial conclusion that I draw from this is that, despite attempts to resolve the crisis of cultural authority, possible solutions have a provisional and limited quality because members of the sector continue to disown and question their authority.

Section One: Tainted Collections

By mid to late 2006, when many of my formal semi-structured interviews took place, the idea that collections were a problem due to the circumstances of acquisition, was articulated by the majority of

interviewees. Twenty-nine interviewees indicated that due to the circumstances of acquisition, objects acquired from colonised countries during that period are not legitimately held by the institution. They raised a question mark over the holding of such material. When probed, reasons given for this position included primarily that the material was illegally taken or in acquired in a damaging way. One director of a university museum explained:

> I hold the view that the legitimacy of claims is indissolubly linked to the circumstances in which they were taken and entered the museum. That to me is an absolutely key moral position. If something has been stolen in gross violation in the last two centuries, then I think that makes the holding of that and certainly its use in scientific studies at best very questionable, and I would say morally indefensible. [DUM1]

The assumption expressed by this interviewee is that much of the material under question was "stolen" and that objects were collective with immoral acts, that casued "gross violation" to the community. His use of this dramatic language is testament to his strong feelings on this issue. He continued in the interview, by stating that the current average policy position where claimants prove they should have the human remains though demonstrating a cultural link, should be reversed:

> Museums should prove they should have human remains. The status quo, where communities have to beg, should be reversed..You know, this should come into the discourse. However many intermediaries, often, they won't be able to do so. And the Getty get out: 'we didn't collect it directly', well, that's no position at all. [DUM1]

This actors's viewpoint is that certain objects in museums were taken in dubious circumstances and that the position where claimants are first required to ask for things back should be reserved. The 'Getty get out', he refers to, is a then contemporary case, when a senior museum curator at the prestigious Getty Institution in America, was taken to court after Italy demanded the return of over 40 objects which were said to have been acquired illegally. His reference to this case indicates a climate where the legitimacy of high status institutions such as the Getty is starting to be called into question. The museum where this interviewee is director is one which aims to act proactively by contacting groups to see if they would like the material instead of waiting for requests. As he stated: "Communities may not be proactive and so we are keen to be on the front foot in the process." The policy on human remains of another institution, which he wrote, assumes repatriation will proceed from claims:

> I've written the [...] museums human remains policy [...] The procedure starts from the assumption that the claim will result in repatriation. The onus is not on them to establish why they should have it but us. That was discussed at great length, especially as scientists want the stuff. [DUM1]

This actor suggests that much of the material was taken in immoral historical circumstances and should be transferred to community groups without question. The comment that the "onus is not on them to establish why they should have it but us" puts into policy his suggestion that museums prove their case, rather than communities. His phrasing echoes the 'innocent until proven guilty' legal principle of the law courts. But his is a reversal of this axiom. If museums should prove that they are entitled to objects, it implies that they are not 'innocent' and that they are guilty. It suggests he sees the collection as questionable. The interviewee's remark about the scientists: "especially as scientist want the stuff" indicates that he views them and their work as a problem.

For 19 interviewees any exchange of human remains from once colonised people was highly questionable because of the unequal power relations, then and now, regardless of the specific details of acquisition. In other words, they felt that even if the remains could be demonstrated as having been legally acquired, this was still illegitimate due to the broader circumstances. This is particularly the case with Aboriginal remains from Australia. For a senior curator of a regional museum, all Aboriginal remains should be returned regardless of how they were acquired:

> I would say that every Aboriginal remains that was taken between 150-70 years ago should be returned full stop. I mean, you know they were wronged. They were collected for the wrong reasons.. It's tainted. [CRM5]

For a curator of a regional museum, it was right that remains were to be transferred, because the material was taken during a time when power relations were imbalanced:

> I feel it's been a real sense of progress and progress in the right direction. I think it was wrong, it was wrong that this stuff was here, really, or not necessary wrong, well it was wrong it came here in the first place, but I think it was wrong that it remained here and I think that that was an ongoing wrong, yeah, so it's good that that's finished. [CRM3]

For this individual, the transfer of material was a highly positive action. Similarly, one policy advisor and member of the Working Group on Human Remains, decided to support repatriation because it would represent a shift in colonial relations:

> [...] so anyway so I took my decision, a personal political decision in terms of now. And it seemed to me that to repatriate those things represented a small shift in, at least cultural power, perhaps not in any other power, from a former colonising society to the colonised. And it seemed to me that, you know, essentially the legacy of colonialism is enormous, and we're rich and because they're poor still. So for me it is part of that, so it's a kind of a political decision really. [P1]

For this interviewee the transfer of human remains could act as a material and symbolic exchange of power, although he acknowledges this may be different to other kinds of power.

The idea that remains should not be retained, despite being legally acquired, because of wider problematic power relations, was held by these nineteen interviewees. As one curator said of the transfer of tattooed heads to New Zealand, which had clearly been historically legally acquired and thus it could be argued had the agreement of the original community, "[...] but this is still a paradigm of gross inequality of power. Well it might be been thought okay then, but now they've changed their minds. That's probably exactly what happened, and they have the right to change their minds." [CRM4]

Science Versus a Social Role

Individuals with a scientific background, not those who worked with human remains who were still highly critical of proposed changes, but members of the sector who worked in other areas and who appreciated the importance of such research, did not consider it to be as valuable as what they counterposed as ethical behaviour. One senior professional, who vigorously campaigned for the transfer of human remains, who had a scientific training, explained that he became involved in the campaign because of the ethical questions it raised about science:

> Because of my scientific background I'm absolutely at one with the use of human remains to explore issues of human diversity.. um.. the scientist in me is completely at one with that whole project. What is an issue is the idea that science can proceed in any way divorced from ethical paradigms. In a civilised society good science proceeds with good ethics. That, I suppose, is the bedrock of why I have got interested in this whole movement. [DUM1]

This actor recognises benefits from research on human diversity, but holds ethical questions about this research which means he feels it requires scrutiny. His use of the description "whole movement" suggests that this campaign is seen by him, as akin to a political campaign or cause to be involved in.

One policy advisor explained that the potential for science from this research was less important than the shift in power relationships that would come with the transfer of material:

> I have had a scientific upbringing, you know, I did lots of science when I was younger, I believe in empirical truth in a rather old fashioned sort of way. I also um.. believe strongly in human rights and the right not to be oppressed. And so it was very difficult. And I have to say in the end, my decision was a kind of personal political decision [...] It's essentially about relationships and power relationships now. [P1]

Science and human rights are juxtaposed by this interviewee, who acknowledges that believing in empirical truth is 'old fashioned'. The transferring of material is more important than scientific research for him, because it could make a positive contribution to realigning power relationships.

For another interviewee, a senior archaeologist, the difference between the value of knowledge from remains and the new social role of the museum is more stark. In a letter composed for but unpublished in the *Museums Journal* (personal communication, 6 January 2007), he commented on a decision by the Natural History Museum London (NHM) to transfer human remains to the TAC, but only after an extra three months study, a decision which caused great controversy:

> [...] the NHM is missing an important opportunity to develop an ongoing, respectful relationship with this community. It seems more interested in using the remains to accumulate additional bits of information, rather than creating a relationship with an originating community which has the potential to lead to greater intercultural understanding and wisdom - the sort of knowledge that changes lives. This is precisely the sort of relationship - and social justice based knowledge - that museums should be all about.

This museum professional indicates that the research potential from human remains is considered of lesser value when compared to the relationship that could be developed with the Aboriginal community. The act which holds authority for this professional is the return of human remains in order to build relationships with these communities. This actor recognises that knowledge could come from research on human remains but this is considered as no more than "additional bits of information", terminology which suggests the information about human origins or human diversity is not valued and is seen as adding nothing important or new; just additional bits. He distinguishes between this knowledge created by research, and the knowledge which he terms "social justice based knowledge" that could come through this relationship and appears to be supported as more ethical. What is interesting here is the term 'social justice based knowledge', which suggests that he is trying to frame the idea that there is knowledge which is orientated towards social justice, rather than, it would suggest, knowledge which disregards positive social consequences. For many involved in this debate, whilst science has potential for research on human diversity, this is not valued as highly as the role they think museums can play in improving the lives of communities.

Continued Contestation

Over the time that I researched this problem, individuals who had originally contested repatriation, or were critical of it, came to accept and publicly support it in relation to the once colonised. Out of 37 professionals interviewed by late 2006, 6 remained critical of repatriation to once colonised, overseas groups. Notably it also had become rhetorically accepted, in certain circumstances, as good practice by the majority of previous critics, with the exception of 6 interviewees: 4 scientists, 1 archaeologist and 1 curator of a local museum. Whilst there was a common acceptance that material was taken in

illegitimate circumstances amongst the majority of those interviewed, of the 6 who were unfavourable towards repatriation, 2 individuals were highly critical of the depiction of all remains as stolen. A scientist at a national museum stated:

> It's not fair to describe this institution's collection as all down to colonial pillage. The remains represent a timescale of 500,000 years. The majority of it, 54% in fact, represents individuals from the UK, they are the remains of people from the British Isles. They weren't stolen. The idea that they are is just amazing. [SNM3]

Of the 6 interviewees who were critical of and opposed the transfer of human remains, 1 was open to repatriation in relation to historical wrong doing when probed, suggesting that this argument is difficult to question. This scientist at a national museum, said

> [...] in certain circumstances, when say the material was taken in seriously dubious circumstances, which you know, happened, then maybe it is the right thing to do. But we should not forget this means the irretrievable loss of information. [SNM2]

One individual who I had informally spoken with on a number of occasions, and who had previously expressed strong criticism of repatriation would only do so in my interview with him if I turned off the tape recorder. He was worried that, whilst he had been critical of repatriation, "we can no longer be seen to be so hostile" [SNM2]. Two interviewees, both scientists, interpreted the "attacks" [SNM3] on them as part of a "historical continuing and repeated attack on science and rationality..not for the first time do we have to fight back" [SR1]. One of these two interviewees was animated with criticism when interviewed. This interviewee strongly felt that scientists were "demonised" in the contemporary period. And that their research broadly was under threat, not just on this issue, but also due to the rise of the religious creationist critique of evolution. This interviewee was highly concerned that government and senior professionals at his institution were not defending science from these threats:

> There is a rise of irrationalism and we are just not fighting it properly. The creationists are putting in a fortune, and promoting their theories and it's astonishing really, so yeah and it just gets me that all of this doesn't seem to me to being dealt with properly at all.. including at school level. [SNM3]

He was initially "surprised" then "angry" that the government had passed the specific amendment to change the law so human remains could be transferred, especially as the then Prime Minister, Tony Blair, had publicly stated during this period that he would support science. As this interviewee commented: "Um and from my position we've been totally shafted [...] it's just amazing that the Government have given us nothing.. no support for what is fundamental science. And so yes, it's very disappointing because this is important work" [SNM3]. For these two repatriation critics, this shift towards transferring material was part of a historical fight the scientists have to make to advance their

research. For the latter interviewee, it was clear that despite statements to the contrary, the Labour Government did not support science.

The Therapeutic Script

The idea of making amends for the wrongful acquisition of material, or the impact of colonisation, held purchase with interviewees. When explaining this, they drew on a therapeutic script, articulating ideas that the transfer would contribute to 'healing' the community. This gives a positive meaning with a present focus to the act of transferring remains, which situates its significance in a contribution to the contemporary community. In 26 of the interviews conducted with museum professionals a healing role was cited as a purpose to the institutions work and the transfer of remains to communities. Interviewees spoke of "closure", "healing", "damage" and "wounds". One curator explained to me that he argued for a decision to transfer remains, because: "by returning these remains, we wanted to help to end the sense of outrage and dispossession felt by Australian aborigines today. That seems to me to be far more culturally enriching than hanging onto a few skulls" [CRM14].

For a senior curator and archaeologist at a national museum, repatriation should occur:

> [...] where there is very strong evidence or clear evidence for an existing community who is being clearly hurt, actively hurt, by the remains not being there and where by returning them it will heal that. It's as simple as that. [CNM2]

Similarly, according to a senior member of the Museums Association:

> There is a convincing argument made that giving people these human remains directly benefits their social cohesion, community and healing... It's not just historic guilt, I mean, it's a real benefit to living people who will, or could, be damaged without it. [P1]

In this quote, we can see an awareness of the critique that professionals may be driven by guilt for past wrongs and an attempt to argue that his real his motivation regarding the transfer is that it will have "direct" and "real benefit" to "living" communities. He further attempts to reinforce this idea of a positive impact in the present, with the use of the reference to a "convincing argument".

One policy adviser at a museum with a large research collection outwardly changed his mind about the transfer of a specific set of human remains from the institution, during the period of this research, indicating the uptake by such critics of the arguments of repatriation advocates. When I originally spoke with him in early 2006, he was highly critical of the potential transfer of material out of the collection. He stated of a claim on Tasmanian aboriginal material: "If this material goes to Australia, it will be a loss to the whole of humanity – including the Tasmanians. If it goes back, they will be destroyed and our knowledge of humanity diminished" [PNM1]. In late 2006 in a second interview,

after the trustees at this institution decided to transfer the set of human remains out of the collection to the overseas community, his outward attitude had changed. He justified this change of opinion by trying to reframe the role of the museum in order to incorporate the actions of transferring human remains as normal practice, and by the benefit it can contribute to communities. I asked him how he felt about the decision. He replied that is was "probably right" and that:

> I think the issue of benefit is important here. And not least because that is what museums are here for. They are here to preserve benefit, to generate benefit. To generate all sorts of outcomes that are beneficial to specific to groups or humanity in general. So you can say if human remains stay in museums the benefits are as follows, you could also say if the remains are returned to this group of people they will find benefit in this way. You can also look at harm in the same way. You could say keeping them here is harming those people and that maybe that's cultural subjective, but benefit is culturally subjective. [PNM1]

This interviewee does not appear to be entirely supportive of the decision to transfer the human remains and, by characterising the transfer as benefiting the community, appears to be attempting to articulate a rationale for it, but this was put forward weakly. He no longer spoke of a "loss to the whole of humanity" but instead suggested that the act could be beneficial which is "what museums are here for." This individual at a museum which undertakes significant scientific research on human remains was not able to sustain his defence of the retention of Aboriginal material for research purposes, and had to rethink and reword how the museum as conceptualised around the issue of "benefit" to stay in tune with the actions of the institution. The incorporation of the therapeutic script, with his insistence that this act will bring benefit to communities, indicates its dominance. His use of the phrase "what museums are here for" reframes and downplays what he and others critical of repatriation had originally argued about the consequences of repatriation and the removal of research material; that it threatened the remit of the organisation and their research.

Section Two: An Internal Battle

The majority of the comments made by interviewees regarding the holding of human remains were situated in a broader discussion about changes within the museum remit, concerning the role and purpose of the institution. Thirty-three interviewees commented, without a particular question prompting them, that museums are in the process of a number of changes in relation to the role that they play. The prime concern about these changes was that they didn't go far enough, due to fellow professionals who were framed as acting in 'traditional' or 'old fashioned' ways. The word 'traditional' or 'traditionally' was often used by interviewees, to characterise practice and behaviour deemed problematic, which needed to be addressed and changed. This echoes the concern expressed by theorists about the 'resistance' of the sector, referred to in Chapter Three. It indicates that the problem is seen as those in the sector who are critical of proposed changes. One curator from a regional museum claimed:

Traditionally the museum community is obsessed with ownership, control and authority.. We know now ourselves that it won't do, you know, but it's so ingrained in us we cannot quite kick it, so you know, we are wavering between the two. [CRM12]

This individual welcomed the general changes in museums. He felt the process was positive. Indeed he explained that whilst change was difficult it was necessary to continue to press for change in other professionals, commenting that there were individuals who were still too controlling.

We know we should be better at sharing and not controlling but we can't quite kick it. And that is a little bit .a bit about the type of people who work in museums, without being too crude, um..there is still a generation of people who work in museums, you know who are..still in the past, their whole psyche is about control, ownership and authority and not talking and not sharing. [CRM12]

The concern for this curator is that there are still people in the sector who retained the idea that they were an authority and felt that they control and own the objects. This focus of concern – professionals - was held by another interviewee. This senior curator of a regional museum positioned his own advocacy work around human remains in a context of a long term campaign to change the remit of the museum and those individuals formally termed keepers:

I've had to battle all my life with people in museums who are, to put it crudely, carers and sharers..you know keepers is the right name for some of them. Carers are anally retentive..sharers tend to be the opposite but tend not to have, you know, the scholarly background but are really excited by the museum as a social enterprise.. and that I think what you are seeing in British museums is an agenda which have moved away from the carer to the sharer. [CRM5]

His reference to a "battle" suggests that the debate about the remit of the museum is significant for him, reinforced by the dramatic use of "all my life". That he identifies the "battle" with "people in museums" reveals the internal objective of changing the behaviour of professionals, through this issue. His account of the changes in museums echoes Bauman's (1987) articulation of the move from a legislative role, to one of facilitator, when he describes the agenda moving from the carer to the sharer. Whilst this interviewee was "excited" about changes in museums and a more social role, he was highly critical of those in the sector who tried to "hang on" both to objects and authority. His reference to carers as "anally retentive" leaves us in no doubt that he disapproves of this stance.

Another interviewee, a director of a university museum and campaigner also argued that the institution needs to change, suggesting that it should play a different role today which makes a contribution to society.

Museums have to grow up, which is to be less concerned with where things are, and less concerned with,..maybe issues around control and authority, but just to make sure that.. um.. artefacts or other material over which the museum has responsibility for.. be in a position where they can do most good. [DUM1]

This interviewee opines that the role of the collection should not be object, research or aesthetics orientated. Instead he ventures it should devote itself to a social role and where they can do good. Controlling objects, holding on to them, represents the wrongful assertion of authority to him.

Others were enthusiastic about the contestation over human remains because it suggested museums could change. One archaeologist in a regional museum expressed regret that the repatriation debate had been resolved before she got the job as she would have liked to be involved, even though there were no human remains from overseas communities in the collection. She commented: "It's a shame as it was so exciting, you know, people were really doing some good and getting things changed" [CRM7]. The issue had symbolic resonance with this individual, despite not being involved in a particular case and even though the museum she worked for held no remains from overseas communities. This curator aged in her twenties had been commissioned to write the museum's general policy on human remains. She was of the view that she was instructed to do so, specifically she was in tune with the wider inclusion agenda in the institution, as indicated when she got the job for this reason. She commented:

One the reasons I got this job, I've been told, is because of my access experience from the course in Leicester.[21]I was up against two curators with 30 years experience, but they wanted me because they are too collections focused..too much in the backroom.

A recurring motif is the problem of 'control' or 'controlling' professionals and their holding on to collections, which is contrasted to sharing objects and authority with communities. Here we can see for this interviewee being "collections focused" as a problem. She continued: "All museum curators today are trying to look at collections differently. You know in the past, it was collect it for yourself, or for collection' sake, not, you know, never for the visitor. Not for the visitor."

For another curator, at a national museum, the purpose of the collection in "modern society" is to create relationships:

[...] we certainly feel that the central role of museums in modern society is to broker relationships, relationships between collections and communities, or sometimes between different communities, using the collections in an active way. And you can use the collections in, you can either acquire new collections in order to create relationships, or sometimes you

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[21] The Museum Studies course at Leicester is well known for its critical approach to museums and endorsement of the new museology and social inclusion agenda.

can give back collections to broker relationships. And what we are interested in is in sustainable, respectful and reciprocal relations. [CNM2]

His use of the description "active" implies that other ways of engaging with the collection, that is using it without communities, is passive and thus negative. For him the collection has a positive purpose when it is orientated towards forging or sustaining a relationship with communities outside the museum. Putting collections to a social use with communities is considered their proper value, for this professional.

Involvement in the campaign to either transfer human remains, or to encourage respectful treatment, was an issue that activists took very seriously and identified with strongly. For one archaeologist and campaigner from a university museum, being involved in the debate was highly important to them; more so than their trained area of expertise:

> I am an archaeologist. My specialism is the Persian period..a big find has just happened and I should go, I am the expert of.. in this area, but I would much rather stay and do this, this is more pressing and important for me now. [DDUM1]

The intensely personal identification of some individuals around this problem speaks to its symbolic nature. For this individual, being involved in campaigning for, in his case, greater 'respect' for human remains generally, was considered more important than work which involved his trained expertise. It gave him a positive sense of purpose. The comments from this individual strongly contrasts to the suggestion by Ross (2004), whose research was discussed in Chapter Three, that professional identity comes from the expertise based on disciplines. For this professional, being involved in the problem of human remains "is more pressing and important for me now."

Those who contested these changes implied that human remains was a concern of a few, very vocal, individuals in the profession. For those resistant to the changes to practice, these individual campaigners were considered as being in a minority and over influential. For both 'sides' then - those contesting and those advocating change - other professionals are identified as a problem. One curator, at a national institution once critical of repatriation, although latterly accepting it, expressed the view that this was a professionally generated issue:

> I don't think there is any unease about human remains being in museum collections in the general public. We've researched it asking punters if it was offensive and they said, no, do it. It does appear that it's a professional issue. There is a generated concern..we like to have conferences about whether we should or shouldn't have these things. [CNM2]

Another professional expressed bemusement that a curator in another museum had instigated an internal review of shrunken heads on display with the aim of taking them down, without any request

from any community group: "It's mad. it's all [...] I mean why is she working there then if she thinks it's so bad?" [CNM9]. These comments speak to the prominence of certain professionals in the promotion of this problem. The question that these latter comments raise is, how can the actions of certain individuals pushing this agenda have such influence? Whilst I demonstrated how the activists promoted this problem and how it was institutionalised in Chapter Two, I also explore this question further in the next chapter.

Imposing Divisions Between the Past and the Present

The dominant theme in my interviews was the problem with traditional museum, and professionals who wanted to retain objects and authority, which interviewees constantly contrasted to their aims and actions. Interviewees repeatedly spoke of 'the traditional museum' in 'the past' as acting in a certain, problematic, fashion, including: keeping or controlling of objects, the pursuit of knowledge, thinking solely about the collection instead of the audience, or only thinking about an elite audience. For example in one interview, a curator at a local museum, explained:

> [...] in the old days museums displayed things associated with faith and belief, but from the point of view of anthropology, archaeology, sociology, fine or decorative art, you know. Traditionally, the objective was appreciation not participation. [CRM8]

Displaying material organised through subject division is seen as promoting "appreciation", which this interviewee suggests is different to the preferred aim of "participation".

There was less detail about current practice than an emphasis on the point that the present practice is unlike the past. For example, when talking about the need to consult with different groups, the emphasis in the following extract is less on the specifics of the groups, their needs or particular concerns, than the actions of the museum and the shifts in what it is to be a curator:

> Generally we are consulting more and more. We will consult on everything in future. It's so completely different to how it used to be done, you know. About a year ago we set up the community consultation panel with different faith groups and other groups. It's about not being so arrogant. Not like, I'm a curator and I know best. [CRM1]

Here we can see the idea that the curator in the past was arrogant and assumed they knew best. This outlook is identified as a problem and as dissimilar to current and better practice which is less imposing. In most instances, consultation was discussed without any reference to who was actually being consulted and what about, suggesting it is the process of consultation that is important for the professional and the institution.

Another individual commented that they were not especially concerned about particular treatment of human remains, but that their treatment should be rethought, primarily it would seem because contemporary practice relied on the old way of doing things:

> I do think that there is a need for serious ethical debate about the issue of how all human remains are treated in museums. I don't think they should be just taken off display...really..I'm not quite sure, I don't think so. But alot of what we do just relies on what we used to do, and maybe that needs rethinking. [CRM2]

The talk about the past to justify, even define, contemporary action pervades the discourse. Why not, for example, talk about the participative work the institution is doing, without saying this wasn't done in the past? The constant rhetoric that the traditional museum needs to change, or that this is not how it was done in the past, raises the question of how important it is to impose this division position between the old and the new, the traditional and the contemporary. It suggests that present day actions are a strategy to distance professionals from the past. And that one aim of their aims and activities is to justify the present by criticising the past, thus distancing the institution from it.

Whilst most interviewees framed their views regarding human remains and museums in terms of the need for historical changes in institutions, there were 10 individuals who tried to do the opposite. These professionals aimed to contain or avoid any implied wider ramifications to the remit of the institution. These ten had been, or still were, critical of changes to the holding of human remains, and had been critical of the transfer of this material out of collections. One curator who had criticised the transfer of human remains and described it as a serious threat to science, claimed the same material that he had said was valuable, was not, once the law had been passed and remains transferred from the collection. He commented after these developments: "I see it as a political issue and you know, we weren't working on those skulls. I don't think anyone really wanted to, because they were not useful, and they wanted them." [CRM3]. This professional, over time, down-played the significance of the transfer of this set of remains which he had once identified as important. His use of the term "political" is a way of diminishing the action and distancing it from general practice. He tried to smooth out divisions in the conception of these changes on the impact of the museum, rather than impose them. Another tried to play down any implication of changes to the institution, suggesting that the transfer of human remains was an act in continuity with the historical remit of the institution, instead of the more frequent presentation of it as a dramatic shift. Firstly, he framed the transfer of human remains as contributing to an idea of public benefit because of the gains to knowledge from Australian aboriginal communities, rather than as a loss to knowledge:

> If we want to expand the work we do across Australia we want to work with representatives of those communities..it's a good thing.. and they know stuff we don't, so there is an important public benefit in the return. We will learn from them, so it's to the benefit of the museum. And

so then the removal doesn't really entail a loss..In fact, we've always been, museums have always been about public benefit. [CNM2]

The implication is that museums will learn from communities, rather than loose research material. The comment that "museums have always been about public benefit" implies that this act is not a significant change in practice, but holds a historical continuity with past practice.

The institution this individual worked at took a formal decision not to use the term 'repatriation' when they transferred human remains out of their collection, which is how it is commonly termed, and instead termed this action as within the framework of actions adding to 'public benefit':

> [...] we avoid the term repatriation in any of our public statements on this matter as we don't think that's the issue. We think the issue is responding humanely according to the public benefit test in particular cases.

Note also, the inclusion of the word "humanely" indicating his incorporation of the therapeutic cultural script to justify actions. This professional explained that, in addition to not using the term repatriation, this institution was promoting the unique qualities of human remains; he contrasted them with artefacts in the collection.

> We also talk about these things as recent human remains which is different to objects so it doesn't set precedents. You know.. we are not about sending things back to where they came from, we are about responding to claims on these particular human items in the collection, which are unlike anything else because they are bits of people.

This professional was concerned about the wider ramifications of this problem on possible future claims on the institution and the potential that claims could expand to include objects. The strategy of the institution to avoid this, and the potential problem of "sending things back where they came from", was firstly not to describe it as repatriation. And secondly, to emphasise the unique qualities of human remains: that they are people, rather than objects. In order to defend the institution from claims on objects, it elevated the specific problem of human remains. In this instance, once the law had been changed, an institution previously critical of the problem of human remains tried to avoid any implication that it might apply to artefacts, so responded by reinforcing the idea that the holding of human remains is a problem.

Section Three: A Provisional Solution

By the end of 2005, despite opposition, the case for repatriation to overseas communities appeared to have been won. One major legal change that campaigners were calling for was passed and two symbolic agreements to transfer human remains had been achieved. A committee of museum

professionals, with a broader range of views that the HRWG, were commissioned by the DCMS to draw up the *Guidance for the Care of Human Remains in Museums* (DCMS, 2005) which was designed to provide a framework of good practice and advise on how to deal with human remains in museum collections.

The *Guidance for the Care of Human remains in Museums* (DCMS, 2005) appeared to resolve the problem of the contestation human remains in museum collections, by providing a code of practice for the profession. But this was to be a provisional resolution. Speaking after publication, in 2007, the chairman of the group Hedley Swain, expressed surprise that this policy was criticised by professionals immediately after publication, and also was "taken aback" that a new group of British Pagans, Honouring the Ancient Dead, had formed to request special rights over the treatment of human remains. Swain commented at a professional conference: "If I had been giving this paper six months ago, I would have been upbeat. Six months ago we thought it was straight-forward. Now it is less so."[22] In his view, the *Guidance for the Care of Human Remains in Museums* (DCMS, 2005) was designed to place parameters on actions and treatment concerning human remains, to outline what was appropriate, and to thus resolve the contest. However, this was not to be the case. The critical response to the document raises questions about the construction of the problem and the underlying dynamic of the problem of cultural authority. Overall the main concern expressed by critics was that the profession and the museum continued to impose their authority.

The problem for critics in the sector was that museums and professionals remain able to decide, and had retained the power to decide, what happened to human remains. Indeed, this is acknowledged as a problem in the policy. It states that over time this should change:

> However, as the current guardians of the remains, the museum will have the responsibility of making the decision over their future and this will make the process one-sided. It is hoped that, through time and a continuing open and constructive dialogue between museums and claimant groups, the process will become equal. In the meantime museums should do everything in their power, through policies of openness, consultation and transparency of action to try and make negotiations as equitable as possible (DCMS, 2005 p.24).

This statement indicates that the museum, as it holds the remains, will hold the final decision about the future of this material. But, it suggests that this should be a temporary position. The aim is that this will become more equal with communities. One member of the committee that drafted this guidance indicated in an interview, that the group were concerned that it was one-sided and the museum retained too much power, but that for the time-being this was the best way to proceed because the human

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[22] *The Value of Human Remains in Museum Collections.* 3-4 March 2007. Museum of London.

remains are held by the institution. Hopefully, he commented, in time the one-sided nature of the decision making would change:

> [...] we went through that whole thing of..we went on and on about how this has to be an equitable equal relationship ..then someone said.. but they are in our collections and we'll be making the final decision, we went, 'oh god' without speaking for five minutes.. but we have to accept it. They start off in our care, so we will be the ones that decide. At first.. and then we'll see. [CRM 15]

This curator who was involved in writing the policy, explained he thought that whilst it was a problem, that the museum held control, someone still had to decide. He notes there has to be some kind of criteria for decision making. It is impossible not to have someone decide by some criteria, he suggests:

> Well it is difficult..a huge irony for me I guess, is that I am a relativist you know. I do accept that there are different world views and they have validity but I also accept that they can come into conflict you cannot just look at each other blankly.. you have to have some sort of criteria.. and ironically I accept the irony of this the criteria we use in the Guidance, I accept they are Western Enlightenment criteria, but you have to have something.

This individual involved in drawing up the policy recognises and shares the concern that museums would still have the power to decide what happened to the human remains, and this suggests that the relationship with communities is not an equal one. But he also recognises the practical problem, which is any policy would need to have criteria. There needs to be some way of deciding what happens to the remains, he suggests, even if this means someone holds the power to decide. This practical problem, that someone needs to decide, highlights a major practical limitation in the process of ceding authority to community groups.

Too Much Authority in Museum Hands

The response to the *Guidance for the Care of Human remains in Museums* from the sector was unfavourable. In particular Section Three become controversial. This section sets out advice on how to deal with claims for the return of remains (DCMS, 2005 p.23). The criticism derived from two groups. One, the newly formed Pagan organisation, Honouring the Ancient Dead, who argued they were excluded because the *Guidance for the Care of Human remains in Museums* concerns overseas groups. I explore their claims in depth, in Chapter Five. In the rest of this chapter I concentrate on the criticisms from the sector, which also focused on this section of the document. Critics broadly argued that it did not go far enough in transferring power away from museums. The primary problem with the document was that the museum and professional still had too much authority in decision making.

The formal response from the professional body for the sector expresses concern about museums acting independently which could be too one-sided. The Museums Association (MA, 2005) welcomed the code of practice but their formal response stated it was "disappointed" (unpaginated) that there was no "firm commitment" to the establishment of an advisory panel, so that museums would seek "independent advice" in cases involving human remains requests. The advisory panel would have ensured that museums were not able to dominate the decision making process, they suggested, which would have been a positive move. As the response of the MA states, there should be an advisory panel because: "The use of independent advice will help to make the process less one-sided and will hopefully lead claimant groups to feel that their requests have been dealt with fairly and with some degree of impartiality."

As well as this formal response from the professional body for the sector, there were a number of concerns raised by interviewees all of which, in different respects, focused on the authority of the museum institution. Three interviewees cited the policy as problematically privileging scientific research. It is worth contrasting this complaint with what the policy states, as whilst it recognises the value of science, it also recognises other different views on the value of human remains. The *Guidance for the Care of Human remains in Museums* states:

> Requests concerning the appropriate care or return of particular human remains should be resolved by individual museums on a case-by-case basis. This will involve the consideration of possession; the cultural and religious values of the interested individuals or communities and the strength of their relationship to the remains in question; culture, spiritual and religious significance of the remains; the scientific, education and historical importance of the material (DCMS, 2005 p.23).

Nonetheless, despite this recognition of cultural values, two curators and one director stated that, "It privileges scientific values" [CRM5; CRM6; DM1]. Similarly, five interviewees were concerned that the claims made on the basis of the document would be evaluated by a "genealogical model" which was a problem [DUM1; CRM4; CRM1; CRM13; CRM 15]. Again it is worth looking at what the document does say, as well as the criticism of it. The document states claims will be considered both from "genealogical descendents as well as those from the 'cultural community of origin'" DCMS, 2005 p.26), which it acknowledges can be difficult to define, but states of "the cultural community":

> [...] the assumption is that human society is characterised by the creation of communities that individuals feel a part of and which take on a collective set of values, often identified by particular cultural behaviour [...] For a community to be recognised and their claim considered it would generally be expected that continuity of belief, customs or language could be demonstrated between the claimants and the community from which the remains originate (p.26).

Despite this recognition of cultural community, rather than straight forward geneology, in the document, for some members of the sector, it still problematically favoured the genealogical model for assessing claims. One explained that "the geneaological model is ultimately a colonial model" and that asking claimants to prove they were related at all, "could be seen as an abuse, a continued colonial relationship acted out as a result of this guidance" [CRM4]. For this interviewee asking claimants to indicate a relationship was repeating colonial domination of the past. Whilst for this individual, the assumption that communities should show that they are related, could be considered an act of "abuse", another curator expressed concern about the impact on potential claimants of criteria which asked them to articulate their relationship to the human remains and the meaning of them to them: "It's offensive to claimants to have to prove that the remains are significant to them" [CRM1]. Similarly Piotr Bienowski, deputy director of Manchester University Museum, argued in a conference paper written with his colleague Malcolm Chapman that the genealogical model was not detached and favoured a single meaning, which was a problem:

> I would argue that the genealogical model is itself inconsistent with proper detachment, since it is driven by pre-theoretical commitments or assumptions about what human remains mean to people: it reduces a variety of understandings to a single meaning. It is an 'objectivity' that Friedrich Nietzsche, critiquing the practice of history in 1874, savagely dismissed as an 'illusion' and 'superstition', lacking social conscience' (Bienowski & Chapman, 2007: unpaginated).

It is worth pointing out that this conference paper was delivered to the British Association of Biological Anthropology and Human Osteoarchaeology (BABAO), members of which were the most critical of changes to the treatment of human remains. That Bienowski and Chapman targeted their conference paper to this organisation again indicates the internal focus for issue entrepreneurs in their promotion of this problem.

A central controversy in this debate in Australia and America has been around definitions of affiliation. This has been partly triggered by the return and burial of ancient human remains, some human remains in museum collections over 10,000 years old, which took place in the USA and Australia in the 1990s. Critics contest the validity of crediting a relationship between people today to remains from hundreds and thousands of years ago and suggest that, even if a relationship could be traced, the variability of beliefs and cultural practices are too varied to hold any continuity (see Mulvaney, 1991; Owsley & Jantz, 2002). The response of repatriation campaigners is revealing. They criticize the argument that no link over hundreds or thousands of years can be legitimate, not for reasons of scientific inaccuracy, but rather because indigenous groups' cultural values are not recognized and they have had no voice in the writing of their histories. Of the debate in Australia, the archaeologist Laurajane Smith writes: "the recognition and acceptance of the legitimacy of Aboriginal cultural values lies behind, for instance, the return by Australian archaeologists of the c.24,000-year-old Mungo woman's remains in 1992" (Smith, 2004b, p. 407; see also Hurst Thomas, 2000).

Affiliation and the legitimacy of claims is also a focus of debate in the UK, where critics contest the lineage or relationship of claimsmaking groups to the human remains (see Brothwell, 2004). Similarly, the issue for many repatriation campaigners is firstly that the groups gain some kind of power or recognition, rather than prove a historical or cultural link. Secondly and crucially, it is argued that the museum professional and institution should not be the decision maker about that link. It is held that museums professionals should not decide who can legitimately claim human remains or not. In the interviews, the major concern for 12 interviewees was that the decision still resided with the museum. These interviewees were concerned about the dominance of the museum in these decisions, thinking it wasn't their place to decide on lineage or affiliation. According to a senior curator of a national museum: "We are not the people who should decide what a legitimate connection or authority is. We should not be deciding what is a valid link or not" [CRM2]. For one museum curator, it was essential for the profession that they learn to remove their authority. "It's about time we learnt that we do not know everything and there are other ways of understanding the world. We have to cede our authority" [CRM17]. That the decision rested with the institution was recognised as an irreconcilable problem by one senior curator at a university museum, who pointed out that it was difficult to totally cede authority:

> [...] in that sense the decision still remains, I suppose, the museum's to make and that's a difficulty. We can all talk theoretically about trying to devolve, well not devolve decision making, but share decision making, so ceding the authority for a final decision to communities is ideal, but you can't always do that, in the end.. the, the frameworks we work with require, us, to take a decision. And for instance I could take a decision or our human remains panel could take a decision. It would have to be ratified and supported by our director and in the end the university board of governors would have to take the final decision. There is no way we can get out of that, um, however much we try and cede our ultimate authority for decision making, and I know some communities both overseas and Pagan communities in this country, look at human remains policies and criticise them for saying that the final decision rests with the museum. And I can see why they do that, and you can do so many things, and bring them in, and try to share putting together the final decision, but in the end I am simply an employee and the protocols are the final decision is taken by the university board of governors. [CUN1]

The continued problem of human remains in museum collections, despite the change in law and the transfer out of collections to overseas communities of significant remains, indicates that there is an underlying dynamic to this problem, which concerns the authority of the museum and museum professional. The professional body of the sector and professionals voice the problem that they are retaining too much authority in relation to the holding and collection of objects. Criticism of the *Guidance for the Care of Human remains in Museums* which expresses concern about the authority of the profession and the museum, indicates that the issue of human remains is partly driven by members of the sector who wish to devolve the authority of the profession and the institution. That these

concerns continue to drive the elevation of the problem of human remains, through the question of who decides, after the problem would appear to have been resolved in law and practice to a considerable extent, indicates that the problem of the authority of the profession and institution is not easily resolved. As Bauman indicated, there is a continued problem of legitimacy. In this case, this continued problem derives from the profession continue to question their own position and authority. This underlying dynamic which expresses a confusion about authority, co-exists in tension with the practical issues of running a museum and taking decisions, in this case in relation to the holding of human remains and deciding their future.

Conclusion

In this chapter, which examined my empirical material, I established that the problem of human remains is driven by members of the museum profession whose underlying target is their own foundational authority. I ventured that members of the sector are involved in this problem as a way of defining themselves against the traditional idea of the museum. To conclude, despite attempts to resolve the problem of the contestation over human remains and the crisis of cultural authority, possible solutions have a provisional and limited quality, because members of the sector continue to disown and question their authority.

CHAPTER FIVE
CASE STUDY: THE RISE AND IMPACT OF PAGAN CLAIMSMAKERS

The contestation over overseas human remains in museum collections was high on the political and media agenda during the period 2002-2005. As this debate took place in heritage organisations, parliament and the media, the Druid Emma Restall Orr formed the Pagan advocacy group Honouring the Ancient Dead (HAD) in May 2004. HAD voices concern about the treatment of pre-Christian remains, but also extends this concern to apply to all human remains, and campaigns for reburial, ritual and respect. Within a year of forming HAD, Restall Orr identified and contacted Tristram Besterman, a prominent campaigner and the director of Manchester University Museum. As he was stepping down, Besterman recommended she speak to Piotr Bienowski, deputy director of the Manchester Museum and Professor of Archaeology and Museology at the University of Manchester [Restall Orr, November 2006]. Restall Orr and Bienowski subsequently worked together to campaign around the problem of all human remains in museum collections. There were three important events or shifts as a result of their activities that I will discuss. The first is the conference organised by Restall Orr and Bienowski, supported by the Museums Association in November 2006, held at Manchester University Museum. Titled *Respecting Ancient British Human Remains* it marked the introduction of the issue into the profession. The second is the likely extension of the DCMS *Guidance for the Care of Human Remains in Museums* to specifically address consultation with British communities. The third is the involvement of HAD and associated individuals in the consultation on the exhibition of Lindow Man. Lindow Man is a naturally-preserved bog body of an Iron Age man, discovered in a peat bog at Lindow Moss in Cheshire. He is usually on display at the British Museum, and is now on loan to Manchester University Museum for exhibition from 19 April, 2008 to 19 April, 2009. The exhibition was been planned in consultation with HAD and other Pagan individuals, and indicates a moderate amount of success for HAD's claimsmaking activities.

Joel Best (1987) observes that newly constructed problems may encourage new claimsmakers. This chapter is a case study of such a process. As I will show, the prominent issue of the problem of human remains in collections stimulated the conditions for claims on institutions from this newly formed group. Exploring the formation of HAD and analysing this group, reveals how prevailing cultural ideas about human remains and the role of museums create new claimsmakers. Pagans campaigning for access to Stonehenge and the prevention of building around the site, were looking for ways to add weight to their demands. This group attempted to add the force of a recognised problem to their existing demands by making claims on museums for human remains, which was stimulated by the success of overseas indigenous groups. It was also invited by the activities of campaigners in the archaeological and the museum sector on this problem and their broader justification of the institution as performing cultural recognition. The coalescence of these factors encouraged claims for recognition rhetorically framed through the problem of treatment of ancient human remains in UK collections.

This case study also elucidates the central importance of the response to claimsmakers in the construction of problems. What is particularly important in this study is the reactions by the profession to HAD which I divide into two groups in my analysis. One group have a highly positive endorsement of their claims, primarily, but not exclusively, from issue entrepreneurs at Manchester University Museum who formed a coalition with the Pagan group. The second reaction to HAD that I explore, is from those in the sector who not consider Pagan claimsmakers as legitimate. These professionals do not think that their claims are valid and do not respond positively to all their requests. Even so, despite considering HAD as illegitimate there is little active resistance, indeed relatively weak contestation of Pagan claims by professionals. Significantly, I argue, despite the view that HAD is illegitimate, members of the sector are not able to mount an effective rationale for their exclusion. A number of museum sector thus consult with this group on the issue of human remains. The central conclusion to be drawn from this observation, is that the shift in the remit of the institution to a more inclusive model and the unstable nature of the museums' cultural authority, applies pressure on professionals to include groups asking for recognition even when they are not confident of their legitimacy. The fundamental problem of cultural authority, on which basis cultural content and the relationship of communities to the institution is to be decided, remains an issue which leaves professionals disorientated.

In what follows I examine the claimmakers in the first section. I demonstrate that HAD was encouraged to form due to the prominent promotion of the problem and the orientation of the institution towards cultural recognition. In the second section, through an analysis of their claims, I establish that whilst borrowing rhetoric from the campaigns of overseas indigenous groups and museum professionals, claims for legitimacy are at the heart of their activism. In the third section, I explore emerging coalitions between HAD and issue entrepreneurs at Manchester University Museum and discuss some of the successes of Pagan claimsmaking on this problem. Finally, in the fourth section, I examine the impact of claims making on the rest of the sector, concluding that due to the weakness of resistance from the profession to such claimsmaking, claimsmaking groups may continue to be ineffectively challenged and together with issue entrepreneurs, their activities may have a disproportionate effect.

Section One: Pagan Claimsmakers

Postmodernity has been described by theorist Michel Maffesoli as the 'time of the tribes' (1996), characterising the fragmentary and fluid associations of individuals and groups in contemporary society. This description captures the character of modern day Paganism, which is cited as one of the fastest-growing spiritual orientations in the West (Harvey & Hardman, 1995; Hardman & Harvey, 2000; Blain & Wallis, 2003; York, 2003). Estimated adherents in Britain in the late 1990s numbered around 110-120,000 (Fry & Weller, 1997). The Pagan Federation of Britain calculates the number to be between 100,000 and 200,000 (personal communication, 22 April 2007). These figures are variable and disputed, partly due to the fluid and private nature of the movement. Whilst it is said to be on the increase it is a term that describes a diverse group of people that orientate around shifting and varying

concerns. Scholars have theorised its dynamic nature (Harvey, 1997; Blain, 2004; Clifton & Harvey, 2004). The historian Ronald Hutton encapsulates the diversity of Paganism when he describes the term as inviting "debate in itself, for the expression covers a multitude of faiths and practices, with only a limited (though important) amount in common" (1995 p.3). Nor does it necessarily denote an organised group. Theologian Amy Simes (1995) draws from her research to explain that, whilst the growth of contemporary Pagan organisations may be rapid, many different groupings emerge and then disperse. Pagans today are often individualistic practitioners and their worship is frequently a private affair (Harvey & Hardman, 1995; Blain & Wallis, 2006).

Despite the fluidity, it is widely recognised that there are identifiable threads linking these individuals. As a generic term Paganism is understood to encompass several recognised sets of beliefs and practices (Hutton, 1995; Harvey, 1997; Bloch, 1998; Wallis, 2003). Hardman and Harvey outline that whilst the beliefs vary, important shared beliefs centre on the centrality of nature and the limits of one authority (Harvey & Hardman, 1995). In his study of Pagans and New Age movements, the sociologist Jon Bloch echoes this observation about the perceived limits of authority and a critique of dualistic thinking, outlining that the self is considered to have final authority as to what to believe in counter cultural spirituality, which legitimates the "pick and choose" attitude towards different beliefs and religions (Bloch, 1998 p.33). Hardman and Harvey observe contemporary cultural influences on these concerns, explaining that whilst Paganism has always had a "green" philosophy and romantic view of the land, this has become more "coherent" in the last decade, influenced by broader environmental thinking (Hardman & Harvey, 2000 p.xiv). Contemporary Paganism, then, comprises a variety of paths some of which overlap. It can be characterised as a coalescence of individuals around the view that one authority has limitations, around nature orientated traditions, and the rooting of authority in the self, rather than a coherent or organised belief system. Many describe themselves as "polytheistic", worshiping a number of Gods and Goddesses (Jones, P., 2000 p.43). Pagan worldviews may include spirits, goddesses or gods, and nature as an entity or an animist outlook. The best known paths are Wicca, Druidry, Heathenry and Goddess Spirituality, with individuals often identifying with more than one at a time (Blain & Wallis, 2006).

Social scientists Blain and Wallis propose the term "new-indigenes" as an extension of Maffesoli's 'new tribes' for those Pagans whose practices involve ideas of "reenchantment" of nature and human life, which they identify as inherent in the past and to be engaged with via prehistoric sites (Blain & Wallis, 2007 p.10). While not all Pagans concern themselves with the past, many do; particularly Druids and Heathens (York, 1995; Blain & Wallis, 2004, 2007). Druidry, or Neo-Druidry as it is sometimes termed, is influenced by modern interpretations of Celtic religion. The website for the Druid Network defines Druidry as the "native spiritual tradition of the islands of Britain. Evolving over millennia since the first post-glacial settlers, it was a magical pagan religion and for many it still is" and was "based on sacred relationship between the individual and the spirits of nature, the landscape

and the ancestors. Its ethics are based on honour - profound respect - for life itself."[23] Druidy then can be understood as orientated towards nature, with roots in pre Christian times. Blain and Wallis (2007) contextualise the interest in the past by Pagans within a broader concern about the past in a disorientated contemporary society. The past, they outline, is a reference of stability and identity in a time of change and disillusionment with traditional sources of authority.

The Formation of HAD

Over the past three decades Stonehenge, identified throughout history as a site of struggles for meaning (Bender, 1993), has become an increasing focus of attention for Pagans interested in engaging with the past and the environment (Chippindale et al., 1990; Hetherington, 2000; Rountree, 2006; Blain & Wallis, 2007). There were high profile contests in the mid 1980s over access to the site between New Age Travellers, Pagans, and heritage organisations, the police and the Government. These continued in the 1990s and early 2000s, when groups opposed the plans supported by English Heritage and the National Trust for the development of the A303 motorway around Stonehenge and the construction of a visitor centre, which was seen to be destructive, furthering friction between them and the heritage organisations, which have continued as plans for Stonehenge evolved (Bender, 1993; Hetherington, 2000; Blain & Wallis, 2004; Blain & Wallis, 2007).

It is out of the contestations at Stonehenge that three well-known individuals negotiating for access to Stonehenge re-focused their demands to include concern for the treatment of human remains excavated on the site, at times demanding burial, ritual or respect. These individuals are Philip 'Greywolf' Shallcrass, Joint-Chief of the British Druid Order; the British Druid Order member, Paul Davies (see Davies, 1997, 1998); and Emma Restall Orr, who is Founder, Head and Treasurer of the Druid Network. Restall Orr is well known amongst Pagan circles and has published on her beliefs (for instance, Restall Orr, 2001). The first two operate primarily as individuals; they do not seek to form any kind of organisation but more to act as lone activists. They inconsistently support and at times oppose, the third of these three, Emma Restall Orr, who formed the campaign group, Honouring the Ancient Dead (HAD) in 2004 to raise the issue of treatment of human remains in archaeological excavation and in museum collections. Restall Orr attempted to give force to their concerns about Stonehenge, by expanding the problem to include the problem of human remains which was becoming established as an issue. Whilst HAD has a number of institutional and individual supporters, it is primarily run by Restall Orr, with some assistance from an individual I have named 'Steve' for reasons of anonymity. He defines himself as a Druid. Four documents were published by HAD, during the period of my research, and available from their website, that I analyse. These are the *HAD Feedback on DCMS Guidance for the Care of Human Remains* (HAD, undated); *Respectful Treatment and Reburial: A Practical Guide* (Restall Orr & Bienkowski, 2006); the *Policy on Consultation on Human*

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[23] See <http://druidnetwork.org/en/beliefs/definitions> Accessed, 11 August 2008.

Remains of British Provenance (HAD, 2007), and the *Guidance for the Display of Human Remains in Museums* (2008).

The Influence of the Problem of Overseas Indigenous Remains

In Chapter Two we saw that the diffusion of the problem of human remains in museum collections derived from a combination of direct contact between campaigners in the archaeological and museum sector internationally and the UK, coupled with an ideological receptivity for their ideas. In the development of the problem of human remains by Pagan activists, a different kind of diffusion takes place. Strang and Meyer make the observation that linkages facilitating diffusion "may be cultural as well as relational" (1993 pp.490-491).The influences on the identification of the problem of human remains are initially cultural, emerging through non relational channels. The success of indigenous groups in repatriation campaigns received high profile media coverage in early 2000 in the broadsheet press. Heritage organisations had been debating the problem internally and publicly, which encouraged Pagan individuals to emulate this focus in their ongoing negotiations with them. After the problem was identified and HAD was established from 2004, formal links evolved between Pagan claims makers and issue entrepreneurs in the museum sector, forming a coalition of claims makers. HAD formed no links to overseas indigenous groups or international campaigners, but have been careful not to question the claims of overseas indigenous groups, instead borrowing rhetoric from these campaigners in order to extend the problem to include their claims. The influence and acknowledgement of the cause of overseas indigenous groups can be identified in the late 1990s in the writings of Paul Davies when the campaign to repatriate overseas human remains became prominent within the archaeological and museum sector and negotiations with heritage organisations over Stonehenge were ongoing. Davies outlines in the magazine, *The Druid's Voice*, the journal for the council of British Druid Orders, that: "Aboriginal Americans and Australians have achieved this goal with their respective governments. Now it is our turn" (Davies, 1997 p.13).

One reason for the demand for recognition is that some Pagans identify themselves as indigenous. Blain and Wallis have argued that in relating to landscapes, they "consciously" align themselves with indigenous people elsewhere, as part of their identity construction (2004 p.243). A number of individuals within the broad community defined themselves as indigenous in discussions I had with them and in the meetings I observed. Marion Bowman has examined those who identify themselves as Celts, an identity that she found is defined fluidly as the first Europeans from the whole of Britain and people from the West Country. Bowman outlines that increasing numbers of people, particularly contemporary Pagans, "feel" they are native to the British Isles. They may claim to be Celtic even if they have no Scots, Irish, Cornish or Manx parentage. Just as there are wannabe Indians, these are "Wannabee Celts", or "Cardiac Celts" as Bowman (1995 p.246) terms them. In my interviews and observational work, I observed a fluid idea of indigeneity. Those I spoke with framed their concept of it in shifting relationship to ideas, the past, religion or geography. It is an indigenity that is not bestowed by geneology, indeed they appeared careful to distance themselves from this concept and the image of

what Steve termed the "racist Druids" [Steve, November 2006]. Restall Orr, also steered away from any suggestion of a racial or genetic link to people from the past, when talking of her relationship to 'ancestors' the human remains from the UK. I asked her what the link was to people from the past, in her terms - the ancestors. To which she replied: "we are not related in the sense you think of a biological, linear sense. But we are connected to the ancestors, we all are." When I asked her what the basis was for her claim to ancient British remains; what the relationship was, she explained: "we don't have a special claim, but we are connected" [Restall Orr, November 2006). Note, she does not describe the UK human remains as her ancestors, but "the ancestors" and speaks of the link as a connection, without being able to, or wishing to, explain what this is based on. In some cases, the indigeneity is expressed as in a relationship to other minority groups in the present. Restall Orr stated: "Ours is the indigenous religion of this country. We want to have the same respect as people practising indigenous, minority religions, around the globe" [Restall Orr, November 2006]. It is a fluid and broad concept that would appear to be about, in part, identifying with others considered indigenous elsewhere in the present, as well as an association with pre-modern times.

In interviews with Restall Orr, and Steve, and at conferences and meetings, there was frequent mention of overseas indigenous groups, primarily to support their idea that they should receive similar treatment. In the first interview I conducted with Restall Orr, she explained:

> If I were called Susie Black Water and were seeking repatriation of my great Grandmother's bones back to my own tribal lands in North America, most museums would now deal with me courteously and with respect. However, because I am a Pagan, asking about the bones of my ancient ancestors, I am judged and dismissed as irrational. [Restall Orr, November 2006]

Restall Orr was concerned that Pagans were often "dismissed" by heritage organisations, because of their beliefs. The problem she identifies is the attitude of "most museums" towards Paganism, pointing out that overseas indigenous groups, who also don't fit the rational framework, have been treated with respect. She expresses feelings similar to Davies's comment: "Now it is our turn" (Davies, 1997 p.13). In the following extract from an interview I conducted with Steve, he explains that whilst there was a practical benefit to the claims from overseas indigenous groups, he still thinks Pagans have not gained recognition:

> Aboriginals and Native Americans have helped open up the debate, probably, I think, to a much wider stance.. um.. it's certainly allowed us to say if you are doing it for them, why can't you do the same thing for us. Um..you know, because, you know, it's that sort of thing, that what's good for the goose is good for the gander, um..you know, hang on a minute, we are here. This is actually, you know, they are thousands of miles away, why are they getting special treatment? [Steve, November 2006]

These remarks identify the central problem as that of the exclusion of Pagans by heritage organisations, unlike the overseas groups. The statement he makes, "hang on a minute, we are here" and "why are they getting special treatment?" speaks to strong feelings of non recognition. Sociologist Frank Furedi suggests that the conceptualisation of recognition as an individual right, may encourage more recognition claims. He observes that the growth of compensation culture, stimulated by the growth of a therapy culture, confers "moral privilege" on those individuals who can establish their victim identity which encourages people to see themselves as victims and to claim compensation (Furedi, 2003 p.180). I contend that the moral privilege rhetorically bestowed on overseas indigenous groups has encouraged communities in the UK to demand equivalent treatment.

The Influence of Museum Professionals and Policy

In Chapter Three, I explained that the remit of the museum has moved away from an empirical remit towards an inclusive, at times therapeutic model in response to a crisis of legitimacy and seeks to play a role in the recognition of community identities. The developing focus of HAD in requesting the recognition by heritage organisations of their Pagan beliefs, suggests that this process invites communities to ask for recognition, a commitment that it is not clear that the museum can consistently honour. The affirmation of certain identities by institutions grants a moral authority to selected groups, that others would like and thus campaign for. In Chapter Four, I ventured that the internal confusion in relation to the foundation authority of the museum, has created a situation where professionals continue to challenge and question their own authority, as manifested in their critical reaction to the *Guidance for the Care of Human Remains in Museums* (DCMS, 2005). This policy also came to be the focus of campaigning activities of HAD. One aim of HAD is to expand this policy to include them. In HAD's *Feedback on DCMS Guidance for the Care of Human Remains* it quotes from the DCMS guidelines to highlight the inconsistency of the discourse in recognising different viewpoints: "The importance of recognising different opinions is stated but disingenuous in the Guidance" (HAD, undated unpaginated). It should include indigenous groups from Britain as well, they argue. Academic and Heathen, Jenny Blain, a Council Member of HAD, similarly stated in a speech that critiqued the document that it: "dismisses Pagans as non indigenous." The annual conference she organised, *The Association of Polytheistic Traditions Conference* in 2007, debated, amongst other issues, the problem of human remains amongst polytheistic Pagans. As Blain continued at the conference:

> The idea that there is no indigenous community in Britain is frankly rubbish. The idea that no group settled here can be promoted as having a connection, these official statements are in tension with groups.

In her speech, Blain made reference to the DCMS guidlines and the Human Remains Working Group Report in some detail. She described the HRWGR as "very useful in parts [...] They talk about overseas material, we can relate this to material here." Blain also referred to the Church of England and English Heritage policy on human remains (2005), pointing how the Christian perspective on

human remains had been accepted, as had the view of indigenous groups from Australasia and North America, so: "Why is it so hard for the British Pagan perspective to be heard?" she asked (see also Restall Orr, 2007). The aim of expanding the remit of policy documents and the quest for inclusion, suggests that the recognition of overseas indigenous identity as worthy of special attention in cultural policy stimulated the demand from HAD that they too should be recognised in these documents and government policy. Government policies became the focus of criticism for both museum professionals who argued professionals retained too much decision making power, and for Pagans campaigning to be included.

Section Two: Framing the Problem

Spector and Kitsuse argue that social problems are not static conditions but rather "sequences of events" that develop on the basis of collective definitions (1977 p.146). The framing of claims is usually a highly fluid and changeable process, which depends upon the interaction with different groups and the purchase for their ideas. This is particularly so in this case. HAD try to key into established frames and associate themselves with the problems that are established but find it difficult to sustain these frames in interaction with others.

Bones Trapped in Boxes

Pagan activists attempt to expand the domain from the problem of overseas human remains to the problem of ancient UK remains, by borrowing from the established rhetoric on the issue. They began by voicing concerns in the same language to that used by Native American, Aboriginal, and campaigners within the museum and archaeological profession in the UK. The first frame borrowed rhetoric from overseas claimsmakers and UK professionals who describe the holding of human remains in boxes. For a comparative example, Jan Hammil, Director of American Indians Against Desecration (AIAD) outlined:

> Indian speakers and archaeologists appeared together and addressed the issue of the remains of some 500,000 American Indians currently stored in cardboard boxes, paper sacks and plastic bags in archaeological laboratories, museums and universities (Hammil, 1995 unpaginated).

Similarly, Hedley Swain, curator at the Museum of London commented in the Times newspaper: "The people making decisions should ask themselves whether they would feel comfortable about their bodies being dug up one day and stuck in a cardboard box" (Swain, cited in Alberge, 2004 p.2).

In the late 1990s one individual associated with the Pagan movement began to articulate concerns about human remains in similar language. The individual activist and British Druid Order member, Paul Davies, wrote in the *Druid's Voice*:

Every day in Britain, sacred Druid sites are surveyed and excavated, with associated finds being catalogued and stored for the archaeological record. Many of these sites include the sacred burials of our ancestors. Their places of rest are opened during the excavation, their bones removed and placed in museums for the voyeur to gaze upon, or stored in cardboard boxes in archaeological archives (Davies, 1997 p.12).

This rhetoric is echoed by Restall Orr on a number of occasions, stating for example in the *British Archaeology* magazine: "Real care may be may be taken by archaeologists working to find the stories, but the lack of respect is exposed when bones are placed in boxes." (Restall Orr, 2004 p.39). In an interview I conducted with Restall Orr, she told me: "[...] the majority of letters or emails I have got after the launch of HAD have been about humans locked up in museums, this is what angers and upsets people" [Restall Orr, April 2007]. Similarly, Jenny Blain asked at the conference *The Association of Polytheist Traditions*: "If human remains from Australia are treated as sacred, what happens from people from this island who are in boxes or active display?"

The written and spoken discourse that complains of bones in boxes, implies that this position is unusual, wrong and akin to being imprisoned. The identification of the material of the box, cardboard, as a problem suggests that there is something amiss with this, without needing, it would seem, to qualify why. This is worth noting because during the transfer of human remains to overseas communities, or when they are buried, they are in boxes; sometimes metal, wood or cardboard. At no point is this is exposed as a problem or a contradiction, and nonetheless the description of human remains in boxes helps to infer that the museum has captured them. Restall Orr makes this characterisation explicit. The villains in this discourse are the museums. The motif of bones locked up in boxes, suggests that the bones are vulnerable, attributing to them human properties, in Blain's case referring to them as people. The criticism Davies directs at the audience looking at them insinuates that looking at bones in museum institutions is like doing something dirty, associating the gaze of the audience with the term voyeur. This paints a picture of bones, described as people, vulnerable to those institutions who hold or people that look at them. It is powerful rhetoric which implies that harm is caused to human beings (the bones) by institutions and audiences.

Fluctuating Aims: Reburial, Respect and Ritual

The archaeological activists seeking repatriation initially termed their campaign to transfer human remains to indigenous groups, the 'reburial issue' (see Hubert, 1989), although British campaigners ceased to use this terminology. Nonetheless it is picked up by HAD in an attempt to piggy back on to this established problem. The use of the term 'reburial' to characterise their campaign is used by Jenny Blain, in her articles and speeches on this problem. Writing on the engagement of Pagans with historic sites, she and her colleague Robert Wallis, also a Heathen, state that "the reburial issue has been a problem overseas for sometime" and that "the reburial issue is now on the agenda in Britain" (Blain &

Wallis, 2004 p.236). This links the two claims, those of overseas indigenous communities and Pagan claims over human remains, as if they are on a continuum, an association which is reinforced by the use of the term 'reburial' and contributes to an attempt to legitimise this link.

However, these demands for reburial are inconsistently voiced. At times their aims are framed as the need for 'respect' or 'ritual' rather than 'reburial'. Often the calls for acts of reburial and respect are used interchangeably. As this paragraph from an article published in the magazine *British Archaeology* by Restall Orr demonstrates:

> When Pagans speak of reburial, they are not demanding marked graves lauded over with occultism or magic. They seek simply the absolute assurance of respect. In my opinion, reburial of every bone shard is not necessary: ritual is.

> At Stonehenge, should human remains or burial/sacrificial artefacts be found, priests will be called. Appropriate prayers and ritual will be made to honour the dead, their stories and gifts to the gods. Once finds are catalogued, reburial will be considered by all relevant parties (Restall Orr, 2004 p.39).

This article states contradictorily that when Pagans ask for reburial this does not mean reburial. That instead they "seek assurances of respect" which isn't defined, and then the requirement of ritual, also unexplained is inserted, suggesting a confusion of purpose. Restall Orr's article refers to human remains and sacrificial artefacts as a focus, which further muddles the problem: is it human remains or is it burial/sacrificial artefacts, and what about them requires this, poorly defined, respect or ritual?

Both Restall Orr and Steve at conferences and during my interviews with them, suggested that human remains required special treatment, but they also referred to other objects as requiring the same consideration, thus diluting their claim that human remains require particular attention. As Restall Orr illustrated in an interview:

> Some folk want reburial. Personally I find I have when I see human remains I have a visceral aching feeling to wet them to put them in the mud, that's why I sob and keen[24] in museums. It's a desperate feeling that these folk should be buried. Not just humans; the horses, everything, the clay on the shelves. [Restall Orr, May 2007]

Whilst Restall Orr is clear here on the need for reburial, she also includes horses and "everything [...] on the shelves" in that desired act. Whilst she terms the human remains, folk and humans thus humanising them, she also talks of the need to bury everything in museums, signalling human remains out as unique, but then suggesting they may not be. In an interview I asked Steve about the special

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[24] Keening is high-pitched singing.

properties of human remains and if they were distinct from artefacts, he replied by talking about the animist properties of everything and didn't mention human remains:

> I am an animist, I feel all things have their own life and energy within them regardless of what they are regardless as how modern they are, to be honest. I mean, a television is just as animated as, you know, Mount Everest and yet it doesn't quite get the same kind of awe going. [Steve, April 2007]

This confusion in two of HAD's members suggests a difficulty in making and sustaining a distinctive rhetorical claim for human remains which is demonstrated in the confusion of purpose in their documents and interventions at conferences.

The use of the term 'reburial' is erratically employed in the writing and talks by HAD and frequently shifts to borrowing the demand framed as 'respect' from the discourse that develops within the museum profession from 2003, discussed in Chapter Two. The loosely defined aim of respect is increasingly included in their writing and presentations, together with or instead of reburial, and develops through a relationship with Piotr Bienkowski. This is a discourse that operates, as Norman Fairclough terms it, on "a logic of equivalence" (2003 p.100). By putting respect in relation to the already established discourse of reburial, the two are associated. The term 'reburial' is used give the poorly defined aims of respect rhetorical power. Take for example, this extract from a conference paper delivered by Restall Orr to *the Respect for Ancient British Human Remains Conference* in 2006, for museum professionals, which she organised with Bienkowski:

> Although for many Pagans, the visceral need is to cry out for reburial of all human remains, this is neither the purpose of this conference, nor of HAD. Respect, however, must encompass the way in which human remains are exhumed, stored, displayed or reburied, with decisions and action based on sincere and informed debate (Restall Orr, 2006 p.8).

The reference to reburial lends rhetorical force to their claims for respect. But this dilution of demands, from reburial to respect, means that their claims lack a focus, which may limit their efficacy, for it is unclear what they want and why. However whilst this indicates the limits to the rhetorical definition of the problem, which is a potential problem for HAD, the demand for 'respect' is a claim which may be more acceptable to its proposed audience of museum professionals, who HAD would like to be consulted by, precisely because of this nebulous definition. Respect as defined by HAD is a term Restall Orr employs to try and articulate demands for inclusion. In Chapter Two I argued that the discourse of respect pertained to restraining the researcher, or professional. Here, it means including the views of Pagans. Neither directly concern human remains. Whilst it may be diffuse, this may also mean that their aim of consultation and recognition can be expressed through it, without their broad aims becoming hindered or restricted by specific demands.

As well as borrowing the reburial and respect rhetoric from repatriation campaigners, HAD attempt to employ the frame which critiques science and archaeology and which establishes the necessary villains. To some extent this motif chimes with their beliefs, in that one important shared belief is that secular rationality has created a false dichotomy between matter and spirit, which means science and authority is often seen critically as dualistic (Bloch, 1998). In interviews, articles, conference papers and presentations, Restall Orr critiques science and archaeology. In the magazine *British Archaeology* she outlines: "Attitudes towards the ancient dead are a significant part of the clash between Paganism and fact-searching archaeology. Within Paganism, the dead are revered." (Restall Orr, 2004 p.39). This quote describes archaeology as "fact searching" which it is implied, is a problem, counterpoising this outlook with Paganism, which she suggests, cares for the dead. In HAD's document on the DCMS *Guidance for the Care of Human Remains in Museums*, science is criticised as one view which is given undue privilege in the policy, but which is open to "abuse" by archaeologists, keying into the Pagan concerns about monolithic authority and developing rhetoric which characterises archaeologists as a threat:

> For archaeologists from outside the area to claim full authority to take away those ancient human remains, and to claim that the community has no involvement in deciding their future, is simply arrogance and abuse of power. It puts sole authority over ancient human remains into the hands of a small, unelected, distant, disciplinary-based group (HAD, undated unpaginated).

The common elevation of archaeologists as decision makers is problematic, in their eyes, because it gives too much "power" to a disciplined based group. There is an attempt to counterpoise honouring the dead with scientific advancement. The "dead" are what will be harmed if science is allowed to continue unabated and the villains are the archaeologists and scientists, the construction of which is integral to successful claims making (Jenkins, 1992). In this respect, whilst the focus on human remains and not objects is not consistent in their writing and interventions, it is clear that there is an attempt to construct the notion that something has been harmed. The description of 'the dead' is rhetorically more effective that a focus on artefacts. It is easier to suggest that human remains are harmed, than objects, due to their association as once human beings.

Nonetheless, in interactions with critics, Restall Orr finds it difficult to maintain the critique of science and archaeology. In June 2007, the TV programme the *Heaven and Earth Show*,[25] dedicated an item to Pagan claims on human remains. Restall Orr was joined in the studio by the Labour MP Chris Bryant and Oliver Curry an evolutionary psychologist, for a discussion. Bryant, and the presenter, challenged Restall Orr, who had said the scientific information was negligible from human remains. She in turn responded to his challenge by backtracking her claims:

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[25] The *Heaven and Earth Show*, 24 June 2007. BBC1 TV.

[...] it's so seldom that this information comes through. And what most Pagans are looking at is, is not the last 1500 years where mostly, um, human remains are being excavated from Christian consecrated grounds, and are going through, they are going through a process of research, and most Pagans would say that's wonderful. The science is, is, most Pagans are not anti science, we are not anti science. It's not about stopping that research. It is about allowing the social and spiritual religious value of these to be a part of the consultation, in terms of what happens to those bones once they've been through the scientific, um, process. And a lot of these bones in museums have already been through that process of research. Um.. are perhaps contaminated beyond use anyway because they've been dug up by the proto archaeologists; the antiquarians, they've been stuck in boxes.

In response to the assertion that the scientific research on human remains was valuable, Restall Orr states Pagans are not anti-science, revealing this characterisation herself, instead of it coming from a critic. This a much weaker criticism compared to the forceful critique of science put forward by campaigners from the museum sector, outlined in Chapter Two and Chapter Three, where professionals acknowledged that science would lose important research material, but argued that this was not as important as healing the communities who would receive the human remains, developing a rhetorical juxtaposition between irrelevant science that may yield results in the future and the positive therapeutic impact museums could make on communities in the present. Restall Orr tries to suggest that, instead of stopping research, that what they are asking for is different values to be included, which she defines as spiritual as well as religious; which is a diluted term compared to belief, or morals. Furthermore she narrows down what remains they are interested in claiming: those more than 1500 years old. She then tries to imply that scientific research would be difficult because of the actions of certain archaeologists. Restall Orr then tries to insert the motif of bones in boxes, "they've been stuck in boxes." Further on in the conversation, when asked about the link or claim Pagans think they have over ancient human remains, she backtracks again:

Oliver Curry: [...] there doesn't seem to be a direct link between Pagans and..

Restall Orr: And that's exactly what we're not, we're not, we don't have a special claim, and that's the big misunderstanding. We are not saying, we are not saying we have a special claim, we are saying we have a special interest which is completely different.

In this exchange, Restall Orr is unable to assert that Pagans do have a claim on these human remains, and tries instead to ask for a special interest. She is aware of, and unable to challenge, the questioning of her legitimacy to claim ancient human remains.

A similar process of aims shifting in interaction with others, takes place in relation to an attempt to link to contemporary controversies over the retention of body parts. In Chapter Two, we saw how activists

in the UK successfully linked their campaign to the contemporary body parts controversies, lending their arguments a powerful association with these high profile problems. This linking is only attempted by Restall Orr on a few occasions and without success. At a conference for museum professionals debating the value of human remains and the repatriation issue, held by the Museum of London 2007,[26] Restall Orr engaged as a member of the audience, with a panel discussion. As part of this exchange she associated her concerns for human remains with the reaction to the body parts controversy at Alder Hey, but this met with firm resistance from Stella Mason, the director of a medical museum. During the course of this interaction, Restall Orr reworks her claims for human remains to claiming the need for consultation in response to the resistance from the professional:

> Restall Orr: [...] I feel strange where the value of science is put above so much else. Why aren't there enough bodies for dissection? Why don't universities get enough bodies for research?

> Stella Mason: Because of funding problems [...] It's expensive.

> Restall Orr: The point is about consent or lack of consent, people are not happy with this. At Alder Hey, well we saw how the parents cried out in pain.

> Stella Mason: Many would consent. That was an overreaction to one problem. People have, and do choose to leave their bodies to science.

> Restall Orr: Yes, I am sure if it was a democracy people would hang each other in the streets.

> Stella Mason: So you are aligning doctors to hanging?

> Restall Orr: No.

> Stella Mason: Some people give their bodies to science, you are not crediting that.

> Restall Orr: The process we want is about consultation, we want to be consulted.

This dialogue at a conference, suggests that whilst trying to key into an established frame, a recognised body parts controversy, when refuted by one museum professional, encourages Restall Orr to shift her focus and demand away from the issue of taking bodies without consent, to the demand to be consulted. She is unable to effectively link her cause to the problems at Alder Hey. The documents published by HAD do not refer to Alder Hey, or other contemporary controversies, or historical examples concerning body parts, unlike those of those campaigners from the museum sector who did

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[26] *The Value of Human Remains in Museum Collections*, 2-3 March 2007. London, Museum of London.

so successfully. Although there is an attempt to locate the harm caused by the ill treatment of human remains, in the bones, HAD do not pursue a link to contemporary body parts scandals, as other campaigners have done, to give their claims greater force. Furthermore, unlike the campaigners discussed in Chapter Two, who use the words, deflesh and body pieces, Pagan activists do not rhetorically use the body in an attempt to make the objects of contestation more person like. Instead whilst they discuss human remains at times as the dead or people, humanising them to some extent, they use the term bone instead of body.

Joel Best outlines that the construction of a problem requires that grounds are made (1987), which he says consist of definitions, examples and numeric examples. On a number of occasions, Restall Orr's characterisation of the problem is diluted and shifts in interaction with people, asking for consultation instead of stopping scientific research, and stating a special interest instead of a special claim. She tries to redefine the scope of the problem as soon as it is questioned. The difficulties in framing their claims creates problems for HAD's efficacy as a campaign group. The grounds are weaker and less coherent than those outlined in Chapter Two. Unlike the claims made by museum professionals regarding the problem of human remains, there is no reference to numbers to give any sense of a widespread problem, or the use of any other similar rhetorical device, which is one reason why the extent of the problem is not fully conveyed. Nor is there any reference to an example or case that can operate as an exemplar, associating the issue with an "atrocity tale" which can shape the perception of the problem (Best, 1987 p.105), like the case of Truganini or William Lanney that we saw was effectively constructed by campaigners in the museum profession.

Competing Claims

One constraint in framing the problem, is the diverse belief system of Paganism. This is a problem because HAD aims to gather support from the Pagan community, to legitimate their activities. On a number of occasions Restall Orr tried to promote the problem of human remains internally to cultivate support. The claims made by HAD regarding human remains, in particular the demand for reburial, though inconsistent and diffuse, created debate within the Pagan community.[27] The claims for the problem human remains are resisted due the value some Pagans place on the importance of the past and knowing that past.

At the annual conference of *The Association of Polytheist Traditions* in May 2007, a day long meeting, there were four presentations related to the 'reburial issue', as termed by the organiser Jenny Blain who opened the conference with a discussion of the problem. Restall Orr made two presentations. There were twenty two individuals at the conference, not including myself. Four were highly receptive to the problem of human remains. Three were strongly opposed. The rest were indifferent, they were unconvinced either way and did not hold strong views. The diversity and lack of interest in the body

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[27] See for instance the debate on the website <http://answers.yahoo.com/question/index?qid=20071201125152AADycht>
Accessed, 17 February 2008.

amongst Pagans has been noted by campaigners as prompting difficulties. An early article by the activist Paul Davies, remarks:

> With little discussion taking place within the Druid community concerning transmigration of the soul and the relationship between the physical body and the spirit body, a clear cut answer as to the problem of how archaeologists should treat burials remains difficult (Davies, 1997 p.13).

The frames that Restall Orr employed to pose the problem of human remains, were differentially resisted across the day. Firstly it wasn't clear to the audience that there was a problem with the treatment of human remains, one audience member asked "what is all the fuss about bones?" Restall Orr thus shifted her emphasis in relation to why human remains should be considered as a particular problem, testing out what had purchase. Firstly she criticised the British Museum and their loan of a bog body - Lindow Man - to Manchester University Museum: "The British museum is a last Bastian of imperialism. We are only getting him because they are decorating. The British Museum is run by imperialists who are under twenty-five."[28] Restall Orr's critique of the institution was refuted by another speaker, who had a very positive experience, who outlined that the British Museum is "good to Pagan groups" and that "they let us have ceremonies there." Other problems were seen as more pressing by some of the audience. A number of participants argued the environment should be a more immediate priority. The established social problem of the environment was seen to be of greater concern than the issue of human remains. In response Restall Orr tried to join the two problems as both caused by a lack of respect:

> Audience member: There is a whole environmental crisis out there so why are we talking about human remains?

> Restall Orr: But we are, it matters. What is the connection? The lack of respect for land, space and time. So it is connected.

In this exchange, Restall Orr tried to link the two problems; an environmental crisis and the treatment of human remains as about 'respect' for land, space and time, illustrating that the term 'respect' is employed in a number of different ways, to hide a confusion of purpose, but congruently to suggest that something is wrong.

In the following exchange between Restall Orr and Pagan attendees, the lack of purchase in the problem of human remains is further exposed. Restall Orr had just spoken of the influence and success of HAD in the removal of the skull of Worsley Man, the head of a bog body from the Iron Age found

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[28] Note here that Restall Orr refers to 'we' are getting him. The 'we' she means is Manchester University Museum and HAD who worked together on the creation of the exhibition of Lindow Man.

in Greater Manchester. The head had been on display at Manchester University Museum which Restall Orr refers to as "here" as it was the location of the conference, until they requested it was taken off display:

> Restall Orr: [...] the head of a bog body was on display here. We said we don't like that so they took it down. They may well put it up again, but they will consult us beforehand.

> Audience member: But what is appropriate? If there is a severed head on display, why is that disrespectful?

> Restall Orr: Because it wasn't found in a dry box. It was found in mud.

This individual was disinterested in HAD's influence in the removal of the head and unsure of why the display of it might be considered a problem. Further discussion focused on what was wrong with human remains being excavated or put on display, with different reasons posed as to why and why not:

> Audience member: What do gods think about us digging them up in the first place, putting them on shelves or in front of an audience? A lot of people dig them up for science, which tells us more about our past.. everyone's got different views.

> Audience member: But in the name of science, that doesn't actually happen. Excavation is often driven by road building.

> Audience member: Personally, if you have a human being buried and dedicated to a specific space, I think it's insensitive to remove it, it's an insult to their deity. I hear lots of justification, but they were offerings to the deity. To remove it is stealing from the gods.

This exchange exposes a number of different views. On the one hand, it is seen as insulting to the gods to remove remains from burial grounds, and the justification of scientific excavation is considered a disingenuous cover for road building which is viewed with a high degree of antagonism. On the other hand, one individual is not unsure of what the gods think about this problem, and that more information about the past which is a recognised interest, is seen as gained. The statement, "everyone's got different views" was frequently echoed in the room, and suggests there may be limits to the strength of any view or campaign due to the diversity and fluidity of Pagan beliefs. The problem of human remains was considered by the audience, but it was not clear to all of them what the problem is even within HAD:

> Audience member: What about the Egyptian mummy? I've heard that Egypt don't want them back, or the curators don't, so it's going to China. I'm not sure what I would think but I would like to stay here..But it's an interesting thought, that not all communities want them back. A particular ancient dead feller might be more honoured by others than their kin.

Here a woman cited a rumour that a mummy from Manchester Museum was going to be sent to China. But she wasn't sure what she thought about it; she would like to stay in Manchester on the one hand, but on the other she ventured the mummy might be more "honoured" in China. In reply Restall Orr argues that scientists trained in the West treat mummies badly, which frightens Pagans, trying to identify the villains of the piece as scientific training which influences a disregard for the mummies in the Egyptians:

> Restall Orr: The Egyptians' changing attitudes towards their mummies is frightening for Pagans in Egypt. It leaves them bewildered to see the mummies on display. They cry out in pain. It's because Egyptian curators have been trained abroad in Britain and America as scientists, and it's ridiculous.

But Steve then commented contradictorily and without hostility that he had no real issue with the mummies or their potential transfer to China:

> But if I was a mummy and had been stuck in Manchester for 200 years I would want to go to China, you know, I would be bored with Manchester. [Audience laughter]

This indicates that Restall Orr's critique of Western science is not as strongly felt by Steve, or with all the audience and that her focus on the problem of the display of human remains is not firmly held to be a problem.

This isn't to say that her ideas about human remains had no purchase. One individual from Ireland was determined to go back and raise the issue there. Another in the audience was concerned about the "dualistic thinking of rationalist scientists" and their "lack of respect for the faceless dead." A different individual questioned the reliability of the science or information that could be gained from research on bones: "We cannot assume to know from one bone or site. One bone cannot say this for sure, we are in serious danger of make believe." One speaker, an archaeologist, spoke about his campaign to save the Thornborough Henges[29]and how he had come to focus on the problem of the excavation of human remains as a reason to stop further development.

Whilst four people strongly supported HAD's campaign, the attempt to identify the problem of human remains was firmly resisted by other audience members when it was seen to conflict with the value Paganism places on the past and memory. The greatest tension was created in response to the suggestion that human remains should not be excavated, because this research is considered important and integral to the commitment Pagans have to honouring and knowing the past. Take for example this response from an audience member to Restall Orr's suggestion that excavation of and research on human remains should stop:

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[29] An ancient neolithic henge monument.

Audience member: You cannot just say it is all science which is bad. We are recovering the stories of the, our ancestors. It needs more dialogue, digging up doesn't mean they don't respect it as a person, they are interested in the ancestors..let's not demonise the archaeologists [...] memory is a far more important way of respecting the ancestors than reburying them and forgetting them again.

This comment received support from a few people in the audience, as did the following, which also questioned the target of archaeologists and archaeology:

Audience member: [...] you cannot characterise archaeology as a monolothic science..there is a spectrum. Lots of Pagans are archaeologists, look at [Name of archaeologist], she wants to be an archaeologist so she can create justice in an unjust system.

The identification of the problem of human remains and the suggestion that they should be buried or research restricted was strongly opposed by three audience members because of the value attributed to archaeology for investigating the past. Furthermore, it has been contested more broadly. One audience member has subsequently established on the social networking site Facebook the group "Pagans for Archaeology" which states the following about the group, and against reburial:

We're Pagans who love archaeology and believe that it has contributed hugely to our knowledge of our ancestors and the religions of the past [...] we are opposed to the reburial of ancient human remains, and want them to be preserved so that the memory of the ancestors can be perpetuated and rescued from oblivion, and the remains can be studied scientifically for the benefit of everyone.[30]

The rhetorical critique of science and archaeologists and the aim of reburial meant it was difficult to gather strong support within Pagan circles. Sociologist Jon Bloch identified many differences of opinion within Paganism and between individuals in his research, which he explains was "fully tolerated" (Bloch, 1998 p.3). In this conference discussion, disagreement about human remains and other questions such as how many gods are there, or are there any at all, was good natured. Nonetheless, it is likely that the lack of purchase and support amongst this group contributed to the confusing aims articulated by HAD, and posed difficulties for frame construction.

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[30] See <http://www.new.facebook.com/pages/Pagans-for-Archaeology/32777950029?ref=share> Accessed, 11 August 2008. See also a compilation of critical pieces organised at <http://pagantheologies.pbwiki.com/Human-remains> Accessed, 15 August 2008.

Claims for Legitimacy

The claims for human remains made by HAD borrows rhetoric from the overseas campaigners and that of activists from the museum sector, in an attempt to piggy back their concerns on to this established issue. The shifting between demands for reburial and respect, and the uncertain aims, reflects that the underlying dynamic driving these claimsmakers is that of the demand for recognition. In HAD's documents, conference papers and presentations, and in the interviews I conducted, Restall Orr and her colleagues try to develop a rationale for inclusion in official policy and museum practice. These legitimacy claims, as well as explaining an underlying influence on HAD's concern regarding human remains, can be understood as warrants, statements which justify drawing conclusions from the grounds of the problem and which may be implicit rather than explicit (Best, 1987). In the construction of problems by claims makers it may be that despite disagreements over grounds or the definition of the problem, convincing conclusions are presented. The example of a warrant that Best examines is that in the construction of the problem of missing children, numbers or even the definition of missing children was disputed, but the warrant, the idea that something needs to be done about missing children, was firmly established. The comparison with the Pagan case, is that whilst there are limited grounds for their claims for the problem of human remains, their conclusion is that they should be included in consultations and recognised in cultural policy papers. As I will demonstrate, one legitimacy claim is that they should be recognised due to their religious beliefs and to not do so would be discriminatory. A second legitimacy claim is that HAD has the authority to speak on behalf of Pagans. The third legitimacy claim is that HAD has forged links with non Pagan experts which should add to their credibility. Finally, a fourth claim is that HAD represents a diversity of views.

In the HAD *Feedback on DCMS Guidance for the Care of Human Remains* (undated), the DCMS Guidance is targeted for criticism because it does not include claims on British remains and Pagan concerns. The document argues that Pagan claims need to be recognised and included in such policy, or heritage bodies will be guilty of religious discrimination:

> The Pagan community's sensitivities towards British human remains must now be heard if bodies are to avoid charges of religious discrimination. While indigenous peoples' attitudes towards ancestry and heritage are now accepted (if seldom comprehended) by those dealing with human remains, British Pagan beliefs continue to be questioned or dismissed. This lack of acceptance is evidence in the Guidance, where there is no language sensitive to Pagan spiritual and religious concerns. Consultation is needed in order to address and amend this problem (HAD, undated unpaginated).

In this extract, the problem painted is that Pagan sensitivities towards human remains are continually disregarded despite the inclusion of other similar communities. The use of the word sensitivities suggest that Pagans have a concern without explaining what they are. The most threatening aspect here, is that of religious discrimination. Another of the documents published by HAD is the *Policy on*

Consultation on Human Remains of British Provenance (2007) in which it is stated that HAD should be consulted on all questions about human remains by museum professionals and archaeologists. The document attempts to credit Paganism as a unique religious group. It elevates the importance of Pagans in this process over other faith groups, because they honour everyone regardless of the possible attributable beliefs of the person whose remains are under question, aiming to validate the legitimacy of HAD on the basis of their inclusive feelings about the dead:

> Pagans honour all their ancestors, whenever they lived and whatever their faith or lack of it. Pagans should therefore be involved in consultation processes for recent remains and those of all Christian era, Jewish or other faiths, as well as pre-Christian remains. Although other faith communities may wish to exclude Pagans for religious reasons, this is not a reason for museums or other involved organisations to exclude them from consultations (HAD, 2007 pp.1-2).

In this document, HAD try and legitimise a special claim for consultation over all human remains on the basis that they honour all the dead and they imply that this is a unique outlook quite unlike other religions who are narrowly interested in their own faith. On the one hand HAD should be included because exclusion would mean religious discrimination. On the other HAD should be included because Pagans attitudes towards the dead are more inclusive than other religions.

The information made available on HAD's website aims to establish the authority of HAD. They initially claim legitimacy because they can speak on behalf of the Pagan community. The material that makes this claim, concentrates on the variety of Pagan paths that make up the advisors, thus claiming to speak for the diversity and expertise of Paganism:

> HAD's Council is made up of Pagan theologians. At the time of writing, these are individuals who identify their spirituality or religion as Wicca, Witchcraft, Druidry, Eco-Paganism, Animism, Heathenism or Magick. The individuals were invited onto the Council as people who are recognized, through their teachings and writings, as well as respected members of those traditions. We are always awake to suggestions and requests to enlarge the Council.[31]

The website outlines that HAD has a body of "Advisors" complied of Pagans and others who hold academic and museum professional expertise, which aims to associate the organisation with the recognised expertise of academics and professionals:

> Beside the Council, HAD has a board of Advisors. These are a mixture of Pagans and non-Pagans, all of whom are professionals whose expertise is invaluable to HAD. Their fields of specialism range through museums, archaeology, history, anthropology, sociology, the

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[31] See <http://www.honour.org.uk/?q=node/12> Accessed, 11 August 2008.

academic side of religious studies, and law. Again, we are always looking for further skills to broaden our base.[32]

This presents a potential, though unrealised tension. That as HAD in part questions the authority of these same experts, in making decisions over human remains, but also tries to associate with this authority to bolster their cause. The same webpage, whilst associating HAD with the diversity of Paganism, and the expertise of academics and professionals, also explains that there is a wide range of beliefs and interests represented about the issues:

> When a query comes into the office and is sent out to the Council and Advisors, the range of answers that comes back is as diverse as Paganism can be. Sometimes we take the responses and simply collate them into lists. In other situations it is important to reach one decision; all the replies returned are brewed in the HAD pot, the resulting soup sent back out for confirmation.

These claims send out potentially contradictory messages about the rationale for that inclusion. For example, this statement which suggests that there is a range of diverse views about human remains, may weaken their claim that there is a problem.

HAD's demands for recognition are made on the basis of different claims: that HAD represents a variety of Pagan expertise; they involve the traditional expertise of academia and the professions; they encompass diverse views; and they reflect a unique religious perspective which cares for the dead. This reflects their attempt to construct a rationale for inclusion. The analysis of HAD's documents and their website, which presents their case for inclusion, suggests that their primary aim is to establish the legitimacy of the organisation and Paganism. Overall, what they indicate is that what is of concern to this Pagan group is less the burial or particular treatment of human remains, than the recognition of Paganism and their interests by heritage organisations.

Section Three: A Coalition of Claimmakers

> The two most successful museums at the moment have been Manchester museum and Leicester museums..um..I think people involved in there have been a lot more open in listening not just to the Pagan voice..but other areas of the community as well. And I think they are leading the way in that, leading in consultation..uh. As they've been doing that more and more museums are getting prepared to listen [Steve, April 2007].

For claimsmakers to be effective in establishing a social problem, it is necessary to show several things. It must be demonstrated that the problem exists, is widespread and growing worse, and that it causes real harm (Jenkins, 1992). Given the weak construction of the claims made by HAD, the

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[32] See <http://www.honour.org.uk/?q=node/12> Accessed, 11 August 2008.

question I now turn to is why and how have they achieved a moderate amount of success. To clarify, HAD do not achieve anything like the recognition or institutionalisation of the problem compared to the claimsmaking I discussed in Chapter Two, which resulted in the endorsement of the problem by Government in policy reports and legislation, as well the high profile transfer of human remains to overseas communities. The Prime Minister does not endorse their cause, the law is not changed, and they receive no human remains. But claimsmakers succeed moderately when others validate the claims, either through expressing concern about it, or establishing policies to deal with it (Best, 1990). HAD achieve a minor amount of involvement in museums institutions around this problem. Why they receive this limited endorsement, is of particular importance to our study.

Despite the diffuse claimsmaking activity of HAD, one important response to it was a strongly positive endorsement in two institutions where there has been a meeting of agendas. The interests of the institution, or individuals in it, have met with the interests and claims of HAD for recognition. Indeed in one, it is difficult to separate the two claimsmakers: Emma Restall Orr and Piotr Bienowski, the deputy director of Manchester University Museum and issue entrepreneur, who forge an alliance to campaign around the problem of all human remains in museum collections. Manchester University Museum and Leicester City Council Museums, responded positively to the demands made by HAD. Professionals in both institutions: Piotr Bienowski at Manchester, and Sarah Levitt who is Head of Museums & Heritage Services, are 'Advisors' to HAD. Both Manchester University Museum and Leicester City Council Museums have involved HAD and associated Pagans in a number of activities. These include Manchester University Museum involving Pagans in the consultation for and planning of an exhibition of Lindow Man, and the specific inclusion of Restall Orr's interpretation in the exhibition. HAD have also been involved by these two organisations in consultation on display, storage and burial of human remains (Levitt & Hadland, 2006). These relationships are forged because two sets of claimsmakers, issue entrepreneurs in the museum profession and HAD, formed a coalition to further their respective concerns. At Manchester Museum in particular, the institutional response to the claims of HAD is driven by particular individuals in the respective museums who, in part, negotiate and cultivate Pagan claims to give their own activities legitimacy, as part of a broader agenda to influence other museum professionals on questions of the problem of cultural authority and the shifting role of the institution. Whilst the consultation with HAD are driven by concerns internal to the museum institution, the endorsement of HAD's claims contributes to legitimising them, although this has limits. The following concentrates on Manchester University Museum and the coalition they form with HAD as this relationship is the most significant, as I will demonstrate.

Manchester University Museum

Manchester Museum was opened to the public in the late 1880s. The University of Manchester owns the collections and buildings and employs the staff of the Museum. The contemporary mission of the museum straddles both a commitment to the pursuit of research and learning as well as orientating towards a broader public benefit, which it states is a new development in museums. The mission

statement reinforces the more socially orientated remit of contemporary museums, suggesting that the focus on collections is less pertinent than what is considered to be public benefit. As it states in the Annual Report, in a section titled "RE-ALIGNING THE MUSEUM AND ITS STAFF":

> In the past, museums were judged largely on the quality and scope of their collections. Nowadays it is the measurable benefit that people derive from a museum that is the main yardstick of quality (MUM, 2003b p.6).

This stated outlook away from collections toward measurable public benefit, means that the institution aims to engage with a variety of contemporary social issues. As their *Policy on Human Remains* states:

> The museum will [...] Re-think the role of a global museum in the 21st century by engaging people with the issues of globalisation, post-colonialism, climate change, biodiversity and sustainability (MUM, 2007 p.4).

These two excerpts illustrate the point made in Chapter Four, where professionals attempt to demarcate their contemporary orientation by defining that their actions are different to the past. Manchester University Museum can be understood to be an institution that is interested in the contemporary agenda in museums to be more outward and socially responsible.

As I have explained, the problem of overseas human remains in museum collections was promoted by a number of issues entrepreneurs. In the response of professionals to Pagan claims, there are significantly far fewer individuals who promote the problem of Pagan claims on human remains, but they are notable and moderately influential. Two senior individuals at Manchester University Museum have been central in the promotion of the problem of human remains in its different manifestations. In the late 1990s, and early 2000, the then director of the Museum, Tristram Besterman was a repatriation advocate who sat on the WGHR. Since his retirement in 2005, Besterman has acted as an expert advisor to institutions on the problem of overseas human remains in a number of cases, as well as writing the human remains policy at University College London, which applies to material from the UK (UCL, 2007). When Besterman left Manchester Museum, a new individual emerged to pursue the human remains agenda: Piotr Bienkowski, deputy Director of the Manchester Museum and Professor of Archaeology and Museology at the University of Manchester. By this stage, however, the contestation over overseas human remains had reached some resolution, although Bienkowski continued to be involved in campaigning for the transfer of the Aboriginal remains from the Natural History Museum to the TAC in 2006. Subsequently Bienkowski has promoted the problem of all human remains and the cause of HAD.

The *Manchester Museum Policy on Human Remains* (MUM, 2007) sets itself out to be broader in scope than the DCMS guidelines, in what is a pointed criticism. It keys into and reinforces the concerns expressed by interviewees outlined in Chapter Four and those articulated by HAD, about the problem

of authority remaining in hands of museum professionals. The *Manchester Museum Policy on Human Remains* states that one reason the DCMS guidelines should be changed, is what they describe as the "growing interest" in human remains among communities. The DCMS guidelines, the policy of Manchester Museum on human remains argues, is consequently too narrow in who it consults:

> We are fully aware that the resulting policy goes beyond the recommendations of the DCMS guidelines (Guidance for the Care of Human Remains in Museums, published in 2005) and there are good reasons for this. There is growing interest in the fate of human remains among many communities. What are valued as human remains in many communities go beyond the strict scientific definition contained in the DCMS guidelines and we believe that any consultation should be extended to include those alternative views (MUM, 2007 p.2).

Their grounds for the expansion of the official policy is the claimed growing interest from British communities in human remains.

Restall Orr and Bienkowski work together on a number of projects to further their claims. Claims makers often forge alliances when it will serve their interests (Lee, 2003).The usefulness of HAD for Bienkowski is that they lend force to his claim that there are problems and concerns about the current attitude of museums and archaeologists towards human remains. HAD legitimises the claims made by professionals at Manchester University Museum, that communities are concerned about human remains and the DCMS guidelines should be widened. They also demonstrate that the museum is actively involving communities. In turn Bienkowski's support of HAD furthers their legitimacy claims. Bienowski and Restall Orr work together on a number of conferences and papers which target the professional authority of the museum professional and institution.

Targeting Professional Authority

The first partnering of Bienowski and Restall Orr was the conference they organised held at Manchester Museum, supported by the Museums Association, in November 2006. Titled *Respect for Ancient British Human Remains: Philosophy and Practice*, papers were presented to an audience of museum professionals and museum studies students on the need to treat all human remains with respect. Presenters, selected by Restall Orr & Bienkowski, included Jenny Blain, Restall Orr, Bienkowski, Sarah Levitt and Laura Hadland from Leicester Museums, who were sympathetic to HAD's cause. Bienkowski invited potential critics of his approach, but they did not agree to participate. There were critics hostile to this approach, but they would not debate this in public at this event (personal communication, 12 November 2006). The conference programme linked the issue of repatriation to overseas communities with the need to consult with communities in the UK. As the flyer for the event programme read:

It is becoming standard practice for UK museums to repatriate human remains to their originating communities in Australasia and North America for reburial. An emerging issue, hotly debated, concerns the British counterparts of those remains: the communities for whom they are important are advocating with museums and archaeologists for respectful treatment, storage and sometimes reburial of ancient British human remains, both those recently excavated and those accessioned long ago and held in museum stores.[33]

The use of the term "standard" implies that the transfer of human remains is now accepted practice, that anything different would be unusual and that the claims from within the UK, comparable to those from originating communities abroad, should be considered for reasons of consistency. This conference framed the problem as one of respect, a term I discussed in relation to its development in museological practice and in the frames articulated by HAD. The frame of respect is useful for claims makers trying to extend the problem from contested remains to uncontested, for it suggests there is a problem without indicating exactly what it is. In the use of the word in this case, it becomes a critique of professional authority, as illustrated in an article co-authored by the director of Manchester University Museum Nick Merriman, Head of Collections Malcolm Chapman, and Bienkowski when they write in *British Archaeology*:

> The Manchester Museum's overriding principles are to treat all human remains in a consistent, respectful way – irrespective of their age or provenance, and whether they are so-called "contested" or "uncontested" – and to involve all interested parties in discussions and decisions. This means the interests and values of archaeologists and scientists are always included, but are not privileged above those of other communities (Merriman, Chapman & Bienowski, 2008 p.53).

The question of contested or uncontested human remains is presented as just semantics. The motif of respect is used to suggest that all human remains need special treatment and it is implied to not do so would be discriminatory. The motif of respect is a cloak for a critique of authority. Treating human remains with respect, for these campaigners, is to question the process of decision making and the expertise of scientists and archaeologists, in particular. As I argued in Chapter Two, the idea of respect, is less about how the human remains are treated, specifically, and more about advocating a cautious and careful approach by the researcher. To treat human remains with respect is an aim that concerns restraining the researcher rather than proposing particular treatment of human remains.

In the paper presented to the conference by Bienkowski and Restall Orr, *Respectful Treatment and Reburial: A Practical Guide* (Restall Orr & Bienowski, 2006), they outline their theory in more detail. Whilst the paper is the longest from the conference, at 21 pages, and whilst it outlines practice for every conceivable action concerning human remains, including excavation, interpretation, retention,

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[33] See the following weblink for the flyer and programme for this event
<www.museum.manchester.ac.uk/medialibrary/documents/respect/respect_conference_programme.> Accessed, 19 August 2008.

acquisition, loans, research, publication of results, conservation, storage, photographing, images, and display; what is respected, how and why is ill defined. What it is not, is a clear case for how and why human remains should be treated in a particular way. What is defined, however, is that there is a problem with professional authority. The paper begins by stating that their purpose is to offer guidance in relation to how respectful treatment can become common practice:

> The purpose of this paper is to offer practical guidance to archaeologists and museums on how to ensure that respectful treatment of human remains is embedded through proper consultation with all interested parties at all stages: before, during and after excavation, within the museum, and when contemplating and carrying out reburials (Restall Orr & Bienkowski, 2006 p.1).

This excerpt asserts that professionals, especially those with an archaeological and scientific purpose, should no longer be the key decision makers. As they go on to make explicit:

> The care, interpretation and decisions about retention and use of human remains can, ethically, no longer be left simply to the museum, archaeological and scientific communities alone without taking into account the sensitivities of other communities (Restall Orr & Bienkowski, 2006 p.1).

Each section of their conference paper, which is organised around the different actions around human remains, makes the point that it is not for professionals to decide. For example, in the section titled "Post-excavation" they state:

> Once human remains have been excavated, there is a clear choice of what to do next: whether the remains are to be reburied after recording and analysis, or retained longterm (usually in a museum). Up to now, those decisions have been taken unilaterally by archaeologists and museum curators [...] that decision-making process should now be broadened out and shared (Restall Orr & Bienkowski, 2006 p.4).

The argument that decision making should be removed from professionals and shared, is also promoted in relation to the publication of results from research: "it is vital that archaeologists share more widely – ideally through consultation networks – the progress of publication" (Restall Orr & Bienkowski, 2006 p.5). The problem identified throughout their paper is professional decision making, which they argue can be resolved by removing the authority from the sector, through consulting with others. The elevation of listening to other views or claims over human remains is a way of demoting professional authority.

The critique of cultural authority through the discourse of respect, is one that Bienkowski has continued to develop in the *Museums Journal, British Archaeology,* and at professional conferences on

his own, with Restall Orr, and with colleagues from the museum. Stating for example: "The days when archaeologists decide unilaterally to retain human remains indefinitely without wider consultation, are numbered" (Bienkowski, 2007: unpaginated. See also Bienkowski & Restall Orr, 2007). Bienkowski attended and delivered a paper to the *Annual Conference of the British Association for Biological Anthropology and Osteoarchaeology* (BABAO), the strongest critics of his approach, where he and his colleague the Head of Collections Management at Manchester University Museum, Malcolm Chapman argued that archaeologists and curators (i.e. much of the audience) needed to cede authority (Bienkowski & Chapman, 2007). Both Restall Orr and Bienkowski attended the conference *Valuing Human Remains* as audience members at the Museum of London in 2007, where they jointly attempted to put pressure on the museum sector at the event to widen consultation processes with regard to human remains by intervening from the audience. By aiming to elevate the significance of human remains through the discourse of the need for respect, they target and aim to demote and question the actions and authority of the museum sector. The majority of their activities are directed at the DCMS guidelines and the sector and both concern the demotion of the authority of professionals.

Bienkowski's argument is firmer and more consistent than Restall Orr's. He takes the critique further. In the presentations and interventions that Bienkowski makes, he attempts to construct the problem that archaeologists, museums and scientists treat human remains badly because of their discipline training and focus, which allows them to treat human remains as objects. As he outlines in his own paper at the Respect conference:

> In archaeological exhumation, and the use of ancient human remains in scientific study and in museums, the deceased is no longer regarded as a person: his moral status has changed [...] And that is how archaeology treats the dead [...] In archaeology and museums, the dead are 'things', retained for exploitation for the production of knowledge and for display. For animist communities, the dead are still 'persons', still connected. (Bienowski, 2006 p.11)

In this paper, the problem is focused. Scientists and archaeologists treat human remains, not as people, but as things. They exploit people for knowledge and display. His paper outlines that the reason they do this, is because of the outlook of their discipline which encourages them to see humans as objects. The victims are the human remains and the villains the archaeologists and scientists. In this paper Bienkowski described the Pagan animist view of the dead, more coherently than the Pagans. He leans on the idea that animists (Pagans) treat human remains better, as people, than archaeologists and scientists. The juxtaposition between treating human remains as people, and not as an object which is how scientists and archaeologists are characterised as treating them, is further articulated in the Lindow Man exhibition.

The Limits to and Success of Bienkowski's and Restall Orr's Claims

In 2007, Bienkowski and Restall Orr attempted to build a further coalition with Melbourn Parish Council in Cambridgeshire to target the DCMS guidelines for extension, and to achieve the transfer of the human remains requested by Melbourn. Whilst they have not been successful in forging this particular relationship, the process, institutional response and consequences are worthy of note. In 2001 Melbourn Parish Council in Cambridgeshire, made a request to Cambridgeshire Archaeology for the burial of some Anglo-Saxon skeletons excavated from the village in 2000. In 2006, after a protracted period of consideration, Cambridgeshire Archaeology referred the request to the DCMS Human Remains Advisory Service (HRAS) for their advice. As we saw in Chapter Two, the DCMS set up the HRAS to help museums deal with claims of human remains in their collections. On hearing that the Melbourn claim was referred to the HRAS, Restall Orr and Bienkowski tried to form links with campaigners in Melbourn, to put extra pressure on the DCMS to widen the guidelines. Whilst campaigners in Melbourn have engaged with Bienowski and Restall Orr they have not forged formal links with them, believing them to be "too extreme" and "potentially unhelpful" to their aims (personal communication, 22 June 2007). What this interaction demonstrates is that claimsmakers try to forge coalitions with others who may support their broad argument but in other circumstances would not, in this case Pagans and museum professionals trying to make an alliance with a Parish Council. It also indicates that approaches are not always met with agreement, as the Parish distanced their claims from the activities of Bienowski and Restall Orr.

However, whilst there were limits to this attempt to build a further coalition, pressure to expand the DCMS guidelines made some headway. This is partly because the three members of the HRAS were divided on what should happen to the remains. One argued that Melbourn Parish should receive the human remains (personal communication, 10 July 2007). The other took the opposite view, in what he said was an acrimonious process (personal communication, 2 July 2007). After a protracted period, in 2007, after the HRAS failed to reach a unanimous decision, the DCMS dismantled the body. As of August 2008, pressure has been applied on the DCMS to extend the guidelines especially from Bienowski and Hedley Swain from the Museum and London, through the Human Remains Subject Specialist Network (HRSSN), a self-organised group of curators including Bienowski and Swain who curate human remains. They have applied pressure on the DCMS to expand the DCMS guidelines citing the claims from HAD and Melbourn as evidence of communities in Britain voicing concern about all human remains. It is highly likely that a formal, if web based, addition will be made to specially expand the DCMS guidelines to specifically address British human remains (personal communication, 13 August 2008). The probably extension of the policy indicates moderate success of the claimsmaking activities of these campaigners and the consequences of the criticism from the rest of the sector, as well as the pressure from the Melbourn claim which they were unable to resolve.

Exhibiting Lindow Man: Displacing the Curatorial Voice

Another moderately successful outcome of the collaboration between Restall Orr and Bienkowski is the shaping of the exhibition of Lindow Man. A consultation was run by the museum on how to host and present the exhibition, two meetings of which I attended in February 2007 and February 2008, and where a majority of Pagan individuals, some archaeologists, curators and local figures were present (see Sitch, 2007a, 2007b). Before I discuss the treatment of Lindow Man in this consultation process and its outcomes, it is worth briefly noting previous scholarly and public interest in bog bodies and how they are discussed.

Bog bodies - preserved ancient human bodies found in sphagnum bogs - are an archaeological phenomenon that has attracted extensive scholarly and public attention. Glob wrote the first bog body book, *The Bog People* (1969), as a response to the large amount of public interest in the discoveries of Tollund and Grauballe man in Scandinavia both of which are considered to be from the early Iron age. Glob's work has been followed by similar research and publication on these bodies and those also found in Britain and Ireland (see for instance Brothwell, 1986; Coles, Coles & Jørgensen, 1996; Van der Sanden, 1996; Chamberlain & Pearson, 2001). Lindow man is Britain's best known and most studied bog body. Archaeologists Stead, Bourke and Brothwell (1986) wrote the first comprehensive edited book on Lindow man which compiles all the initial different strands of research that had been carried out on the body, which has been subsequently followed by a number of works (see for instance, Turner & Scaife, 1995). Broadly, all this scholarship is orientated towards discovering what can be known about Lindow Man, and the other bog bodies. Questions that are considered pertain to who he was, how he lived, what he ate, what he wore and hunted with, what religion he might have been, ritual practices, when he lived, and how he died. Scholarship on these questions is an open investigation into what can be established through research and a degree of speculation (see for example Briggs, 1995). Bog bodies, have also been the inspiration for popular writing, art work and poetry (Turner & Scaife 1995; Finn, 1999). One common response is to investigate how he died and his identity through a detective novel. Ross and Robins (1989) employ the idea of a detective story as the basis for their book and attempt deduce a potential identity for Lindow man. One of the most well known examples of the inspiration of the bodies in art and literature are the poems of Shamus Heaney (Heaney, 1975; 1996).

What is interesting about this work scholarly and artistic work is how the questions and answers pursued are influenced by contemporary thinking or are related to present day issues, the most obvious being Heaney's poetry, which related the bog bodies to the troubles in Ireland (Finn, 1999). In the English summary of her book, archaeologist Nina Nordström (2007) observes how certain bodies from the past become the subject of interest in the present. She outlines a number of differing contributing factors to this interest that are located both in the particular bodies, as well as in the cultural climate in which they are found and discussed. Nordström explores the different reactions to two bog bodies: Tollund man and Grauballe man. The point she makes is that interpretations of these and particular bodies change with the character of the time. People and scholars respond to the specific histories of

what can be known about these bodies, but they do so through the concerns of the present. The significant point she makes, in relation to this study, is that despite the influence of the present on how we view these bodies, our consistent ambition is to find out "the truth" about these bodies: who they were and how they lived (p.397). This is an important observation that should be borne in mind as I discuss the consultation on the Lindow Man exhibition.

The first consultation on Lindow Man, in February 2007, was held in Manchester University Museum over the course of one day. Participants were asked by the curator of the exhibition, Bryan Sitch Head of Humanities at the Museum and Piotr Bienowski, who co-ordinated the event, to discuss how they felt about exhibiting the body: whether he should be buried and what would constitute respectful treatment. The consultation was promoted as part of a broader process by which the museum was becoming more inclusive. Bienowski opened the first consultation, stating:

> This is the consultation on Lindow Man. At Manchester Museum we are increasingly consulting as a museum with all stakeholders. We no longer stand as a single authorative voice - those days are gone. There is an exciting wide range of voices here: museum staff, university staff, archaeologists, councillor Paul Murphy, the community advisory panel, Pagans, and Honouring the Ancient Dead: I hope I haven't missed anyone out. The plan is to produce a unique exhibition. We don't want to produce just one view, we want to bring out different ways of presenting different views of Lindow Man. We want your views, not just those of the traditional establishment voices.

The event set out clearly from the start that this consultation process was a new way of working for the museum, and the aim was to include the views of those outside of the museum, on how to exhibit Lindow Man. Again, in this except we can identify the attempt to portray the new inclusive museum as different to the past and different from the traditional, establishment voices.

What was notable about the consultation was that no one argued for burial of Lindow Man. Furthermore no one was that interested in previous scholarship and research on him. Instead the discussions about how Lindow Man should be exhibited, focused on a variety of different concerns depending on who the participant was, which had very little to do with Lindow Man. The Labour Councillor of the group wanted to talk about the issue of multiculturalism through the exhibition, and was worried about how to get the working classes into the museum. He thought maybe the museum could show that Lindow Man was related to his constituency, through DNA research, which would make Lindow Man relevant to them. The Councillor also raised the question of how the museum could involve the Afro Caribbean community members of his ward who might not visit. A couple of archaeologists suggested that the exhibition could foster an interest in the past and address contemporary confusion about identity. One Druid suggested that Lindow Man could be used to promote community. A number of Pagans and archaeologists thought the exhibition could trigger discussions about death and confront what they argued was the death taboo of contemporary culture. A

couple of archaeologists through he could focus the problem of the environment by flagging up in the exhibition the nature of the peat and bog in which he was found and how this was threatened by potential building on or around the site. And a couple of curators thought he could be a focus for a discussion on Muslim identity and terrorism. This focus was the subject of discussion in one breakout group, where the following exchange took place:

> Councillor: It's good to hear about Paganism. It should be central in the exhibition. It shows that multiculturalism is possible through this exhibition.

> Sitch: Yes it's important to discuss diversity. Pupils should show an understanding of different views. If they can understand Lindow Man maybe they can understand what it is to be a Muslim.

In this dialogue, the issue of including Pagan voices in an exhibition about a bog body is the focus for the interests of these participants, because it could promote multiculturalism and diversity. Their particular concerns about diversity are projected on to Lindow Man (and Paganism) and the potential themes of the exhibition. There is no particular reason why an exhibition of a bog body from the Iron Age would address Muslim identity in the contemporary period, but this is not seen to be an issue. Curator and consultation coordinator Bryan Sitch endorsed the promotion of diversity through the exhibition. He ventured that Lindow Man could be an "ambassador for diversity" – for if the audience could understand Lindow Man, they might be able to "appreciate that other people are different too" he explained to the group. Overall, no one argued that Lindow Man on display was a problem, very few were interested in the body or its history and the majority used Lindow Man as focus through which, or a cipher, to raise their specific interests or concerns. This was reflected in the *Report* on the consultation published by the museum written by Bryan Sitch who outlines that Lindow Man could raise such questions in the exhibition:

> Lindow Man could be a community ambassador. If schools, children and students can be taught to appreciate his way of life, some sense of his spiritual values in so far as they can be reconstructed from 2000 years ago, how much easier might it be for the same children to understand a present day religion or culture? (Sitch, 2007b p.8).

And in a similar vein:

> There is also the question of his relationship with the landscape and the importance of green issues in present day society. Potentially there are wider issues involving ethnic diversity, regional identity and even terrorism (Sitch, 2007b p.9).

What is noticeable is that despite the rhetoric of concern expressed about how human remains should be treated in museums and the specific consultation on Lindow Man, in the initial consultation he is a

vehicle for participants' interests which are influenced by present day preoccupations; in particular those of identity, multiculturalism and environmentalism. As I briefly outlined, thinking and writing about bog bodies has always been influenced by contemporary issues. Whilst it is possible to see the present influencing the interpretation on Lindow Man, in this event, as outlined by Nordström (2007), it also departs from her observations on how these bog bodies are treated. The aim of reaching the truth of who Lindow Man was and how he lived is abandoned. Indeed it is explicitly critiqued as an aspiration. The main conclusion of the *Report* on the consultation was that the diversity of opinion about Lindow Man should be centrally promoted in the exhibition. This was counterpoised to previous ways of exhibiting Lindow Man, which it is was suggested, acted as if what is known about him is certain and which should be relegated to the past. The consensus from the consultation, it was concluded, was previous exhibitions and thinking about Lindow Man exaggerated the certainty of what is merely speculation about his life and did not reflect different interpretations. Their exhibition would aim to address this, as the feedback to participants in the second consultation states:

> The exhibition should explore alternative points of view, including archaeological interpretation and more spiritual perspectives. It should be a questioning exhibit, particularly if there are few hard and fast facts or if the facts are disputed. It should not tell people but admit that there are some things we do not know. It could question the sensationalist glamorous interpretation of Lindow Man. There should be stories and contradictory stories (Sitch, 2007b p.3).

Similarly, it outlines in the same report:

> There was broad consensus that the approach to Lindow Man should reflect how much we do not know about him and that there are different points of view and different interpretations of what happened to him, i.e. Lindow Man could mean different things to different people and there was no one universally accepted interpretation that was authoritative (Sitch, 2007b p.3).

This approach, which questions the possibility of knowing about the life and death of Lindow Man, was made explicit in the planned content of the show. As the feedback to the second consultation notes, the exhibition will enact "the principle of multivocality or "talking with more than one voice"" (Sitch, 2007b p.1). The aim of investigating and presenting what can be known about Lindow Man, a broad aim in relation to work on bog bodies, if not always realised, is critiqued in this exhibition. Bryan Sitch accounted for this approach to the exhibition in an interview. He argued that the exhibition was an "exemplar in the museum" and that this was an example of the "museum not speaking with a single authorative voice." The deliberate aim was to "reflect uncertainty." Sitch also stated, that this message of uncertainty was deliberately suggested in the title of the exhibition: *Lindow Man: A Bog Body Mystery* [Sitch, February 2008]. In practice, this means the exhibition is organised around seven different interpretations of Lindow Man, through recorded voice interviews, one of which is a museum curator, and another is Restall Orr's view. What is significant about this is the displacing of the

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curatorial authority by placing on a par with other interpretations, including also that of a forensic scientist, a local member of the community and a peat cutter who discovered Lindow Man. This exhibition of Lindow Man acts as a way of demoting curatorial authority and archaeological research.

Expanding the Problem of Human Remains

The other central theme to be promoted throughout the exhibition is that human remains should be treated differently to how they were before. This demand is a little bit vague. It certainly is not a clear aim that they should be buried, or removed from display. The way their aim is characterised, is a statement that previously museums and archaeologists have treated Lindow Man as an object and that this museum would instead treat him like a person. This suggests that there is something wrong with the way professionals who deal with human remains see and treat them, due to their discipline and training. But also that Manchester Museum is leading the way in posing an acceptable way of doing so. The pre-publicity material for this exhibition makes this clear. The flyer and website for the exhibition also advises the public to act accordingly: "At The Manchester Museum, we believe it is our responsibility to treat human remains with respect and dignity. We ask you to bear this in mind as you prepare yourself for your own encounter with Lindow Man."[34]

In an interview with the curator, he explained that the old, archaeological way of looking at Lindow Man was problematic, suggesting that he should not be treated as an object, which is what had happened historically:

> I think maybe 10 years ago I would have looked at Lindow Man as an example of a wonderfully preserved bit of archaeology [...] I think I now see him in a very different way, in a more emotive way and for that reason the approach that we've adopted to display Lindow Man, i.e., displaying him with sensitivity and respect is one that I personally have a lot of sympathy for, and a great deal of support for. [Sitch, February, 2008]

Archaeology, in his view, was less emotional and sensitive, unlike the way he now considered Lindow Man. He wasn't sure if the public would agree however, reminding us that concerns about human remains are not driven by public appetite:

> [...] I think that our approach, the respectful, sensitive approach, whilst I find that praiseworthy, my impression is it might be in advance of what the public sensitivity actually demands. I.. but I think museums can have a very important role in guiding public attitudes and on this very sensitive and emotive subject ..I think it's no bad thing that we actually try and guide.. not indoctrinate, but guide our public into perhaps viewing human remains in a different way than they've seen them in the past [Sitch, February, 2008].

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[34] See < http://www.museum.manchester.ac.uk/whatson/exhibitions/lindowman> Accessed, 11 August 2008.

There is an interesting tension in this interviewee's comment regarding the public. He is hesitant to assert his opinion that the public should view human remains differently, yet he would like to.

Activists at this museum present archaeology and museum professionals as unemotional, controlling individuals who need to open up more and consider the different views of dead bodies. To treat them less like objects and more like people. Paradoxically, despite the rhetoric about treating Lindow Man as a person and with respect, there is considerably less reflection on this particular body as a person. There is little discussion, comparatively to writing and previous exhibitions on Lindow Man, about who he might have been and may have lived, because the idea of getting to the 'truth' about Lindow Man, along with previously archaeological research findings, are seen to be a problem. Despite the rhetoric about the need to treat Lindow Man like a person, this approach, which is driven by a critique of professional authority, has the consequence of demoting research on him that aims to find out more about his life.

Current and future practice planned at the museum involves trying to change public attitudes on human remains. The aim of future work and the exhibition is to encourage the public to see display and research on human remains as potentially problematic. Already, in the education department new practice is being implemented for school visits to the popular Egyptian remains in the collection. As a curator at the museum explained:

> It's something that we changed our attitude towards in for example the learning programme, because the new Egyptian session, we prepare the children before we go into the gallery and ask them how they think we should behave when we go into a gallery which is full of in effect dead people really.. and so we programmed in a prayer for the dead at the end of the session so that's very different to the way that mummies used to be the sort of um peep show, freak show, whatever.. and there's still a sense of that that comes through in visitor feedback .. that you know oh, we want to see mummies because they're scary and repulsive and what have you,..but I think, I think as people we have the right to take a stand, and say we feel as people that we should treat human remains in a different way. [CRM16]

This curator advocates that the mummies should be treated as dead people. He advocates saying a prayer to them after the children have seen them. The Egyptians related to the mummies would not have advocated this practice, it is not in line with their beliefs. Contemporary Egyptian curators or communities are not making claims about Egyptian mummies. The prayer therefore is primarily constructed for the professionals at this museum.

At the time of the launch of the Lindow Man exhibition controversy was created by covering of the three unwrapped or partially unwrapped Egyptian mummies in the museum.[35] The stated aim is to raise

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[35] See <http://egyptmanchester.wordpress.com/category/egyptian-mummies> for a good summary of this act. Accessed, 11 August 2008.

questions about how to treat human remains with respect through public consultation. Future plans include audience research on their attitudes towards human remains, and a conference in 2009 which will question the ethics of displaying Egyptian remains. This extension of the problem, is another example of how certain professionals in the museum sector raise the problem of their cultural authority through promoting the issue of respecting human remains.

Section Four: Limited Resistance to Pagan Claimsmaking

This section discusses the differential recognition of HAD's claims by museum professionals. Whilst the response of Manchester University Museum endorsed and involved HAD in decisions over the future of human remains and in museum practices, the response of the rest of the sector to the claims of HAD has been more critical. In some organisations, it is strongly felt that they should not be recognised or involved. The Pagan claimsmakers are not considered a legitimate community by professionals. This indicates that some claimsmaking groups are perceived to be more legitimate than others, despite the discourse that insists on the inclusion of all groups that is dominant in policy and the new museology, and suggests that there are potential tensions in the discourse of recognition and the lived reality of it. However, the negative response to HAD is not firm in all cases. This is due to the broader questions that have been raised about their cultural authority and purpose. As a consequence of the confusion about the basis for their authority and the doubts about it, and despite their reservations about the legitimacy of HAD, professionals do consult with them. These professionals do not recognise Paganism as legitimate but find it difficult to draw a line that excludes them and includes others.

Six individuals I spoke with in different institutions; two curators, one scientist, two archaeologists and one director of a national museum were adamant that HAD did not have a legitimate claim to human remains. They all laughed when I asked them about possible approaches. And they all compared them to what they considered as the legitimate claims of overseas indigenous groups:

> Native Americans and Aboriginals have a case, not like the Druids, that's just potty isn't it, they have no claim and besides it's really just attention seeking.. It's not their ancient beliefs, and they've not been treated badly like the Aboriginals and Native Americans. [CNM9]

This curator at a national museum told me he would "ignore" any approaches until they went away. "We just won't reply" [CNM9]. One archaeologist was vehement in their condemnation of HAD as illegitimate and critical of their suggestion of removing the right of researchers to study material.

> [...] this so called, self defined, self appointed Druid, proposes actions which infringe the rights of the majority to examine human remains in museums. [CRM17]

One scientist was confident that the Pagan group should not have a claim, but was worried that they would be successful. He was worried that this was another attack on science:

Now we have to start fighting the Pagans, of course.. I mean that's an extraordinary thing. Did you go to that meeting? I mean, they found someone weirder than Besterman. But I just cannot understand it. This and the creationists, where will it end? [SNM3].

However for another curator, one of the six highly critical of inclusion, whilst he did not think the Pagans should receive human remains, he did qualify that they should be accepted as a community. He also narrowed his comments to pertain to that material considered of scientific value, potentially suggesting that the human remains which are not considered to hold scientific value could be claimed:

I cannot see any reason why, if there is a strong scientific value, British remains should be returned. You know, the Pagans, I have every sympathy with them as a community, I accept that they are a community and they have every right.. I have no problem with them at all wanting to be consulted but I cannot see any reason on earth why they should have any human remains returned to them.

TJ: What will you say to them if they get in touch?

Interviewee: Without getting too old fashioned. We live in an open democratic society. We do recognise different communities, they have rights, we live in a society where we are public servants. But you know. That's it [Laughs]. [CRM15]

Many of the professionals I spoke with were initially sceptical of the legitimacy of Pagan claims, counterpoising them to that of Aboriginal and Native Americans. One senior curator at a national museum said of HAD: "Well, [laughs]. My initial view, is a personal view, is that were claims to arise from a group such as that I think it would be a claim of a rather different order from the Maori or the Tasmanians." Later on in the interview however, it became clear that the museum was consulting with a different Pagan group as part of a programme that consulted different faiths on the collection:

[...] we already include members of the Pagan community in a number of our activities. Nothing too silly. But they do have beliefs and they are harmless. They come in like our other groups, you know we cannot just have Islamic groups and no one else. That wouldn't be on.

TJ: Does that mean you will respond to HAD saying yes, or.. ?

Interviewee: No, I think what it means is that we will probably have to talk to them, you know, invite them in, hear what they say, etc etc. But we won't give them much, maybe listen to what they say and see. But they don't have a right to demand reburial. [CNM2]

It is interesting to note that this professional was keen to add the caveat that his view "is a personal view." I found those who were unsure or even highly dubious about HAD, were careful to say that this was a personal view, as if they were not speaking more broadly, perhaps in case museum policy were to change and include Pagans. For example, another professional at a national museum commented:

> Personally, I think, one could come to a view that claims made by Pagans have some basis or issue. But you cannot just say everyone is legitimate, not to say one is rational or irrational, but this strategy is not helpful. [CNM3]

As I asked my interviewees what they thought of the Pagan claims and how they might respond, they struggled to find a clear justification for exclusion. There was a concern, as the above quote indicates, that inclusion would mean everyone has a claim: "you cannot just say everyone is legitimate" which is seen to be a problem - "not helpful", but which is then qualified by the remark, "not to say one is rational or irrational" suggesting at the same time as questioning the legitimacy of the Pagans he finds it difficult to also state that they are irrational.

Initially some professionals would joke about or dispute HAD's claims, but they also found it difficult to categorically state that the group should be excluded and why. One policy maker and member of WGHR, tried to work through the distinction between overseas indigenous claims and Pagan claims in relation to who should receive human remains, as first based on continuity of belief, and then due to their suffering, after which he too found it difficult to rule out the idea of consultation of HAD on some level. Neither would he wholly endorse it. As he spoke the reasons to recognise overseas groups are recognised as subjective, despite ideas of continuity and the alleviation of suffering, which perhaps means it is difficult for him to rule out Paganism:

> [...] the thing I found very important was this idea of continuity of belief. I think..um for me although the dead don't have human rights, I don't think.. hum I'm not quite sure about that [laughs], although the rights are of living people, somehow for me there is a link between their rights and the right of their ancestors, and for them to be their ancestors, in inverted commas, there has to be a continuity.. And so it seems to me there is big difference between the rights of Pagans or Neo Pagans, or whatever they are, to speak on behalf of Saxons, there is a big difference between that and Australian Aboriginals and some cases of Native Americans where there does appear to be a continuity of belief as far as I can tell, so I think there is a difference there.

> TJ: So continuity of belief is what is important for you in assessing claims?

> Interviewee: Yes, I mean on more than one occasion the argument was advanced that part of the suffering, almost the material suffering as well as the spiritual suffering, but all issues around confidence and so on, which mix those up, uh of Aboriginal communities, a key part

of that is the fact that their ancestors are not at rest. Um, I'm slightly, you know, I mean, we were never given any empirical evidence of that, it was more assertion, but I'm willing to believe that the people who said it to us believed it and they weren't just shooting us a line I think I'm saying. So I think that's almost, in the context, that was almost enough really, cause in a way we were going to the scientists and saying can you tell us what you will find, and of course they said, well no it's hypothetical [laughs] so in a way to go to the Aboriginals and say can you prove to us that it will heal this disenfranchised Aboriginal, also seemed to be a bit, you know, it wasn't really it was more prediction than you know, evidence, yeah.

TJ: So the Pagans?

Interviewee: Yes, I mean and at that Pagan conference, the Manchester conference, it was interesting that the main demand, seemed to be that the views of these people should be respected and taken seriously, and it seemed to be mainly a plea to be heard or be listened to than anything else actually. Which, it seemed reasonable really, it seemed like to be very deliberately coming across as reasonable, and in a sense her argument was we are a group who are very interested in the dead, and um, we believe therefore museums should take account of what we think, I suppose it wasn't quite what I expected. I suppose I was going there expecting there to be all sorts of demands to rebury all these things with all sorts of um newly invented morris dancing type rituals, um..but I suppose I was pleasantly surprised that it all seemed much more.. uh reasonable. I guess though that I suppose they just want to be listened to and well, that is what we are here to do, so, yeah.. I mean why shouldn't we involve them on some level. We do the others.

In this interview a policy maker suggests firstly, that continuity of belief is what is important in assessing claims, although he indicates that this continuity may be more felt, than provable, by his use of "inverted commas" around the term ancestors. Similarly when talking about the importance of alleviating suffering as a reason for recognising the Aboriginal claims, he also notes that he did not receive evidence of the therapeutic impact of repatriation. This interviewee recognises that there is a subjective element in the claims of the Aboriginal groups, and then the scientists. So when it comes to the Pagans and their request to be listened to, he cannot really see a problem with it, even though he is very unsure of their legitimacy. He finds it difficult to mount further rationale for their exclusion, especially when he refers to the role of museum institutions in inclusion and recognition: "that is what we are here to do."

Theorist Francis Fukuyama has expressed concern that the automatic granting of esteem avoids the making of moral choices about what should or should not be esteemed (Fukuyama, 1995). What the interaction in this case suggests, is where professionals are not confident that the Pagans should be included, they are unable to readily justify this. They are unable to explain why they should be excluded. They avoid making the choice between who should be recognised and why, because they are

not sure themselves, or find it difficult to draw a line. I observed a similar reaction in a curator from a regional museum who explained:

> [...] well I've had to examine my views. I mean I wasn't at all sure when I first heard about this, but really why not, you know? I am not sure I have a good reason for you..We are, you know we are very sympathetic when it comes to certain groups - the Maoris and Aboriginals. We are working with refugees and a Nigerian community.. really we should be consistent. Who is to say they are not valid? [CRM2]

In this interview, we can see the problem is that the curator does not feel confident about deciding who is worthy of recognition and who is not. He is unable to state why the Pagans may or may not be valid, and does not consider that he has the authority to do so.

In seven institutions the Pagan claims were looked upon sympathetically as part of a wider consultation agenda without a particular interest in their beliefs. One of these was Leicester City Museums, which I've indicated have been broadly supportive of HAD. Their approach is part of a wider consultative approach which takes into account faith and multiculturalism. One of their curators explained in an interview:

> One of the most interesting changes we have made here is because we have got to know a wider range of our communities. That's been in our attitude 'cause of new considerations about faith and spirituality. You know, in the old days museums displayed things associated with faith and belief, but from the point of view of anthropology, archaeology, sociology, fine or decorative art, you know. The objective was appreciation not participation. [CRM8]

The involvement of HAD came about because of the institution's programme of recognising and involving faith groups. When HAD approached them, the group were invited to be part of a consultation processes on the content and practice of the institution run by the museum. This consultation process also included non faiths, when competition developed between them for recognition. A paper presented by Sarah Levitt and Laura Hadland from Leicester Museums indicates, that recognising groups may stimulate competition between them for affirmation:

> We also promote non-faith perspectives. When the Secular Society complained about our support for Islam Awareness Week, we explored what we could do to reflect their particular contribution to Leicester's diversity. As a result we now have a Humanist celebrant available for weddings at two of our sites (Levitt & Hadland, 2006 p.4).

One other director of a museum felt strongly that not only should HAD be involved, but that museums should be proactive about it. He took the view that "really excluded" groups won't approach museums, so they should go and look for them: "the universal museum cannot simply have relationship with one

interest group. We need to make special steps to give disempowered voices a place. We need to empower them." [DM1]

The reactions to HAD by museum professionals indicate that some groups are considered more worthy of recognition than others, despite the inclusive discourse of the politics of recognition, indicating potential tensions between the rhetoric and lived reality, particularly when, it would seem, it also invites claims for recognition. However the reaction to these claims also suggests that even professionals who are unsure of the legitimacy of the group, feel unable to draw a clear line to exclude them. Some in the sector appreciate that this creates a problem; institutions cannot recognise everyone as legitimate without some basis for evaluating them, but they are unsure how to do so.

Sociological examinations of claimsmaking have demonstrated that effective resistance to the problem may slow, stop, or re-orientate its development. In her study of the construction of post abortion syndrome in North American and Britain, Ellie Lee (2003) argues that the attempts to construct the problem of 'abortion trauma' have been moderately effective, but crucially in the UK there have been limits to medicalizing abortion in specific ways. Lee notes that there have been differential extents to which claims gained ground due to a number of influences, but importantly, establishing the issue of postabortion syndrome was highly contentious and such constructions of abortion as a heath risk were resisted in counterclaims, mounted by psychiatric, psychological, and medical opinion. Such opposition halted certain aspects of the medicalising of abortion as a health risk, Lee argues. Comparatively, this case study of the impact of HAD's claims indicates that the difficulty in finding a rationale for exclusion, and limited resistance, means that this absence of opposition allows a greater influence of claimsmaking activity. This case suggests that challenges to the authority of the museum institution promoted by issue entrepreneurs and Pagan claimsmakers are weakly resisted. The rest of sector finds it difficult to stop this continued challenge. It indicates that the actions of a few issue entrepreneurs and claimsmaking groups in this context can have a disproportionate effect, not because of their claims making abilities but because the context which they are seeking to influence is unstable and it is unclear where authority lies.

The question that is raised by my observations in this chapter, and the proceeding one which demonstrated that professionals continue to question their authority, is how can the museum institution be considered legitimate, or reconstitute its legitimacy, when members of the sector continue to question its role, and are unable to confront internal and external challenges to its legitimacy. As we saw in Chapter Three, the demonstration of authority is identified as essential to legitimacy by theorists (Weber, 1968; Arendt, 1977; Sennett, 1980). The empirical research of Chapter Four and Chapter Five would suggest that the museum will continue to be under attack and is unstable. It is thus unlikely that this problem is easily resolved and any legitimacy significantly secured.

Conclusion

This chapter argued that the success of overseas indigenous groups in claiming human remains and the promotion of the problem within the museum sector in the UK, invited the formation of a new claimsmaking group which aimed to piggy back on to that established issue. The prevailing cultural climate surround human remains created the conditions for the formation of HAD. The promotion of the problem encouraged claims for recognition by the Pagan group HAD, rhetorically framed through the problem of treatment of ancient human remains in UK collections. I explained that the diversity and fluidity of Pagan beliefs, as well as the value they place on the past, created difficulties in the framing of the problem by activists. Despite these limitations, HAD has been consulted with and instrumental in the shaping of an exhibition with Manchester University Museum. I argued that Manchester Museum have been highly positive towards HAD's claims, because it met the agenda driven by a couple of issue entrepreneurs, to challenge professional authority. The target of critiquing professional authority would seem to be unsatisfied for these issue entrepreneurs, as their plans to pursue this problem with wrapping Egyptian mummies demonstrates. The response of the rest of the sector to HAD has been more ambivalent. Professionals are not confident of the legitimacy of the Pagan claimsmaking. Crucially, despite this lack of confidence in the legitimacy of Pagan claims, I have argued that the inability to draw the line regarding who should be recognised and why means that challenges to their authority have an influence which the sector appear to find difficult to halt.

CHAPTER SIX
EXPLAINING WHY HUMAN REMAINS ARE THE PROBLEM

I have argued that the central factor contributing to the construction of the problem of human remains in museum collections is a crisis of cultural authority experienced by museum professionals, who have promoted this issue as part of a broader process of distancing themselves from their traditional role. This chapter addresses why the focus on human remains has been moderately effective in this context of a crisis of cultural authority. My objective is to answer the question: why have human remains become a key loci for this crisis? Why instead of, or significantly more than, artefacts?

The focus of the contestation on human remains requires attention. Firstly it could be argued that there are other policies and practice in museums which could be examined to explore a crisis of authority. Over the last decade, there have been concerted attempts to widen attendance to the institution from a broader and more diverse social base, as well as the placing of social and economic outcomes at the centre of cultural policy, which has caused debate within and beyond the profession about the purpose of the museum. The re-orientation is criticised or celebrated as moving the institution away from a research orientated mission towards one which is concerned with instrumental purposes (see for instance, Wallanger & Warnock, 2000; Appleton, 2001; Sandell, 2002; Cuno, 2004; Mirza, 2006). Research on these policies and response to them would be fruitful in charting the shifting purpose of the museum and the agents involved, as well as the tensions and contradictions to this process.

Secondly, artefacts have been subject to similar concerns as those expressed about human remains since the 1980s in America, Australia, Canada and New Zealand, and the 1990s in the UK. Artefacts have been requested and problematised by indigenous groups, academics and professionals through a motif of 'making amends' and a case has been made regarding the therapeutic impact of the transfer of such material (see for instance, Terrell, 1993; Tivy, 1993; Simpson, 1996). NAGPRA, the law passed to legislate for the transfer of human remains in the United States, included funerary artefacts, objects of cultural patrimony, and sacred objects and well as human remains.[36] In America, Australia, Canada and New Zealand, objects considered sacred[37] have been subject to requests and actions that include the creating of private rooms in museums for ritual and ceremony (Phillips & Johnson, 2003; Sullivan & Edwards, 2004; Simpson, 2006). Concerns about human remains in Britain have at times been intertwined with artefacts and sacred objects. One of the items to be transferred out of a collection with the prominent justification of 'making amends' was a Lakota Sioux Ghost Dance shirt from Glasgow's Kelvingrove museum in 1999. In the Museums and Galleries Commission policy *Restitution and Repatriation: Guidelines for Good Practice* (Legget, 2000), it is stated that claims concerning the requests of human remains or sacred objects should be responded to with sensitivity, implying that the two are similar. The HRWGR primarily argues that human remains should be considered unique and

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[36] See, <http://www.nps.gov/history/nagpra/> for the full text and definitions. Accessed, 9 September 2008.

[37] Funerary objects are different to sacred objects, having a ritual purpose or are associated with the funeral. Sacred objects are objects that are considered to be sacred or to have a sacred purpose.

unlike other objects: "Human remains, irrespective of age, provenance or kind, occupy a unique category, distinct from all other museum objects. There is a qualitative distinction between human remains and artefacts. Human remains require special consideration and treatment" (DCMS, 2003b p.168). However, whilst stressing the uniqueness of human remains, the same report also tentatively ventures that sacred objects require similar consideration and treatment and it proposes setting up a "Ministerial Advisory Group to make recommendations on sacred objects and objects of religious or spiritual significance" (p.160). The consultation that followed the HRWGR asked respondents to consider the future of sacred objects and whether a survey of their holdings should be taken (DMCS, 2004 p.32). No survey was approved or took place. The advisory group was never established. The burgeoning interest in artefacts and sacred objects lost momentum. Whilst they were at times intertwined with human remains as an issue, they were never the focus of consistent attention.

It should be noted that there has been something of a split in the direction of campaigners since the implementation of the Human Tissue Act 2004 and the high profile transfer of human remains from the Natural History Museum and the British Museum. Many, especially those who were concerned with redressing the detrimental impact of colonisation and the therapeutic possibilities of repatriation, have extended their claimsmaking activities to making demands for the repatriation of artefacts or thinking about cultural stimulation of indigenous communities (see for example, Simpson, 2007, 2008). One important conference in 2007 held in the Netherlands, brought together international campaigners to discuss the repatriation of cultural heritage and its benefits to communities.[38]Issue entrepreneurs such as Tristram Besterman and Cressida Fforde have continued to research collections, looking for undocumented human remains from overseas community groups, for repatriation, concentrating on the collections of the British Museum, National Museums Scotland and Oxford University. Laura Peers at the Pitt Rivers Museum Oxford promoted an (unsuccessful) internal review, to remove unclaimed shrunken heads (from overseas indigenous communities) from display. In the UK during the same period, other campaigners who were fewer in number focused on the need to consider all human remains with respect, including as discussed in Chapter Five, Pagan voices and the problem of Egyptian mummies. Claimsmakers need to keep the issue fresh and often create new problems or expand the issue (Best, 1990). What is of interest here, is the focus on the issue of all human remains. Notably, whilst not all the original campaigners have pursued the agenda of human remains from non indigenous groups in British collections, they have never criticised this direction or questioned the campaigners that have followed this path. Certain members of the sector have pursued the problem of all human remains. And whilst they have not been anywhere near as successful as the claims on human remains from overseas indigenous groups with associations with colonisation, they have had a limited impact because they were building on a recognised problem and due to the unstable basis for authority and professional uncertainty. The central point is that concerns expressed about artefacts and claims made on them have not been as effective as those made on human remains. High profile debate has not

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[38] Conference on Repatriation of Cultural Heritage at Nuuk, Greenland, February 12th-15th, 2007 at Hotel Hans Egede. Programme available <http://www.natmus.gl/con2007/html/program.html> Accessed, 30 June 2008.

ensued, codes of conduct and policies have not been drawn up, legislation has not been passed, comparatively few transfers of artefacts have occurred.

In Chapter Two, we saw that activists linked the problem of overseas indigenous remains, which they tied to period of colonisation, with contemporary body parts controversies. This was a highly effective linking to a prominent issue. The association presented the impact of colonisation on overseas communities; the illicit removal of human remains and body parts; and the ill-treatment of parents and patients, as part of a continuum. The linking stimulated greater attention to the problem of overseas human remains and furthered the purchase of the problem of all human remains in museum collections. The linking contributed to validating and institutionalising the problem in the report of the Working Group on Human Remains (DCMS, 2003b). Most significantly the linking had legislative consequence in the Human Tissue Act 2004 which introduced the need for a licence for this material. Chapter Two also illustrated how activists referred to human remains with terms such as 'body pieces' that rhetorically evoked the more empathetic body rather than use words such as skeleton or bone. The rhetoric employed by campaigners that invoked the defleshed body, constructed a 'victim' more effectively than objects and artefacts could suggest. In the Introduction, and Chapter Four, I discussed an extract from an article written by British Museum Trustee Helena Kennedy, as well as interview material from one individual whose institution was elevating the unique qualities of human remains as different to objects as part of a strategy to protect the institution from claims for repatriation on objects.[39] In Chapter Five I demonstrated that a target of the critique of professional authority was the scientific outlook which objectified human remains. The activities concerning Lindow Man were a vehicle for this critique. It is likely that all these factors promoting human remains as unique or the focus of attention are influenced by broader cultural and social trends. Activists gravitated towards human remains rather than objects, as analyst Joel Best (1993) would argue, because of a wider cultural resonance.

In what follows, I argue that human remains are an effective symbolic object that can locate particular issues, due to the unique properties of human remains and broader contemporary social influences on their cultural meanings. I first engage with the pertinent literature. There isn't a corpus of work on body parts in museums, but there are relevant strands of thinking in anthropology and sociology, that I discuss. I start by critically reviewing a growing body of work on the agency of human remains. In section two, I turn to discuss what is different about human remains, as opposed to objects, which involves mediation on their materiality and their unique qualities. I argue that the materiality of human remains and their liminality means they are always provoking and potentially manipulable as a symbolic object. In other words there *is* something special and unique about human remains as opposed to artefacts that means they work effectively as symbolic objects. But crucially, I explain that how this is interpreted and granted meaning is enacted by the living, and historically contingent. In the third section I outline three important social influences on the meaning of human remains in this study: the scientific view of the body, the rise of the body as a site of identity, and the body as a site of political

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[39] See p.97 for this interview material.

struggle. I posit that these ideas informed and gave purchase to the argument that human remains are a special object. As I will show, the investigation of this problem, instead of the implementation of access policies, for example, allows us to examine how this problem has also been influenced by the rise of the body as a site of domination, where power can also be challenged, and as a location of identity work. In the fourth and final section I discuss these observations in conjunction with my empirical material and examine the motif of humanising human remains, to explore the internalisation of these ideas in the professionals that were part of my study.

Section One: Theory on the Agency of Human Remains

Since the 1990s, theorists, especially within anthropology and archaeology, have argued that the agency of human remains is neglected in scholarly work and warrants investigation. It is important to discuss this material because it is a growing body of work that considers the meanings of human remains and why they might be the subject of interest or debate. It is suggested that previous analysis of human remains and their meaning, should take into account the agency of dead bodies and bones (see for example, Williams, 2004). Certain theorists concentrating on the agency of human remains argue that what is important and unique about the bones or the dead body, the materiality, has been lost in the theory that concentrates on the meanings provoked by language.[40] This turn towards the agency of human remains as an explanatory factor is a critical response to theorists who analyse material culture as visual signs (Layton, 2003; Henare, 2005; Domanska, 2006).

The main reference for this growing area of work is that of anthropologist Alfred Gell. Gell (1998) argued for an anthropological theory of art which was not based on aesthetics or visual communication. In particular, Gell rejected semiotics, the study of signs and symbols, arguing that art objects may be icons, but not symbols. Instead, Gell was concerned with the way art mediates social agency (p.7). He advocated moving away from explanations of cultural convention as influencing the interpretation of the object, and argued instead there were other factors that had been under theorised. Gell posited that art objects could act as extensions of their maker or user' agency and thus the object held agency. Gell defines agency as:

> Agency is attributable to those persons (and things, see below) who/which are seen as initiating causal sequences events of a particular type, that is, events caused by acts of mind or will or intention, rather than the mere concatenation of physical events. An agent is one who 'causes events to happen' in their vicinity. As a result of this exercise of agency, certain events transpire (not necessarily the specific events which were 'intended' by the agent) (p.16).

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[40] See for example, the *Bones Collective*, established in 2007 by anthropologists at the University of Edinburgh, which is exploring the social and cultural significance of the materiality of human remains. See the following website for more information on this group <http://www.san.ed.ac.uk/research/bones_collective> Accessed, 22 August 2008.

For Gell, things can have an element of agency. As he writes: "So, 'things' such as dolls and cars can appear as 'agents' in particular social situations; and so-we may argue-can 'works of art'" (p.19). One quality of art that means it is an effective mediator of agency is technical complexity which evokes reactions in people due to the ability of the person who carved or created them (p.72). Gell suggests that although objects or things are not intentional beings they can act as the mediums through which people "manifest and realize" their intentions (p.21). The car, doll or art object's meaning or agency is an extension of the maker's or user's agency and can stimulate causal sequences. For Gell, human beings are the primary agents but, he argues, artworks and other inanimate objects can be agents in an indirect sense. People thus have a social relationship with the art object, which holds the agency of others, and can trigger action. Crucially, Gell argues that people whom he calls 'patients', 'abduct' the meanings of the object, in a manner that does not come from cultural convention, but instead from the intentions of the maker or user.

The anthropologist Robert Layton (2003) acknowledges the strength of Gell's work in rejecting a specifically linguistic model for visual communication, but argues that Gell severely underrates the importance of cultural convention in shaping the interpretation of art objects (p.448). Although objects are real the very fact they become art is through cultural context and social relationships. The contemporary cultural context influences the interpretation of the object. African art attests to this. Objects historically made for a ritual purpose now are sold to museums and collectors as art, and indeed have been made for the market for some time. This isn't to suggest such objects are not real and could mean anything to anyone. The physical qualities and original purpose are relevant and influential, but how they are interpreted and valued is through cultural context and social relationships. The shift away from cultural convention as influencing interpretation that Gell advocates has been critiqued (Layton, 2003; Bowden, 2004). It is contrary to a body of work that argues objects do not hold the same meaning or significance throughout their lives, they have histories or biographies and can change depending upon the context in which they are perceived and who is interacting with them (see for instance, Carman, 1990; Gosden & Marshall 1999). I will return to the case for the culturally located interpretation of the meaning of objects in this chapter, but my primary purpose here is to situate the significance and influence of Gell's ideas.

Gell's work has stimulated a growing body of thinkers who critique the idea that the cultural context influences meaning. Roger Sansi-Roca (2005) credits Gell and comments that he "goes further" than him (p.150). Sansi-Roca analyses the value of stones used in a religion of African origins which have been kept in different locations and circumstances within a community in Brazil. He argues that they are not just containers of meanings or hold values that are socially contingent, but that the object exists as a thing outside of these values and meanings. Over time, different values have been applied to these stones but, he outlines, nonetheless there are elements in their lives that "escape" these socially influenced meanings (p.150). Thus, Sansi-Roca concludes, these stones are not blank containers to be filled with meaning external to them. They cannot just be anything anyone wants them to be. He

concludes from this observation that there is "something more fundamental" to the meaning of the stone. It is more than a "sign of human affairs" (p.150). He writes:

> This is not just to say that things have an 'agency', but also that this agency is not only the results of acts of human consecration, in which human minds bestow their agency on things intentionally. In some cases, it looks like the agency of things does not come from humans, but from their presence in the events (p.150).

Sansi-Roca's paper advocates a shift away from the theory that sees the present cultural context as determining the meanings of objects. Sansi-Roca posits that the meaning of the object is created without human control or influence. The presence of objects, their physical materiality, he argues, means they have an agency and this influences how they are found and used.

Also influenced by Gell, archaeologist Howard Williams (2004) addresses the question of agency of human remains in his paper on Anglo-Saxon cremation rites, which he aims will newly address the materiality: the physical presence of the dead body as an agent. The agency of the body, he observes has become a much debated topic in archaeology, so should the agency of the dead body (p.264). The concepts of materiality and agency are unhelpfully conflated in Williams's paper, in my view. It is one thing to consider the impact of or focus of the physical dead body in ritual and mourning and suggest that is has been neglected and provide some redress to this as Williams does by looking at the materiality: the physical qualities of cremation in Anglo-Saxon times, which is a well-considered observation, if slightly speculative. This complements a small but growing body of work which focuses on the corpse as a vehicle for remembrance, such as that of Hallam & Hockey (2001) who argue that the anthropological and sociological studies of mortuary practices and bereavement have failed to theorise the nature of the dead body as both person and object. However it is problematic to characterise the dead body as having agency from these observations. Similarly, in the case of Sansi Roca, it is one thing to examine an object and look at its material presence as containing meaning that is not simply and solely imposed by the present cultural context; it is another thing to term this agency and to turn completely away from considering culturally located constructions of meaning. To explore this criticism further, it is necessary to look at the definitions of agency in more depth. Williams outlines:

> How might we consider the dead as having agency when, by definition, they cannot seemingly act or think of their own behalf? The key lies in the frequently observed evidence that, for many cultures, the social symbolic and mnemonic significance of the dead body does not end with the extinguishing of vital signs (p.265).

Williams is referring to the activities that take place after death. The examples he includes are instructions issued to mourners about how to remember them by the deceased, the financial provision they left, as well as the legal will. This is evidence of agency, he suggests. But he is mistaken to credit

this as agency or causality from the dead body. What determines these actions are either the agency of the person before they died (i.e. a living person), which may be carried through due to the law, and friends or family following their wishes. Furthermore, there is no guarantee with or without the dead body that friends and family will follow their wishes. In many cases they do not. It is the living who decide. In an article titled *The Powerful Dead: Archaeological Relationships between the Living and the Dead,* archaeologist Mike Parker Pearson (2003) discusses the variety of relationships that the living hold with the dead and thus the influences of the dead on the living. He explains that the dead may have a great variety of roles in any society. Importantly, he demonstrates that this influence and roles change, and are highly variable at different times. He thus argues that this influence of the dead is constructed by the living.

> That the dead do not bury themselves may seem obvious and banal [...] Funerary practices are the products of 'political' decisions (or sequences of decisions) in which the corpse is manipulated for the purposes of the survivors. Their treatment of the deceased is conditioned by their perception of death and their relationships with each other as much as by their relationship to the deceased whilst alive (p.203).

Finucane (1981) also discusses how the disposal of the corpse is a reflection of social or cultural norms and ideas, looking at the treatment of the dead from different social groups in medieval society, including: kings, saints, criminals, traitors, and those who were not part of the Church. Finucane argues that social assumptions were embedded within death rites within which the corpse was manipulated by particular groups to achieve certain functions.

Howard Williams, contrary to Parker Pearson and Fincane, prefers to suggest that this impact of the dead on the living, is caused by forms of agency of the dead and in particular the dead body. He suggests the dead body influences and acts by its material presence, looking at an example of its presence in funerary rites:

> [...] it might therefore be suggested that the corporal presence of the dead provides as agency to affect the experience and actions of mourners and evoke memories of the past, rather than serving as a static and passive set of substances manipulated and disposed of by the mourners to serve their social political ends (p.265).

For Williams, the physicality and materiality of the dead body, has "potential for social action after their biological death" (p.266). For Parker Pearson, whilst acknowledging that the dead are a key focus of concern for the living, it is the living that decide how to mourn, remember and deal with the dead.

A Degraded Idea of Agency

The debate surrounding the influence of agency and structure on human thought and behaviour is one of the central issues in the social sciences. Whilst I do not have the space to address the complexity of this debate here, what is important to take from it that pertains to this chapter is that, broadly, agency refers to the ability of human beings to act independently and influence their environment. Anthony Giddens explains that agency refers to intention and the power of people to act. Agency means deciding to and being able to influence or change something in some way, including unintended consequences (Giddens, 1984 pp. 9-15). In the view of certain thinkers including Hegel and Marx, human agency is a historical collective dynamic, rather than something stemming from individual behaviour (Bilton et.al., 2002). Furthermore, whilst sociological debate has developed ideas about issues of embodiment in relation to theories of agency and social action (see Shilling, 2005), crucially, this does concern a living person. Significantly, human agency is commonly contrasted to natural forces which are causes that involve unthinking deterministic processes. Structure refers to those factors such as social class, gender or ethnicity which seem to limit, mediate or influence the capacity people have to run their lives and influence society. Theoretical arguments centre on the influence of these factors. For example Berger and Luckmann in *The Social Construction of Reality* (1966), discuss the relationships between structure and agency as a dialectical one. Society forms the individuals who create society in a continuous loop. Agency, then, is ascribed to people, either as individuals or as a collective and not to natural forces. The central point is that agency is generally conceived as the capacity for human beings to make choices and to impose, or press, those choices on society. What Howard Williams is terming as holding agency, the dead body, attributes causality to that which doesn't consciously have it, nor does it have power to act. The dead body has no power or intent to act and influence. Thus the concept of the agency of human remains is a concept of agency that has been expanded and degraded by these theorists.

The anthropologist Ewa Domanska (2006) examines the ambivalent status of the 'disappeared' in Argentina[41] and the controversial issue of the exhumation of their bodies, in a paper which sheds further light on the theoretical motivation for the use of the term agency in this collection of work. Her stated aim in the paper is to rethink the material aspects of the past that has been left, without recourse to semiotic theory (p 337). Domanska, like Williams, is interested in the materiality of things, not their textuality. But whereas Williams focused on the impact of the physical materiality of the dead body, Domanska examines the absent body. Domanska advances the idea that the missing status of the dead body in the circumstances of the disappeared in Argentina resists the classification of present or absent. Domanska argues that the missing bodies have an ambivalent status to them and link to the past, which provokes and influences peoples' behaviour and actions. Unlike Williams, Domanska does not

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[41] Domanska outlines that approximately 30,000 people disappeared in Argentina between 1976-1983. The group the 'Mothers of the Disappeared' was formed in response. The group subsequently split in 1986 over a disagreement over whether the bodies of those disappeared should be exhumed as evidence and those that objected in order to concentrate on the trial of the guilty (2005 p.343).

concentrate on the physical materiality of the dead body, but on its opposite, suggesting that its absence in the context of a community negotiating the different meanings to attach to the body and role to give it, that holds a power to bring the past into the present:

> The trace-being - the missing body - possesses a kind of *power of absence,* where I use the word power deliberately to refer to the magic and mysteriousness of the past that is not absent (p.346).

Domanska argues that the missing body is a powerful determinant because of its ambivalent status. This builds on the well rehearsed argument about the liminality of human remains (see for instance, Metcalf & Huntington, 1991). Human remains hold a social category as a 'person' (human, body), but are also a 'thing' (remains, corpse, cadaver, skeleton). As a 'border subject' human remains disturb the boundaries between the real and the not-real, between person and non person. It both have once embodied personhood and at the same time that personhood has come to an end. In anthropology the observations about ambivalence of the dead body has been developed in the work of Mary Douglas (1966). The liminality of the body for Douglas means it is a source of metaphors about the organisation of society. She argues that bodily margins or boundaries are invested with power and danger. Bodily dirt and waste, which contravene these boundaries may be instilled with destructive or creative powers. Douglas notes that the body, or its parts, can thus be used in ritual practices to represent aspects of the social system. The corpse it is at once dirty and polluting which invests it with a power which can be manipulated in ritual contexts to uphold the social structure (Douglas, 1966 p.120).

Domanska builds on this thinking about the liminality of the dead body and applies it to the situation in Argentina where, she argues, the ambivalence provokes different reactions. Domanska outlines that the missing or present dead body has become a focus for different interests amongst the living, which means it can mean different things to different people and thus becomes the focus of a contemporary political struggle. As she writes:

> The dead body is a witness ("a witness from beyond the grave") and evidence at the same time. It is also alternative for testimony. In this way it serves the living, become the space of conflict between different interests of power, knowledge, and the sacred. The body is politicized, it becomes an institution, and death itself turns out to be more of a political fact than an individual experience (p.344).

The observation here, that the missing dead body (and when it is made present) is the focus of a struggle of different interests and meanings with the living community, is important. Domanska's point - that the ambivalent status of the missing body, also when it is made present, allows it to become to focus of diverging claims manipulated by the living is insightful. Her observation suggests that different claims and often opposing conceptions of the meaning of the dead body can be located on human remains or the idea of them. This is a crucial point that I return to later in this chapter. For the

moment I wish to draw attention to the limitation to her paper, which is that Domanska advances little reason as to why the dead body has been the focus of diverging claims in that community beyond or additional to its liminality. She neglects a study of the social influences on this controversy, disregarding what is specific about it due to broader cultural influences which mean the body is a focus in addition to its uncanny and ambivalent status. And whilst the discussion of ambivalence is an important contribution, it does not satisfactorily answer why the body is the focus for struggles for this community in the present.

Instead of providing further cultural analysis of the focus of different claims on the bodies of the disappeared, Domanska situates her discussion of the disappeared in this paper in a broader theoretical context which overall argues for the agency of things. Domanska qualifies: "of course, the notion of the agency of things does not mean that things have intentions or consciousness" (p.340) recognising the common definition of agency as that which has consciousness or intention. Instead, she suggests human remains due to their liminality unconsciously influence how they are interpreted, in this case the mother's actions. Contrasting Domanska's approach to that of the anthropologist Victoria Sanford, (2003) who writes of the work of forensic investigators in Gutaemala, is instructive to understanding this approach and how it departs from an analysis of the meaning of things and human remains as influenced by the specific historical context. Domanska wishes to identify the missing dead body as the agent in influencing diverse reactions to the exhumations, as important as the legal, scientific, relatives and political agents involved. Sandford insists on the important of viewing exhumations and participation in them as politically constructed by the living.

Setting this analysis in a wider theoretical context, we can see why Domanska wishes to try and ascribe agency to human remains, even though she needs to qualify and add caveats to what this means. Domanska outlines that the reconsideration of the presence and agency of things and in this case dead bodies will provoke a positive rethinking of the dialogue between the humanities and the sciences. She criticises history that is humancentric. In its place she would like to see history which "distances itself from a humanist conception that places human beings at the center of the world; instead, it considers humankind as one among many organic and non-organic beings existing on the earth" (p.338). Therefore Domanska acknowledges that the turn towards the agency of things is not just due to a reaction against semiotics, or an interest in the materiality of things, but also a critique of anthropocentrisim (p.338). This is an important point. The turn towards the agency of things is motivated as part of a deliberate and broader theoretical shift away from *human* agency as an explanatory factor. As a consequence, the concept of agency has been expanded and redefined in an attempt to locate causality elsewhere. Domanska ventures that this desired shift away from human centric explanations means that theorists need to recognize the presence of nonhuman actors which means they have a presence (p.348).

The growing interest in theory of the agency of human remains then, is partly motivated by an interest in moving away from a theoretical understanding of historical changes in society and the making of

meaning as a human creation or influenced by people. And thus the distinction between human remains, nature and objects, or an exploration of their material qualities in this thinking, is not as relevant as that theorists are making between humans and non humans. It is a concept of agency that seeks to located social change without the human subject and is thus looking for causality elsewhere.

Section Two: Human Remains as Symbolic Objects

I have argued that human remains are not agents. I now wish to advance the idea that they have unique properties that make them useful symbolic objects that can be manipulated by the living. The metaphorical work of human remains has been evoked in a variety of ways throughout history through the production and use of human remains both real and visual representations. Lenin's embalmed body in Russia was a permanent exhibit which was linked with Russian political developments and became one focus of contention related to the legitimacy of Stalin and the Soviet State (Chamberlain & Pearson, 2001 pp.35–37). Lincoln (1989) outlines that during the Spanish Civil War, opposition by the left to the church was expressed by leaving the exhumed bodies of priests and nuns in churches. Lincoln interprets the strategic placing of these human remains as an attempt to constitute a different social identity in opposition to the existing social order. Hallam, Hockey, and Howarth (1999) acknowledge the symbolic use of the corpse in history and discuss how the display of human remains has been used as protest, but they also outline that it can be read as a reinforcement of institutional authority (p.39). In this vein, the philosopher Jeremy Bentham chose to display his body as an 'auto icon' which acts as an affirmation of the cause of medicine and dissection (Fuller, 1998). This observation, that the corpse can be used in what seem to be paradoxical roles, reinforcing but also questioning authority, illustrates the potentially ambivalent meanings identified by Domanska. In an important study, *The Political Lives of Dead Bodies,* the anthropologist Katherine Verdery (1999) examines the use and meaning of dead bodies in post-Socialist countries. She documents how dead bodies have become symbolic political objects across Eastern Europe and Russia following the end of Communist rule. She outlines how human remains, named and unnamed, have been used to express social and cultural connections. But paradoxically, they also have also been used to articulate disconnection and political opposition to particular regimes and institutions. Verdery presents a number of reasons as to why human remains are uniquely useful symbolic objects which I now discuss.

The Materiality of Human Remains

One reason why human remains work as symbolic political vehicles, Verdery suggests, is that they are material objects. She outlines a different concept of materiality to those theorists already discussed, who argue there is something particular about materiality that has or holds agency. The central point for Verdery is that human remains are a physical object, unlike concepts or ideas, and can thus locate the ideas and values that they are associated with. As she writes:

As such, a body's materiality can be critical to its symbolic efficacy: unlike notions such as "patriotism" or "civil society," for instance, a corpse can be moved around, displayed, and strategically located in specific places [...] their corporeality makes them important means of *localizing* a claim (p.27).

Verdery discusses the example of relics in the Middle Ages, in order to explain her theory further. She outlines that relics were unlikely to be the actual remnants of the saint. What was important to their symbolic efficacy, was that they were thought to be. The piece of body is not meaningful itself. Instead what is important is that people believe it to be a certain person. What meanings the dead body is given is crucial, which are constructed by people through their social relations with that person, or the values which that person is associated with (p.28). A similar point is also made by Geary (1986) in his discussion of medieval relics, the significance of which shifted in relationship with political, social, religious and economic systems. Geary outlines that the value attached to relics was constructed through the acceptance of three interrelated beliefs: that the individual was a saint, that that saint was to be prized, and that the remains were the remains of that saint (p.175). The significance of the remains was they were considered to be the medium through which God worked, just as God has used his saints to act through their bodies. The remains passed from the status of human remains to sacred relics through a public ritual which asserted the identity of the remains with a particular saint, and the power of the saint as exercised through the remains (p.178). The rituals around relics rose in conjunction with periods of weak central government. They substituted for public authority. Their importance weakened with the rise of other sources of authority, including the king which replaced the saint.

For Verdery, one of the key properties about human remains as symbolic objects is that they are ambiguous. There is no one meaning: "Remains are concrete, yet protean; they do not have a single meaning but are open to many different readings" (p.28). This ambiguity is helpful for those who wish to use them as symbols, for they can be manipulated.

Dead bodies have another great advantage as symbols: they don't talk much on their own (though they once did). Words can be put into their mouths. [...] It is thus easier to rewrite history with dead people than with other kinds of symbols that are speechless (p.29).

This helps to explain why the corpse discussed by Hallam, Hockey and Howarth (1999), and indeed Domanska, can be used to reinforce opposing meanings; to question institutional authority and also reinforce it; as evidence and also as an object of mourning. Corpses can be manipulated to say different things and they can be placed in strategic and symbolic locations. Verdery's related insight is that whilst the meanings they have are culturally constructed and can be manipulated, their physicality and association with a person suggest the opposite.

I venture that this materiality of human remains - that they are a physical object, not that they are agents – is one reason why human remains can become an object symbolic of the shifts in the purpose

of the museum institution. For a start, human remains can be moved around, most obviously in the cases where they have been sent to different groups and countries. The moving of human remains out of the museum, covering them up or taking them off display, are ways of indicating that their study is no longer considered central to the purpose of the museum. These actions can be seen as performing, or demonstrating, the distancing of empirical authority from the institution by literally sending the human remains away. Furthermore, whilst the meanings of human remains shift and it is an ambiguous object; that it is presented as having one meaning is important in the construction of the problem of human remains in British collections where there were a number of definitional debates. These included debates over ownership, cultural affiliation, who decides, and the purpose of science, research and museums. Activists aimed to expand the problem from specific human remains that may have been stolen, to those taken during colonisation, to all human remains. The definition of human remains however, was never under discussion or debated. The lack of debate over this particular definition is important and is well illustrated by looking at the policy documents published by individual museums on how to treat human remains. There are fifteen policy documents pertaining to specific museums.[42] There is a degree of confusion and contradiction in these documents about how to treat this material. They all differ slightly in relation to how human remains should be treated and why, between how sensitive or scientifically valuable the material is, how they should be handled and used in education projects. But there is no similar or significant confusion when it comes to defining human remains, which the majority include in their policies. The majority use the definition issued in the DCMS *Guidance for the Care of Human Remains in Museums*, which is as follows:

> *Human remains:* In this guidance the term human remains is used to mean the bodies, and parts of bodies, of once living people from the species *Homo sapiens* (defined as individuals who fall within the range of anatomical forms known today and in the recent past). This includes osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), soft tissue including organs and skin, embryos and slide preparations of human tissue (DCMS, 2005 p.9).

Only two museums out of the fifteen, Manchester University Museum and Bolton Museum and Archive Services, extend this definition in their policy. As the Manchester policy states:

> The Museum extends the definition of human remains given in the DCMS guidelines to cover osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), ashes, soft tissue including organs and akin, blood, hair, embryos and slide preparations of human tissue (MUM, 2007 p.6).

Akin to Manchester, the policy for Bolton also includes hair and nails (Bolton, 2007). Whilst extending the definition of human remains is an attempt to expand the domain of the problem, what is pertinent here is that the definition still applies to recognisably human material. The stability of the definition is

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[42] See SM, 2001; NMGW, 2006; B&H, 2006; BM, 2006; LCMG, 2006; MUM, 2007; MoL, 2006; NHM, 2006; NML 2006; OUM, 2006; PRM, 2006; SM, 2006; Bolton Museum, 2007; UCL, 2007; WT, 2007.

important to locating claims in this instance. This observation is reinforced if we compare the constancy of the definition of human remains to the unstable definition of sacred objects. As I indicated in the introduction to this chapter, certain activists have tried to problematise sacred objects. One difficulty in focusing on this issue is that it is difficult to define a sacred object. The definitional problem of sacred objects is recognised by the Human Remains Working Group Report which raises the problem of definition when it recommends that sacred objects may be a future issue to be addressed: "In making this Recommendation we entertain no illusion about the ease with which a definition of sacred objects can be formulated and agreed" (DCMS, 2003b p.160). This definitional problem is also raised in the formal response by University Museum Group UK to the question regarding a consultation on sacred objects included in the consultation on human remains (DCMS, 2004):

> [...] it can be argued that an object becomes sacred because an individual or a group invests it with that status through association with ritual or a particular event which has a strong emotional, spiritual or intellectual context [...] tabots from Ethiopia, every battered suitcase and shoe at Auschwitz, the type specimen of a louse, a churinga from Australia, the escritoire used by Emily Bronte: an object is as sacred as people believe it to be. However, sacred value changes over time, and it varies between peoples and between individuals. So a more awkward question, but perhaps a more telling one is to ask what is *not* sacred in the museum? (UMGUK, 2004 s.17).

The human remains in museums that are of interest vary greatly in age, provenance, affiliation and materiality. The subject for one claim on the British Museum was for cremated bundles - ash, not bones nor recognisably a body. Remains transferred out of collections include tattooed heads from New Zealand and Aboriginal skeletons. Human remains moved about and covered in museums include bog bodies, Egyptian mummies and disarticulated bone from the British Isles. Despite this diversity in type of human remains, unlike sacred objects which could include an escritoire, a louse or a churinga there is no doubt that all these human remains are human remains. This solidity of definition makes them a useful object to focus claims on.

The Sacred Association of Human Remains

Paul Williams briefly discusses the use of human remains in display in his book *Memorial Museums,* which charts the growth of such institutions over the last twenty five years (Williams, 2007 pp.38-46). Williams explains that the display of human remains is sometimes made central to the understanding of the historical traumatic event documented in such monuments and museums, although not without controversy. The point Williams makes, which is similar to that of Verdery, is that human remains can be used to say anything and at the same time suggest authenticity. They are open to interpretation but suggest profound or significant meaning. In particular, he outlines, they appeal to the contemporary popular idea that something was 'there': "[...] both irreducibly personal and yet unable to convey much

beyond the person's demise, human remains possess an unsettling ambiguity. Second, bones fulfil that primary urge amongst visitors to history museums to experience an object that was *actually there*" (p.40).

Verdery also discusses the idea that human remains suggest an authenticity which connotes a sacred meaning. They are not just any old symbols, she explains, they can be associated with life and human beings. Thus they can evoke "the awe, uncertainty, and fear associated with "cosmic" concerns, such as the meaning of life and death" (p.31). Verdery argues this is one reason why human remains lend themselves particularly well to politics in times of major upheaval. The Verdery study examines the transformation of Eastern Europe and the former Soviet Union. She documents how dead bodies serve as sites of political conflict and the reordering of political structures which involve the elite and large populations; where the bodies of named rulers or religious figures, and nameless victims from the past, are exhumed or buried to legitimise new elites and associate them or distance them from the past. A similar argument is also advanced by István Rév (2005) in his examination of post-communist Hungary and Eastern Europe where he discusses political burials and exhumations linked to concepts of national identity and the legitimacy of the past (see also, Denich, 1994; Paperno, 2001). This approach is also is taken by Petrović, 2006 in her PhD thesis, who contextualises her study of human remains in times of postconflict Serbia and Tasmania, also in a time when the bodies are increasingly regulated with law and science. The dead bodies that these authors discuss as symbolic objects are associated with particular pasts and particular elites or publics. To understand the symbolic use of human remains in this study, it is necessary to look at the specific qualities and meanings of the human remains in museums. The question that Verdery asks, that needs to be addressed, is what meanings are the human remains in this case associated with? As she poses it:

> To understand any given case, one *might* find it helpful to ask what in present and past contexts gives what multiplicity of meanings to the résumé of that particular corpse: *How* does his complex biography make him a good instrument (p.51).

In what follows I turn to the contemporary influences on the human remains that concern this study to ask what is it about the biographies of these human remains that makes them useful instruments?

Section Three: Social Influences on the Contemporary Cultural Meanings of Human Remains

A number of historical works have documented how Western ideas about death and the body have changed over time. The changing meaning of death and the varying treatment of dead bodies throughout history indicates that whilst death is a physical event, how it is understood varies and is constructed through cultural custom (Seale, 1998; Jupp & Howarth, 1997; Lupton, 2003). Philippe Ariès was one of the first historians to research the history of death, producing a substantial account of the changing reality and treatment of death from the Middle Ages until the present (Ariès, 1981). His periodisation has been challenged, as has his overall thesis which is critical of the modern age (Porter

1999), but nonetheless Ariès documents a highly varied treatment of death across time and place. Similarly, studies of the conception of the body (for instance, Bottomley, 1979; Synnott, 1992) demonstrate overlapping but shifting conceptions of the body across history as influenced by and influencing religion, politics, medical science and technological advances. Likewise, anthropological accounts have demonstrated that societies conceive death, personhood and the attachment or link to the body in different ways (Strathern, 2005). These works establish that human remains may be conceptualised in different ways, in particular as an object of mourning or a scientific object, depending on the cultural context. There are three important social influences that I contend have impacted on the cultural meanings of human remains in the present, and thus influence how and why they are symbolic objects in the contestation in the museum collections of Britain, which I now discuss.

The Scientific View of Human Remains

Medical historian Roy Porter points to a complexity of religious, moral and value systems which have changed over time influencing different relationships between the body, mind and soul and the wider body politic (Porter, 1991). Until the late sixteenth century, death and religion were a major influence on the dominance of death and response to it (Prior, 1981). Towards the end of the seventeenth century and specifically in the eighteenth and nineteenth centuries, a new image of death emerged which moved away from the idea of random death and established the idea of controlling death, which is key to the modern period. The introduction of medical science meant that death began to be seen as a natural phenomenon that man appeared to have some control over. Life expectancy rose when it began to be possible to prevent and cure illness. The doctor began to replace the priest at the deathbed (Porter, 1988). The most significant influence on the modern conception of the body emerged in the nineteenth century, which was the scientific understanding of the body. Porter writes that during this period a 'scientific' understanding of the human body as a complicated mechanism, operating according to principles of cause and effect and understood through empirical observation, developed. This conception displaced theories of the body in terms of humours, which were four fluids that were thought to permeate the body and influence its health (Porter, 2003 p.45-54).

Subsequently Western medicine has treated the body as a machine (Synott, 1992; Andrews & Nelkin, 1998). Michel Foucault explains the change from classical to modern medicine as a move from categorizing illnesses in terms of their distinctive qualities, to tracing the casual connections between symptoms. As a consequence, he argues, anatomical dissection became crucial in understanding the nature and progress of diseases. According to Foucault (1989 p.140) the dead body developed a newly important status. Prior to the end of the eighteenth century, he outlines, death was inaccessible to the living. As the development of disease and death began to be found in the body, the cadaver came to be answer to this information. Medical sociologist David Armstrong points out that the corpse was no longer simply a symbol of the unknown, or a source of anatomical information, but was the key to understanding the processes of living and dying. The truth of death was found in the corpse

(Armstrong, 1987 p.652). Subsequently the examination of the dead body is one method by which medical studies develop clinical detachment (Hafferty, 1988, 1991).

It is important not to overstate the influence of the scientific view of the body historically, as it developed in an uneven process. Megan Stern (2006) argues that there were always ambivalent reactions to medicalised body (see also, Richardson 2001b). Furthermore, other political and social influences need to be taken into account. For example historian Ruth Richardson (2001b) attributes the greater willingness of people to donate their bodies to the growth in collectivist sentiment of the post war years. Nonetheless, despite these caveats this outlook has influenced the conception of the body for centuries. One pertinent study that demonstrates that human remains may be considered scientific objects is by sociologist Susan Lindee (1999) who explored culturally influenced meanings of human body parts, in her research on the transfer of atomic bomb victim body parts to Japan from the United States, between 1967 and 1973. Lindee was interested in how different social contexts mean bodies are considered either scientific or sacred objects. She charts how body parts became considered natural objects through the application of science.

Lindee explains that after the bomb, bodily material from Japanese people was sent to America for scientists to study at the Army Institute of Pathology. Research was also conducted in Japan on these remains, mostly overseen by American scientists. Through the framework of scientific research - the numbering, filing, classifying and relationships between researchers - this material came to be seen as data (p.386). Lindee outlines that in the late 1950s, questions developed amongst scientists in Washington about the reliability of the material for specific questions, and the appropriateness of keeping such items. What was considered politically and scientifically important by America, influenced how they thought of this material. In 1967 the Japan Science Council requested the return of the material. Rather than basing their appeal on the basis of Japanese victimisation, they too suggested that science could draw out a universal value for this material. Lindee notes that she was "surprised" to find an "absence" of any discussion of the meaning of the body parts which attributed a religious or mourning role to the return and the parts. As she writes:

> I expected to find that the bodily materials had a religious and ritual meaning in Japan that they did not have in the United States, and I expected the potential owners of the bodily materials in Japan to include the individuals from whom they had been taken or the families of those who had died. Yet in my examination of translated newspaper and journal articles, letters of protest, proposals, meetings minutes, and so on, I found virtually no Japanese mention of the spiritual qualities of these human remains, and no emphasis on public mourning or commemoration. This silence is particularly striking given the complex politics of commemoration in Hiroshima (Lindee, 1998 p.406).

Significantly the body parts were also considered important scientific data by the Japanese. Lindee argues that the body parts of Japanese people killed by the atomic bomb were considered important

missing 'data' by both the Americans and the Japanese and became a focus for debates about the legitimacy and morality of the use of the atomic bomb. The transfer of body parts was the focus for a negotiation of political power between America and Japan. In this case, the body parts of Japanese people functioned as natural objects that could reveal scientific truth and as diplomatic objects that both Japan and the US could use as a focus for negotiating their post war relationship. Lindee concludes that the context in which the human remains were interpreted was essential to their meanings and significance. This study is important for it indicates even in this postwar period human remains may be considered as scientific data, as well as objects of mourning or evidence of trauma.

One consequence of the scientific conception of the body is that it has been possible to display and research human remains, and to view them as objects for science. Theorists commonly interpret the display of human remains in museums as research objects, as permitted due to the context of the institution, and sometimes the age of the remains, which recontextualises these potentially problematic human objects, as artefacts (Brookes & Rumsey, 2007). Furthermore, the further outside social relationships and the older the remains are, the easier it is to consider human remains anatomical or research objects. Hallam, Hockey and Howarth state of the museum, and the exhibition of plastinates in *Body Worlds* in particular, the corpses may be displayed because they are viewed as objects of science in an authoritative institution. Indeed, these theorists argue, the display of human remains reinforced the authority of scientific and technological discourses (Hallam, Hockey & Howarth, 1999 p.39). For these theorists the display of human remains demonstrates and affirms the scientific method of studying, and it is implied controlling, the natural world which includes the human body. The dead body on display is considered a scientific object in an institution that is considered authorative. One problem with this analysis is that whilst it may be apply historically, in other words this may have been the case, it does not account for the growing concern expressed about the holding and display of human remains in museum collections that has emerged in the last few decades. Nor does it entirely capture the nature of the exhibits curated by Gunther von Hagens. His exhibitions may reference anatomical history, but the plastinates are also posed in lifelike positions, unlike that of a medical laboratory. Similarly, whilst von Hagens shows his work in science centres in some countries, he displayed his first show in Britain in a space more akin to an art gallery. His work is not solely the display of anatomical objects in an authoritive institution but slips between this context and one that is an artistic context, where the anatomical specimens are humanised and aetheticized (Hirschauer, 2006).

The assumption by Hallam, Hockey and Howarth is that the institution is authorative. But, as I have argued throughout this thesis, the authority of the museum institution has been under sustained scrutiny and criticism from external and internal forces. Thus the context in which the human remains are exhibited is not firmly legitimate as they suggest. What we can draw from this is that it is as a consequence of the illegitimate context and the questions raised about the museum institution, the use and display of this material is open to question. Furthermore it is not just the museum context that is problematic. It is widely recognised that scientific medicine and clinical detachment have come under criticism (Fitz, 2001; Seale, 2004; Gabe et.al., 2006). The medical profession in the Western world

experienced a crisis dating from the 1970s, although there is some disagreement about its causes, the timing of decline, and how this crisis differs to that experienced by other institutions (Fitz 2001 p.132; Pescasolido, Tuch & Martin, 2001, Schlesinger, 2002 p.187). In *The Social Transformation of American Medicine* Paul Starr explains that in the 1970s the economic and moral problems of medicine displaced scientific progress at the centre of attention (Starr, 1982 p.379). In a discussion on the end of the mandate of the profession, he notes that the loss of momentum in the civil rights movement opened the way for new social movements which expanded the rights for different groups, including feminism, many of which demanded greater patients' rights and the rights to heath. This health rights movement, he explains, went beyond rights to more medical care; it also challenged professional power and expertise. In the 1980s Paul Starr notes the trend he terms "the generalisation of doubt" (p.408) that followed the end of the era of consensus, which saw a growing scepticism about the scope for positive intervention into society by the state or professionals, in the sphere of education, social services or health. The shift he identifies is one which moved away from just questioning whether doctors were too powerful or whether hospitalisation was excessive, to asking whether medical care made any difference to society. It was during this period that concerns about the medical profession became more generalised (Starr, 1982 p.409. See also Fitz, 2001).

The rise of distrust in scientific medicine is an uneven process that contains contradictions. Deborah Lupton observes that in the early twenty-first century, Western societies can be characterised by increasing disillusionment with scientific medicine, while at the same time there is also an increasing dependence upon biomedicine in the medical and also in the social sphere (2003 p.1). Overall the important trend that can be identified as pertinent to this thesis, is that clinical detachment has come under criticism for dismissing or relegating the patient, with a concern often expressed in this discussion about the treatment of the dead body (see for instance, Francis & Lewis, 2001; Richardson, R. 2001c). Clive Seale, Debbie Cavers and Mary Dixon-Woods, have observed that as a consequence of the rise in distrust in scientific medicine, increasingly bioscientists are required to be seen to respect personal and social meanings of human materials and diminish the sense of objectification that their separation from the body for medical purposes may entail (Seale, Cavers & Dixon-Woods, 2006). At the same time, advances in biomedicine have prompted questions about the status of dead bodies. Lynn Folytn (2008) notes that recent developments in the bio-medical sciences, such as genomics, stem cell research and cross species transplants, have "recoded", "desacralized" and commodified the corpse, which she argues is one development which has raised issues about its status and treatment (p.100). The consequences of possibilities for commodification of bodies, the patentability of human genes and the distribution of body tissue, for example, which are taking place in a commercial context, have raised questions about the nature, purpose and use of this material (Andrews & Nelkin, 1998).

I posit that the ambivalence towards the concept of the scientific view of the body can be identified in the debate over human remains in museum collections. Indeed, if we look at the criticism mounted by campaigners on this issue, they identify medical detachment as tied to the domination of indigenous peoples and their deaths. Influenced by this concern, they also are able to successfully evoke this

problem in their campaigning. Let us recall the book chapter co-written by activist Jane Hubert and Cressida Fforde, where they suggest that medical detachment has permitted terrible treatment of the dead. As they write: "Such 'medical detachment' would perhaps explain why early scientists with close indigenous friends felt able to deflesh their bones as soon as they died" (Hubert & Fforde, 2005 p.116). The context of both the museum institution and the scientific view of the body has come under criticism, and thus I argue that the display of material previously on show in this location is no longer straightforward. The consequence of both - the unstable context in which they are held - a museum institution undergoing a crisis of legitimacy - and the ambivalence about the idea of scientific detachment, is that the display of human remains cannot be easily presented and interpreted as a valorisation of science confirmed in the context of an authorative institution. Furthermore, there are two related influences on the cultural significance of the body, which have contributed to the interest and anxiety about human remains. These are the rise of the body as a site of identity and the body as a site of political struggle.

The Rise of the Body

There is a rich literature on the importance of the body that developed rapidly since the 1980s when Featherstone (1982) argued that the twentieth century saw the emergence of the "performing self" (1991 p.189). Subsequently a large body of work has developed debating the varying significance of the body. The turn towards theorising the body may be partly explained by a number of social changes and developments in theory pertaining to this study. Bryan S. Turner was one of the first to identify the body as important for sociological theory. Turner advanced the argument that we are living in an increasingly "somatic society" where our search for meaning has shifted away from the public sphere towards the self and the body, as a result of a number of social factors within the transformation of Western societies. According to Turner the shift from industrial to post industrial capitalism, the erosion of Christian orthodoxy, and the spread of consumerism, have meant the separation of the body from political and economic spheres, which can partly explain the prominence of the images and interest in the body in the contemporary period (Turner, 1996 p.2). Turner suggests that through modernisation we have witnessed the "emergence of somatic society, that is, a society in which the problems of the body dominate the centre stage of political debate and political process" (1995 p.258) where "the body is our 'ultimate concern'" (1995 p.257). While qualifying that in earlier society Christian teaching used the body in regulatory practices and the body has always been of concern historically, he also points out that these regulatory practices were directed at the future of the soul. Today there is no external or future focus akin to the focus on the soul. The end focus is the body: "In modern societies, consumer culture has made the project of the body a general activity" (Turner, 1995 pp.256-7). The body in modern social systems has thus become primarily a location of political and cultural activity. Similarly, Chris Shilling argues that in high modernity the decline of formal religious frameworks and the collapse of grand political narratives which sustained ontological meanings outside the individual means there is a tendency for people to place more importance on the body (Shilling, 2003 p.1). As a consequence, he suggests, the body becomes increasingly important to people's sense

of identity. Shilling notes that whilst the focus on the body is not completely new, its position in contemporary culture reflects unprecedented "individualisation of the body" (p.1). In the nineteenth century self-improvement could be achieved through the development of character-forming habits. In contrast twentieth century individuals are encouraged by consumerist culture to develop their personalities through the body (Featherstone, 1982).

A number of theorists have suggested that this re-formulation of the self-ideal does, however, produce a 'self' which is extinguishable (Giddens, 1991; Meller & Shilling, 1993; Mulkay, 1993). The result, it is suggested, is that embodied social identity is felt to come under serious threat through processes such as aging. The body in crisis, ill or at the end of life, threatens individuals when they locate their self in the body, for the self is totally extinguished by death, argue theorists. Indeed Shilling suggests that death has become a particular problem for people as a result of modern embodiment (Shilling, 2003 p.152). As a consequence certain theorists have begun to think about death in the time of the body.

The Dead Body and Identity

Until the late 1990s, the majority of the thinking on the body has focused on the threat of death in the time of the body (Shilling, 2003 p.161). In other words theorists concentrated on the impact of ageing, and the body in crisis, during a period when the body had become of utmost importance to identity work. From the late 1990s theorists within death studies began to raise the question: given the contemporary identification with the body as self, does this change the identification with the dead body? Julie Rugg of the Cemetery Research Group notes that this is a question holding relevance for social policy on grave disturbance. Rugg asks if the disturbance of remains could be newly "distasteful" to the younger generation because they are more subject to a high modern obsession with the body and as a consequence have different attitudes towards the corpse (Rugg, 1998 p.117). Similarly, in her chapter *The Message of Dead Bodies*, Swedish enthnologist Lynn Åkesson (1996 pp.157-180) reflects on what has happened to the dead body due to this historical period she and her co-editor term the "time of the body" (Lundin & Åkesson, 1996 p.5). Åkesson suggests that a changed perception of the body, which means that identity and personality are strongly associated with physical expressions, has implications for how people relate to the dead. In writing on the way in which dead bodies are related to and handled, she notes that "respect for the integrity of the body is in line with the late-modem perception of the body, which closely associates the body and identity" (Åkesson, 1996 p.173). She argues that the custom of dying at home is returning, where people are close to and have greater control over the dead body. Whilst this may have a logic to it, in that if the body is a site of self-identification this could extend into the dead body, especially for those relatives associating the corpse with their loved one, her suggestion that there is a reaction to the handing of dead bodies today due to the identification with body as self has problems; primarily that this custom of dying at home as rising is not substantially documented. There does not appear to be significant documented concern with 'bringing the body home' in Sweden, or the UK. Nor is there a rise in interest in what happens to the body immediately after death in relation to funeral practices. Indeed the most popular form of disposal

today, is still cremation, a post 1945 phenomenon (Jupp, 1990). It is likely that if there is an identification with the individual as still embodied in the dead body in a new way, this concern may stimulate a concern with disposal practices in relation to the way the body is treated.

If the dead body is identified with the self, this does not appear to manifest itself in a concern with dead bodies for disposal. In *Beyond the Body: Death and Social Identity* Hallam, Hockey and Howarth (1999) aim to theorise the body from a death studies point of view and in doing so, they make an important contribution to this question of the relationship between high modern identification with the body as self and the meanings of the dead body. They acknowledge that when emphasis is placed upon control and the regulation of the body for the maintenance of self-identity, the dying body and the dead body may acquire "terrifying consequences" (p.21). But they argue that this meaning and identity can become detached from the body. They explore the complexity of social death, as well as physical death. Hallam, Hockey and Howarth, look at the 'vegetables' and the 'vampires' or 'ghost' people who may be socially dead, but biologically alive, and those that are biologically dead but still have a social presence. The central case they make is that embodied agency thinking is inadequate in relation to the body and the relationship between the body, and the self is less straightforward than others suggest.

Furthermore, reactions to the dead body have not been found to be distasteful. In an important article which is pertinent to this study, the sociologist Tony Walter researched visitor responses to the exhibition *Body Worlds* by Gunther von Hargens in 2002, with the question: if late modernity's celebration of the living body makes the dead body "problematic" how do visitors respond to the "aestheticised" dead bodies on display? (Walter, 2004 p.464). When Walter refers to the display as 'aestheticised' he means that they do not act like dead bodies, which decay and smell, but the displays are recognisably dead bodies nonetheless.[43] Walter concludes from his research that the response of the audience suggests some of those surveyed looked at the plastinated bodies with "fascination" and even "awe". He explains that, for some, the displayed bodies were not just celebrated, but were like a shrine of worship. As he writes:

> Certainly the fascination, sometimes turning into wonder and awe, at the bodies on display, and hence at their own body, to be found in some guest book writers hints at a secular notion of their own body as divine (Walter, 2004 p.479).

Walter suggests this corresponds with the sociological thinking on the body as self. What is new, he ventures, is that this divinity is inspired by the body's interior (although he notes that it is a highly controlled aestheticised interior). He concludes that *Body Worlds* doesn't follow the usual distinction between the body's ugly insides which are taboo and its acceptable surface observed by Sawday (1996) where dead bodies, and in particular the interior, are "problematic objects" (Walter, 2004 p.15). This new area of thinking and research raises questions about the relationship between identity and body, but as yet, does conclude that the dead body is a site of identity like that of the body. It does however suggest that there is an interest in viewing bodies stimulated by the late modern association with the

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[43] See also Stern, 2006 for a discussion about the aesthetic qualities of plastination.

body as self. This may be relevant to our study. It may have contributed to the idea that there is something special or problematic about the display of human remains more broadly.

The Body is Political

The focus on the significance of the body also developed out of a number of theoretical influences that are important to the symbolic importance of the dead body in this study. As a result of social and intellectual shifts, the body has become identified as a site of power, domination and resistance, which is an important contribution to the construction of this problem.

It is widely recognised that feminism has been an important influence on the significant of the body in broader cultural thinking, as has the work of Michel Foucault (Porter, 1991; Watson & Cunningham-Burley, 2001; Stern, 2006). In relation to the cultural significance of the dead body these are of particular importance because they contributed to identifying the body as a site of power and politics (Lupton, 2003). Many of the early feminist campaigns initially drew on classical liberal theory and the idea of individual rights. They then developed beyond that to look at how the control of women's bodies was involved in their oppression and domination. Chris Shilling terms this development as the rise of "second wave" feminism and dates it from the 1960s onwards (2005 p.2). Campaigns such as rights over contraception, abortion and childbirth as well as concerns about domestic violence, identified the control over and protection of one's body as essential to autonomy and contributed to a critique of the exercise of power over women as conducted through their bodies (Starr, 1982 p.392; Twigg, 2006 p.14). Subsequently feminist and queer theorists have interpreted the body as a location through which cultural and political meanings are produced. The focus on the control of the body was often coupled with a critique of medical power. The women's movement criticised medical control and intervention in their lives as paternalistic, questioning the control doctors had, especially over reproduction. Ann Oakley the British feminist, for example, argued that the political programme of the women's movement should aim to regain control over reproductive care, taking it away from doctors and giving it to "wise women" (Mitchell & Oakley, 1976 pp.52-3). Thus, as we saw earlier, there was a relationship between a rising distrust in scientific medicine and the focus on the body as a site of domination and resistance.

In this critique, feminists draw on the influential work of poststructuralists and Foucault in particular. In both the *Birth of the Clinic* (1973) and *Discipline and Punish* (1977), Foucault argues that since the 18th century the body has been the focal point for the exercise of disciplinary power. Through the body, state apparatuses, such as medicine, the educational system, psychiatry and the law, define behaviour (Foucault, 1979). In the *Birth of the Clinic* (1973) he describes the 'anatomical atlas' (pp.3-4) which he explains is that human body constituted by the medico-scientific gaze. He considers medicine as a significant institution of power. It marks out bodies as normal or not, and in control or not (p.54). For Foucault, therefore, the body is the ultimate site of political and ideological control, surveillance and regulation. In this thinking power operates differently to the political theory that suggests it is exercised

by distinct groups. Instead Foucault understands it as a web of cultural processes. The body is not natural to Foucault, but instead constituted through the discourses within which it is situated.

This approach to the body has been highly influential and deployed within the social sciences, the humanities and social history. Historian Roy Porter (1991) points out that the influence of the second wave of feminism and the cultural shifts have subverted the traditional distrust of the body, and directed scholarly attention on to it, in particular focusing on discourse and representation. Laqueur's works (for instance, Gallagher & Laqueur, 1987) draws on Foucault, suggesting that how we know the body must be seen as a product of particular contexts and practices. Social constructionist approaches to the body have been influenced by these theories and in the main address the relationship between the corporeal and the social, downplaying the significance of the biological basis of disease. The combination of these social and intellectual influences from the decline of political class struggle, the influence of feminism and Foucault, have identified the body and its representation as central to politics and power.

In Chapter Two I discussed the influential activism of Cressida Fforde. Australian academic Paul Turnbull and Cressida Fforde outline that the specific study of the body, conducted on the human remains, was central to the domination of the Aboriginal people (Turnbull, 1991; Fforde, 1997, 2004). Fforde drew on Michel Foucault's analysis, that from the seventeenth century the body became an object and target of power, which is realised through a technique of scientific classification and regulation (Foucault, 1977 cited in Fforde, 2004a pp. 84-85). Fforde and others argue that scientific knowledge about the Aboriginal body has been fundamental in sustaining and constructing relations of power (see also, Zimmerman, 1989b; Peirson Jones, 1993; Riding In, 2000). The identification of the domination of the body through medical power and discourse influenced these campaigners and informed their claimsmaking. Human remains were more important than objects as a focus for their activities because the body was identified as central to domination and power. The scientific outlook which researches and objectifies these body parts as human remains is thus identified as a problem. The influence of this thinking can also be identified in a growing body of historical work that studies the dead body through history, often focusing on dissection, and which compares the present day medical practice with that of the past (see for instance, Richardson, R., 2001b; Sappol, 2002). In her history of dissection, Australian historian Helen Macdonald (2006) tells the story of dissection in Britain and its colony Van Dieman's Land (Tasmania) in the 18th and 19th century. She traces the relationship between anatomists, colonists and the movement of human remains between them. Her central point is that that anatomy is a cultural activity which encourages a proprietary attitude toward human remains that allows even encourages the use and abuse of human remains across history and countries. The focus for her critique of anatomy is the way human remains are badly treated. She identifies that anatomy, which she compares to colonisation, was central in the domination (and deaths) of the Aboriginal Tasmanian people.

Similarly influenced, the majority of research on the display of human remains exhibitions has focused on the display of disempowered groups as a method of domination. Theorists have suggested that the

lack of political power held by these groups permits this and is reinforced through the use of their bodies in exhibitions (Lindfors, 1985; Bennett, 1995; Butchart, 1998). One well known case of human remains that became the centre of political bargaining between France and Africa from the 1950s was that of Sara Baartman, known as the Hottentot Venus. She was a Khoikhoi women taken from South Africa and exhibited in London in 1814 due, it is now said, to the large size of her buttocks (Netto, 2005). Her plight both before and after her death has stimulated a large body of theoretical work and campaigning influenced by feminism and postcolonial thinking, which argues that the display of her body reinforced the colonial domination of African people, and women (see for instance, Gilman,1985; Butchart, 1998; Lindfors 1996, 1999; Netto, 1995). In a thoughtful paper on the rise of interest in her plight, sociologist Zine Mugubane critically analyses the theoretical interest in Sarah Baartman as influenced by poststructuralist thought:

> The theoretical groundswell her story precipitated cannot be separated from the growing popularity of poststructuralist analysis of race and gender. The ways in which science, literature, and art collectively worked to produce Baartmann as an example of racial and sexual difference offered exemplary proof that racial and sexual alterity are social constructions rather than biological essences. Thus, her story was particularly compelling for anyone interested in deconstructing difference and analyzing the "othering" process (p.817).

This poststructuralist theory, Mugubane suggests, has been "instrumental in transforming Barrtman into a late-twentieth icon for the violence done to women of African descent" (Mugabane 1999 p.37). The central point is that postcolonial and feminist scholarship identified Baartman as a vehicle to make their broader theoretical points about the domination of the body and the construction of race. Baartman's body was an icon for this theoretical outpouring. It is worth pointing out that this is a problem for Mugabane, for it is ahistorical and neglects an analysis of the broader material relations influencing how Africans were treated. As she writes:

> Baartman's exhibition provoked varying and contradictory responses. These responses can be better understood if they are analysed as part and parcel of larger debates about liberty, property, and economic relations, rather than seeing them as simple manifestations of the universal human fascination with embodied difference (Mugabane, 2001 p.827).

A minor point - in relation to this chapter – is that Mugabane points out the consequences of this intellectual approach. That despite using words such as invented, constructed and ideological, these critiques contribute to the biological essentialism that they purport to deconstruct. The expressed aim of the discussed scholarship on Baartman has been to critique racism and essentialism, but it ends up reproducing the idea of racial difference which is made manifest by the body.

I argue that these three broader social influences on the problem of human remains - the scientific view of the body, the body as a site of identity, and the location of the body as a site of power and struggle - informed the focus on these objects, and have granted purchase for the claims that human remains

require special attention. These interrelated influences work together to impact on how the display and research of human remains is considered. The museum context in which the human remains are displayed has become problematic because it is not legitimate. This problem is more acute, due to tension between scientific view of body, and the rise of the body as the self and a site of political and ideological control, and has consequences for the interpretation of the display and holding of human remains. But, this doesn't mean that human remains cannot be objects of display or research, indeed the converse can occur. What is crucial is the context in which this takes place. For example, Megan Stern, a lecturer in critical theory and media studies, argues that *Body Worlds* as well as *The Human Visible Project*[44] present the bodily interior as 'utopian' (Stern, 2006). What is interesting about Stern's analysis is that she argues they the human remains have "utopian potential" because they exhibited in a "democratic" way. Stern suggests that previously "ordinary people" have been unable to access the dead body as doctors have controlled it since the 1830s when anatomy stopped being shown to be public. Thus these exhibitions for Stern "liberate" the body (Stern, 2006 p.74). As she writes:

> In so far as they render the body accessible to non-professionals, *The Visible Human Project* and *Body Worlds* can be seen as part of these changes in medical culture and by extension, part of a liberating reclamation of the body (Stern, 2006 p.75).

Here we can see the influence of a combination of factors which contribute to the growing symbolic significance of the display of human remains. Firstly the importance of the context in which human remains are on display and secondly the influence of feminist politics. Because, to Stern, these bodies are exhibited in a "democratic fashion", i.e. outside of a medical laboratory or a museum, they can be interpreted as liberating which is due to the focus on the body as an important site of domination. They wouldn't be part of a liberating reclamation of the body if they were in a medical or museum context.

To illustrate this point in another way, take for example these two excerpts: one is from responses to body parts controversies and the second concerns art created with bodily material, from the period when the debate over Alder Hey and the return of indigenous human remains in museum collections was at its height. The first quotation is taken from the Royal Liverpool Children's Inquiry and Report: "Perhaps the most disturbing specimen is that of the head of a boy aged 11 years" (Royal Liverpool Children's Inquiry, 2001 s.20.5). Contrast this description with the art review in the *Guardian* newspaper of the artist Mark Quinn's portrait *Self*, which was a shape of a head filled with blood: "The blood head was a tremendous thing to behold - a premature death mask made of the exact quantity of the substance needed to keep us alive" (Cumming, 2000). Clearly in some senses the comparison of these two extracts doesn't stand up. One is an official report into the retention of children's body parts. The other is an art review in a national newspaper of an object which contains blood – not precisely human remains. However, on another level both the excerpts express the different concerns or interest in human remains that I have just discussed. The first articulates a concern about the problematic

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[44] This is a project where dead bodies were frozen and sliced by microscopic layers which were photographed, scanned, then presented as three-dimensional maps of male and female bodies. See <http://www.nlm.nih.gov/research/visible/visible_human.html> Accessed, 20 August 2008.

treatment of the dead by the medical profession. The second identifies the display of a blood head as magnificent due to the importance of blood to our life. I would conclude that context in which human remains are kept is highly important, and in the case of medicine and museums; where legitimacy and authority are challenged, that holding of remains is potentially problematic. This is especially the case because there is a heightened interest in the body, which is due to the intense focus on the body today as a site for identity and a site of domination or liberation. Thus a distrust of the motives of those in authority, and in particular a medical or objectifying approach, is in tension with the humanised interest in the body of the high modern period.

Section Four: Humanising Detachment

I will now review the different human remains in museum collections which are the subject of different concerns, to discuss these observations and further isolate the combination of influences on them as symbolic objects. The most problematic human remains in British museum collections today are those identified as Aboriginal. As of April 2008; with the transfer of Aboriginal skeletal material from the Museum of Scotland and Edinburgh University to Australia, all known institutions with this material have transferred it out of collections.[45] That Aboriginal human remains are highly difficult to hold in collections reflects both the impact of claimsmaking from Australia and the TAC, and the activism and receptivity to these claims by the British museum profession, as well as the inability of scientists to present a convincing case for their research. The confluence of these influences means that it is generally considered unacceptable for museum institutions in Britain to hold Aboriginal remains.

Cressida Fforde and others were influenced by the feminist and Foucaudian thinking which identified the body as a site of medical and political domination. Concerted campaigning, which involved research by Fforde on the acquisition of Aboriginal material held in British collections, associated the formation of museum collections and the holding of this material, with colonisation. The receptivity to this issue as a problem by the profession is a consequence of the broad crisis of authority in museum institutions. Human remains from overseas colonised groups, and Aboriginals in particular, have become symbolic of this discredited past. The transfer of these symbolic items out of museum collections demonstrates an attempt to distance the profession from that historical association.

One important part of the biography of these Aboriginal remains is that they are considered to be highly valuable scientific objects for research. The process of claiming them, campaigning for repatriation, and the transfer of this material, was a process which was a critique of that scientific outlook. The resistance of the professionals who contested their removal, increased the symbolic meaning. The opposition to repatriation elevated the significance of the material. The removal of Aboriginal material and its transfer to the TAC is a demonstrable distancing of the museum institution from the outlook which views human remains as research objects. We can conclude that the association

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[45] It should be noted that the research institution - not a museum institution - the Leverhulme Centre for Human Evolutionary Studies in Cambridge has continued to refuse requests for repatriation.

of Aboriginal remains as a scientific object linked to colonisation and domination means their removal is more emblematic than the relocation of objects or artefacts which are not as strongly associated. The materiality of human remains means they can be moved around and relocated, unlike concepts, and thus their physical removal from the institution is a potent demonstration of the reorientation of the museum away from the empirical remit towards one with a therapeutic role.

Hallam, Hockey and Howarth (1999) suggest that with specific cultural contexts such as the coroners' court, or the passing of time, the body parts of the dead shift from the category dead body to one of anatomical objects. As an example of this process, they describe the treatment of Tollund Man, a bog body aged over 2000 years old. Hallam, Hockey and Howarth argue that the bog body is no longer considered a dead body because he falls outside of the discourses which produce the social body. Instead they outline, he is an anatomical object: "[...] he became a clinical object, a focus for scientific interrogation, an objectified ornament of antiquity. The Tollund Man, as he is now known, lies in a glass case in the Museum of Silkeborg" (p.92). Given that bog bodies fall outside social relationships and are not tied to a contemporary claimsmaking group, or associated with a particular past - like the human remains of Aboriginal peoples - how is it that Lindow Man, the subject of discussion in Chapter Five, has also became a symbolic object in the museum institution? Clearly there is a significant differentiation between the substantial purchase for the problem of overseas human remains taken under the period of colonisation, and the problem of ancient or British remains, in the sector. However, I have demonstrated that due to the unstable and uncertain basis of authority, the problematising of unclaimed and ancient remains has had a moderate effect. As a consequence, Lindow Man is the subject of an exhibition at Manchester University Museum that argues he should be treated as a person and with respect. Treating him, or other ancient human remains, as object is a problem, it is argued. As the HRWGR stated that objectifying human remains, including those from the ancient past, not treating them as people, is a problem:

> All these human remains were once parts of living individuals. Museums have tended to objectify them, as this makes them easier to deal with, but many museum staff would now contend that society believes that human remains need special treatment (DCMS, 2003b p.352).

The crucial point in answering this question is to recall that the contestation over human remains is, in this case, an internal debate. Professionals, especially those who researched remains were repeatedly critiqued by key activists in the museum sector for not respecting remains and for not treating them as special as a vehicle for a broader critique of their professional authority. In the campaigning activities around Lindow Man, the focus of concern is professional authority and detachment. Lindow Man is an object symbolic of the professional outlook that treats human remains as objects. Moving him around and displaying him within the discourse which criticises detachment, is using this bog body as a vehicle to critique professional authority and the detached outlook that is associated with it. Human remains in museum collections have become emblematic of the detached outlook associated with medical

detachment, and the empirical rational remit of the museum institution. This association is criticised due to the distancing of the institution from its foundational remit. In both the cases of the Aboriginal remains and Lindow Man, their removal, or presentation, performs a critique of the scientific rational outlook that was the basis for the foundational authority of the museum institution. It is also informed and validated by shifts in the conception of the scientific view of the body, and the rise in significance of the body as a site of identity and a focus of political struggle.

The concept of humanising detachment and treating human remains as people had some, if limited, purchase in the interviews I conducted. It is also well illustrated in the policies that have been established in four institutions around the issue of handling and storage. Four of the museum policies on human remains outline that human remains should be separated from objects in their stores and collections; that handling by the public should no longer take place; and that researchers should wear gloves when holding the human remains (B&H, 2006; LCMG, 2006; NMGW, 2006; UCL, 2007). The policy for Leicester City Museums and Galleries rationalises this practice, by citing the potential sensitivities of the audience, as well as respect for the past lives of the human remains. As the policy states:

> There is a high probability of the risk of offending religious and other sensitivities far outweighs the benefits of using human remains in handling sessions. A case could be made against this, but it must be carefully considered. At the present time, Leicester Museums and Galleries is not comfortable for human remains to be used as handling material to maintain respect for their past lives (LCMG, 2006 s.9.1).

This policy demonstrates an unease in using human remains in handling sessions, and it rationalises this in terms of respect for the past lives of the skeletal parts. It should be noted that Leicester City Museum and Galleries contains remains that are uncontested, unclaimed, ancient. Interestingly, previous to this policy, the organisation had not considered human remains as a general overall collection, but rather viewed them as part of different collections organised by disciplines. As the policy acknowledges:

> Leicester Museums and Galleries holds human remains in several of its collections. They come in many forms including skeletal, cremated and mummified remains. The human remains in the collections have not previously been assessed as an overall collection and are not always stored appropriately (s 1.3.1).

Whereas in the past, human remains were not considered 'a collection' but parts of different ways of organising the whole collection and thus part of different disciplines, this policy begins to consider human remains as a category in and of themselves.

The policy for Brighton and Hove also states that contact with human remains should be avoided:

It will be the aim to place material in individual, marked boxes that also act as auxiliary supports to facilitate handling without direct physical contact. Physical contact will be kept to a minimum although, when absolutely necessary, direct contact with skin will be avoided through the use of conservation standard gloves.

Human remains will be stored so that access to them is allowed only to authorised staff and supervised visitors with specific permission. Where human remains comprise a small proportion of a larger collection, curators will identify a designated area where human remains will be stored, to create conditions supportive of respectful treatment (B&H, 2006 s.7.18-7.19).

As with Leicester Museums, the policy for Brighton and Hove pertains to human remains that are uncontested and unclaimed. It concerns the archaeological holdings of human skeletal material from the Neolithic through to the Anglo Saxon period (B&H, 2006 s.3.1).

Whilst these policies that advocate the different treatment of human remains are present in only four institutions, none of which are major national organisations - Leicester City Museums, Brighton & Hove, National Museums and Galleries of Wales, and University College London - this is still worthy of note, because it demonstrates a moderate influence of the idea that human remains are a special object which should be treated with care, and as different to that of other objects in the collection.

This view can also be identified in the interviews I conducted. For example, one senior professional who had to examine an item of human remains whilst advising on a repatriation request, explained to me that he didn't touch them: "I was careful not to handle them. They were already in polythene bags so we didn't have to." He explained that it was "out of respect" that he didn't hold them, and also that "they had been through enough already" [DUM1]. The sense that they needed to be treated carefully can be identified in this actor, who said he wouldn't handle the material he was examining. It also highlights the point I have made in relation to the idea of respect indicating that the professional needs to take care: in this case, they should not touch the bones. This contrasts with the explanation that the remains were also in polythene bags, suggesting that the idea that human remains need special care and protection is not consistently rationalised.

The idea that human remains require special treatment which entails they are not handled, or the separating them from objects, may meet difficulties in practice. This is partly because this is not driven by a rationale with a clear idea of how human remains should be treated and why, and partly because it has to work with other policies that may present contradictions. Although, it is worthy of note, that these policies are not contested. There may only be a few organisations that advocate no touching of remains, and the separation of human remains from objects, but as one scientist explained he wasn't going to oppose it if it was introduced where he worked: "I take a pragmatic approach to these guidelines.. if it means I get to do my research, then I'll do it" [SNM3].

I asked the director of a university collection, where this policy was also in place, in an interview, why it was now policy to separate objects from human remains. She replied, referring also to the rule that handlers would have to wear gloves, a new policy, with the following:

> We haven't really started implementing it yet except that in the [museum name] human remains are all now in one part of the store and clearly it's not possible to go into it by accident. I'll suppose we'll have to do something about implementing the handling thing too. There is this thing about university collections being slightly different to other collections, and in the [museum name] everything will either be on display or in visible storage. There won't be anything hidden away.. Um and I mean.. even the.. there's some pathology collections here and we are talking about finding ways of putting them in cases so they can be used or examined or when they need to be.. but so all the rooms can be used when they need to be, so we have a whole load of neurology specimens, currently in a room that is currently used by the German department [laughs].

> TJ: How will you reconcile the issue of access and warnings about display?

> Interviewee: Um..ideally one would have a system where they could be in tinted glass, where you wouldn't be forced to confront them if they.. if they didn't wish to, but at the same time if you wanted to have a handling session or a session with medical students you could do that in the same room.. So I think what we are exploring is sort of visible storage or visible stroke invisible storage. [DUM3]

This interviewee is a director of a university museum with a broad range of material including a medical collection. She was medically trained and don't think human remains are a special object. She said of human remains: "I don't think they have a special case." They hadn't begun to fully implement this new policy that required warnings to visitors about the display of human remains, as well as the separation of objects from human remains, and the wearing of gloves for handling purposes. It therefore didn't seem to be a major concern. At the same time, whilst not being an issue they thought was urgent, and whilst holding practical difficulties, they did not question following this policy. The

interviewee notes that there is an access agenda in museum institutions that means all objects must be available and on show. Furthermore medical students at the university use and require access to human material as part of their training. The practice that begins to warn about the display of, separate and store human remains, will be contradicted by the museum's commitment to the access agenda which holds all the objects and museum collections should be on display, as well the needs of medical students. To reconcile the problem of removing and storing human remains at an institution which is also meant to have everything on show, this professional suggests a solution of tinted glass. Human remains may be on display but may not be easily seen. In this instance, whilst the practice of granting human remains special new treatment contradicts the agenda of other policies in the museum, and their own feelings, this contradiction, as yet, had not become a major problem. There is an attempt to reconcile these different practices without contesting them.

I interviewed the author of one of the policies which outlines human remains should not be handled, that warnings should be posted, and that they should be stored seperately from objects, to further explore their feelings about the treatment of human remains and their rationale for these rules. The institution held no human remains that were or could be claimed by overseas indigenous groups. Whilst suggesting special care should be taken of human material, this interviewee also believed they hold a special power in the museum and should be displayed. As they explained:

> Museums are becoming the only place where you have experience of death..Yes, there is a lot on TV, but that's not real..it's not a concrete, physical experience. Our society is very removed from it [...] Display makes the past seem more real. You know we see human remains, or rather a dead person; that sounds better, like you see [name of exhibit of human remains] and you feel like she's like me. You see they had to eat, they felt pain, had to get a job. [CRM7]

This actor felt it was important to show human remains, and that this would communicate ideas about the past more effectively than other object. They also felt that displaying the "dead person" - note they feel uncomfortable with the term human remains - is a way of connecting to the audience who will relate to them. For this actor, the display of human remains, or the 'dead person', is a way of improving museum exhibits and history lessons:

> Especially for children, it's not just abstract objects in a glass case, it's a person they can relate to [...] It stops history from becoming numbers, facts, you know rote learning - the kings and queens...I hate that stuff. It shows that it was real people living it.

For this interviewee, the display of human remains could bring the past alive for people, and thus was more effective that what they considered was the kind of history that they considered was rote learning. It is also worth noting the negative characterisation of the traditional museum as holding abstract objects in a glass case. For this interviewee human remains could be a more emotive connection to

other people from the past. This suggests that the idea that human remains should be treated with care can coexist with, or even valorise, their display in the museum.

The idea that human remains could provide a more emotional connection for the audience, co-existed with the idea that they should be treated differently to objects, for this interviewee. I asked the question what is it to respect human remains? They replied:

> Respect is very complicated, it's about thinking about it really, you think about everything you do with them, and then I think it then it becomes more clear..We've a case of Roman remains I want to change. They are disarticulated pathological specimens and are just awful.. It's not respectful the way they are.. They've got letters and numbers on them to categorise them in relation to files, but that's a person..you know.. They are treated as objects or just documents, you need to treat them as people. The scientific outlook that did that, needs to be more social, or personal. You certainly don't separate the parts of the skeleton.. you know skulls in one case or femurs in another.

For this interviewee, treating Roman remains as objects or documents was a problem. Thinking of them as a person was essential. This means showing respect for the integrity of the body and storing them separately from objects. The scientific outlook is clearly identified as a problem because it doesn't treat skeletons as people by this actor, who continued:

> Skeletons are not the same as objects. They have an elevated position – or they should do. [...] You know I want to know who they are, not their number. I am not religious at all, but if you've exhumed them, studied them and put them on display, at least leave a note about what you know about them as people [laughs]. The numbers are bad, some of them are written on the bones, that's awful.. science is too cold really.

In this extract this actor identifies the numbers commonly written on skeleton bone to categorise them as a problem. The interviewee sees the scientific approach, which sees these Roman skeleton bones as objects, as too cold. Human remains should hold a different, elevated position to that of objects. This interviewee proceeded to show me a collection of Roman skeleton bones which had numbers written on them in pen and explained that people should not write on them, in pen or in pencil, out of respect. In this interview, it is possible to identify the view that a scientific outlook dehumanises human remains, which should be treated respectfully and thought of as a person, not an object.

A further dynamic to this practice which advocates the humanising treatment of human remains, is the response of a few scientists. In the 37 interviews I conducted, 3 individuals who researched human remains began to reframe the possibilities of research on human remains, or the way it was conducted, with a discourse that acknowledged or argued for more emotional relationship to the human remains than that of scientific detachment. The interviews incorporated the critique of science as unemotional

or detached, into their discourse. One archaeologist explained that she found the criticism of her work as "cold and irrelevant as upsetting." She continued:

> Human remains can tell us social things as well. They can tell us about disability, about gender ethnicity and violence.. personal and political violence [...] Human remains act as archives of memories of human activity .and it means for us we that we can rehumanise archaeology.. it is occupied by people not pots. [ARM1]

For this archaeologist, her work had the social consequence of informing people today about what are considered to be radically important issues: violence, gender and ethnicity. It is an attempt to demonstrate the relevance of their research in more emotional and politically relevant terms. They describe this as re-humanising archaeology, which they argued isn't about pots, objects or artefacts, but people. This archaeologist attempted to distance her work from the characterisation of it as cold, and irrelevant.

One scientist, who had once contested repatriation, in a second interview, reframed the role of science as having moral value and in terms of its potential for identity work:

> The challenge lies with museums to think outside the box. The challenge is to think through problems systematically..you know I think it's important we see science as part of a moral framework, it's not science versus morality. And one thing we can do is tell people who they are ..we can give them their identity back. We can tell them a lot about who they are. [PNM1]

This scientist began to promote the idea that science can provide answers to questions about identity. They referred to the potential of DNA, as an example of this. They continued that the display of bodies could raise big questions about what it is to be human and morality. This suggests an attempt to re-authorise scientific research on human remains by claiming it performs a role that can answer the big questions and issues about identity

> [...] being in the presence of dead bodies seems to me a very potent way of conjuring up and dealing with you know all sorts of medical..but much broader issues to do with who we are as human beings, and what it might be to die, and not be around, and all those huge questions.

The approach that argues human remains require different, humanising, treatment can be identifed in an exhibition that opened as this study concluded. The exhibition also indicates an attempt to authorise scientific resarch on and the display of bodies in emotional terms and identity work. It claims it contributes to an understanding of the self and in particular, health and the body. The exhibition is *Skeletons: London's Buried Bones* on display at the Wellcome Collection in London organised in collaboration with the Museum of London, (23 July to 28 September, 2008). This exhibition of 26 skeletons had a sign at the two entrances of the stand-alone show which warned: "This exhibition

contains human remains, including those of young children." The Head of Public Programmes at the Wellcome Collection, Ken Arnold, introduces the cataglogue for the show, with a short discussion of the debate over displaying human remains. He outlines the following:

> In the sometimes heated discussions about these issues, scientific approaches to this material frequently seem to be pitted against more empthetic and 'humane' ones. A striking feature of this exhibition is the manner in which it confounds that simplistic dichotomy. For here, the methodical work of osteologists helps to reunite these bones with fascinating, but otherwise hidden, elements of their life stories (Arnold, 2008 p.6).

In this excerpt, we can identify the attempt to legitimise the exhibition, and the research on and display of human remains, by saying that it brings part of their life stories out in the open. The exhibition was reviewed in magazine *Museum Practice*[46] by Helen Rees Leahy (2008) who is director of the centre for museology at the University of Manchester. She is favourable towards it, because it was "unusually rehumanising" (p.38). She compares it to the exhibition, and ethics of von Hagens who, she complains, anonymises the corpses on display. The rehumanising that she refers to is demonstrated by historically and geographically locating the skeltons. The exhibition contextualises where they were found and when. But it also is seen to be humanising because discussing the diseases they had. Rees Leahy writes that the von Hargens:

> [...] exhibition implicity promotes the myth of a universal human being, from whom distinguishing marks of colour, age and sometimes sex have been erased. The Wellcome Collection took a very different approach, enabling visitors imaginatively to construct the lives and conditions of the people they encountered through the fragements of their skeletons (p.38).

One example Rees Leahy gives of the more imaginative and positive approach at the Wellcome Collection exhibition is:

> A young women with ulcerated lesions on her skull caused by syphilis also had bowing of the bones in her legs, a sign of ricketts. She was buried in the Cross Bones cemetery for paupers and prostitutes (p.38).

The approach to displaying human remains, that explains the social background of the skeletons and the diseases which affected or killed them, is considered by Rees Leahy to be humanising. The skeletons are separated with information on their different biographies and this is considered respectful. This in part reflects the health orientated body of the high modern period.

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[46] *Museum Practise* is the sister magazine to the *Museums Journal.*

I interviewed one of the curators of this exhibition, as it was being conceived in March 2007. They explained their aim in exhibiting the skeletons in the following way:

> The idea for exhibition is.. and this is where the skill and artistry comes in.. would be to, you know, to bring them back to life. i.e. with the skill of the osteologists and medical professionals to say, you know, we can tell this person died somewhere between 1650-1680, they were obviously they were found in Chelsea, they were probably middle class.. we can tell from their teeth they had this in their diet, so you can kind of almost, see this ghostly apparition rising out of a skeleton.. and you know there it seems to me that that equation between the medical and the human knowledge goes in the opposite direction where the more that the medics tell us about this the more humanity and the more the human values of these, these, gone people come back together. [CPG]

In this interview the actor describes the display of human remains, and the skill of the medical professionals, as actions that will "bring them back to life." This is a clear attempt to re-legitimise the skill of osteologists and medical professionals working on human remains as research objects, through a motif of bringing the human remains back to life. In this extract, it is possible to identify an attempt to authorise the display and research on human remains, as uniquely humanising and informing of the past lives of these people. Crucially, the claim that is made by this curator is that the scientific approach of osteologists and medical professionals is best placed to discover this information.

Conclusion

I began this chapter with a critical discussion of the emerging literature that argues human remains are agents. The rest of the chapter argued that human remains are an effective symbolic object that can locate these issues due to unique properties of human remains, and broader contemporary social influences on the cultural meanings of human remains. I argued that the materiality of human remains and their liminality mean they are always provoking and potentially manipulable as a symbolic object. In other words that there *is* something special and unique about human remains as opposed to objects. But crucially, I explained that how this is interpreted and granted meaning is enacted by the living, and historically contingent. I outlined three important social influences on the meaning of human remains in this study: the scientific view of the body, the rise of the body as a site of identity, and the body as a site of political struggle. I argued that these ideas informed and gave purchase to the argument that human remains are a special object that should be subject to concern. I concluded with a discussion of these ideas in conjunction with my empirical material, to establish that the uncertainty about clinical detachment has moderate purchase, and can be identified in a growing attempt to humanise the scientific outlook towards dead bodies to re-legitimise the research and display of human material.

CONCLUSION

The scholarly literature on disputes over human remains and cultural property tends to focus on contestation in America, Australia, Canada or New Zealand. In the main the struggles over human remains are analysed as influenced by indigenous movements in the respective countries (see for instance, Jones, G., 2000; Barkan & Bush, 2002; Phillips & Johnson, 2003; Hole, 2006, 2007). This thesis contributes to the gap in the research on the emergence of the problem in Britain and how it was influenced. Taken together, these chapters considered how, by whom and why, human remains in British collections were constructed as an issue of concern to the sector.

Chapter Two explained that the diffusion of the problem from overseas to the UK was facilitated by issue entrepreneurs in the archaeological and museum profession in America and Australia into Britain, through direct relationships, coupled with the ideological receptivity of museum professionals. I analysed the framing of the problem and it's expansion, the process of claims making, the claimsmakers, and the institutionalisation of the issue. I established that the problem of human remains was initially framed by a discourse of reparations. The focus on the repatriation of material from overseas communities was promoted as necessary to make amends for colonisation and, it was argued, would have a positive therapeutic impact on communities. The rhetorical idioms of reparations, making amends, suffering and harm, used by activists gave their claims authority due to the broader influence of reparations thinking and therapy culture. The problem of overseas human remains removed during colonisation was expanded by campaigners, who linked to contemporary controversies over body parts. Whilst the frames and aims were strongly contested, primarily by scientists, on the whole the value of science was juxtaposed, firstly, to the more immediate and therapeutic needs of communities and later, and more loosely, the need to 'respect' human remains. I argued that the motif of respect is a way of conveying the idea that human remains require special treatment, without clarifying what this is or why. The respect motif is driven by concerns about professionals and reflects their own uncertainty about their actions. I established that the process of linking to historical wrongs and different body part problems and the rapid endorsement of these problems through activists, policy and legislation, has led to a situation where the holding of human remains is considered problematic by professionals. The claims were rapidly institutionalised through a number of government committees, including the support of the Prime Minister, legislation, and museum policy, as well as the incorporation of the claimsmakers arguments into decisions pertaining to human remains in previously resistant museum institutions

In Chapter Three, Chapter Four and Chapter Five, I argued that the promotion of the problem by museum professionals is the most significant influence on this contestation. In Chapter Three, I related the campaigning on the problem of human remains by members of the sector, with a crisis of cultural authority. I first outlined the external influences on the museum profession which stimulated this crisis of cultural authority. I charted the internal influences on the remit of the museum, arguing that new

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museology; a body of critical thinking on museums, exemplifies the self-scrutiny within the profession, and an attempt to re-orientate the purpose of the institution by the sector in response. I demonstrated that the problem of human remains emerged in conjunction with these ideas. I reviewed the literature on museums which has reflected on these social and intellectual influences discussed and, theorists suggest, the consequent shifting ethos of the institution. I argued that it broadly overlooked and underestimated the role of members of the sector themselves in the questioning of the cultural authority of the museum. In particular, the common characterisation of challenges to the institution as resulting from external influences that clashes with a resistant profession, neglects an exploration of the significant internal influences on such contestations.

Chapter Four examined my empirical material in more depth to explore the internal influences further. I established that the problem of human remains is driven by members of the museum profession whose underlying target is their own foundational authority. I ventured that members of the sector are involved in this problem as a way of defining themselves against the traditional idea of the museum. I concluded that the attempts to resolve the problem of the contestation over human remains, and indirectly the crisis of cultural authority, possible solutions have a provisional and limited quality, because members of the sector continue to disown and question their authority. Whilst Chapter Four established that there was a significant internal focus stimulating the debate over human remains, one limitation with my research, is that I did not explore further the possible disciplinary differences that may have contributed to the contestation. Whilst the material I discussed indicates that many actors with scientific training were advocates of changes in the way human remains are treated in museums, the majority - 4 - of the remaining 6 resistant professionals, also had scientific training. Further research should consider in greater depth, the differences with the museum profession on the basis of training and their disciplinary backgrounds. One potential way to pursue this problem would be to take another case study approach in an institution that has historically been strongly linked with the foundational purpose of the institution, such as the Natural History Museum, where there is a firm commitment to scientific research and where there might be greater resistance to the problem of research on human remains than I was able to identify and explore.

Chapter Five, was the case study of Pagan claimsmaking. I argued that the prevailing cultural climate surround human remains created the conditions for the formation of HAD. I explained that the diversity and fluidity of Pagan beliefs, as well as the value they place on the past, created difficulties in the framing of the problem by activists. Despite these limitations, HAD have been consulted with and instrumental in the shaping of an exhibition with Manchester University Museum. I argued that professionals at this institution have been highly positive towards HAD's claims, because it met the agenda to challenge professional authority, driven by a couple of issue entrepreneurs. The target of critiquing professional authority would seem to be unsatisfied for these issue entrepreneurs, as their plans to pursue this problem with the problematising of the popular Egyptian mummies would demonstrate. The response of the rest of the sector to HAD has been more ambivalent, but I ventured that an inability to draw the line regarding who should be recognised and why, means that challenges to

their authority have an influence which professionals find difficult to halt. A small comparative study could be conducted on the claims made on and to response to the covering of Egyptian mummies at Manchester University Museum. A cursory examination of the reaction to these actions reveals strong public antipathy to the covering of the mummies. Analysing the consequences of this public resistance on the problem would be revealing in charting further construction of this issue.

The findings of this research contributes to the theoretical literature on museum institutions. It is widely theorised that museums contribute to the cohesion and reproduction of capitalist society (Merriman, 1991). The institutional critique of the gallery articulated by French sociologist Pierre Bourdieu could be referred to as the dominant ideology approach to state sponsored cultural institutions (1984, 1996). The development of museums in Western societies, it has come to be argued by a number of scholars, occurred in specific historical circumstances and actively supports the dominant classes, maintaining the status quo as natural (see for instance, Duncan & Wallach, 1980; Sherman & Rogoff, 1994). Gordon Fyfe (2006) has suggested that this perspective has problems due to recent developments. He notes that this function is resisted by audiences who have grown and broadened through the expansion of visitors. Fyfe also observes that the growing diversity of museums means that the consideration of these organisations as in the service of reinforcing the dominant ideology needs reconsideration. Theorist Tony Bennett, however, argues that these institutions are still in the service of government. He writes that the involvement in the politics of recognition and the prescriptive social character of contemporary cultural policy bears some resemblance to the Victorian moralism of the nineteenth century, which regarded culture as a tool to fashion correct behaviour and attitudes. In a similar vein, Nick Prior (2006) makes the case that whilst there is a degree of reflexivity in institutions in recent times, they can still be considered institutions that promote the dominant ideology and are in the service of the state. I make a different observation in this thesis which also relates to this question. The cultural authority suggested by Bennett and Prior as like that of the past because it is still in the service of government today, is profoundly different because it lacks legitimacy. The museum of the Victorian period may have operated in the service of government, but the sector did not constantly question its role and position. It did not hold that truth and cultural value should be constantly under attack. The museum of the present period, may promote a role that is in the service of government, as Bennett contends, but it is one that congruently questions the legitimacy of the institution to do this.

The distinctive finding of this thesis is that the museum institution cannot account for itself in terms of cultural value, and it is unable to demonstrate its authority. As we saw in Chapter Three, the demonstration of authority is identified as essential to legitimacy (Weber, 1968; Arendt, 1977; Sennett, 1980). If, as cultural theorists such as Stuart Hall argue (2001), and the empirical research of Chapter Four and Chapter Five would suggest, the museum will continue to be questioned and under attack, it is thus unlikely that the problem of cultural authority is easily resolved and legitimacy secured. The observations I have made regarding the unresolved problem of cultural authority are the most important for future consideration. The museum may still aim to perform the functions of the cohesion and reproduction of society's values, but professionals in this sector may also continue to question their

authority to do so. This leaves the remit of the institution open to challenges from outside and within the sector, either from new claimsmaking groups or issue entrepreneurs in the profession, making its remit highly unstable. Exploring the implications for an institution which continually questions its position would be a fruitful area for further thinking about authority and legitimacy. This study concentrated on museum institutions, but many of these issues may play out in other organisations and institutions concerned with the production of knowledge, culture and education. It would be interesting to see to what extent the internal influences discussed in Chapter Three may also have influenced other arts organisations, and it could be hypothesised, organisations such as schools or universities. In this way the identification in this research of the significance of the internal aspect of, and the influence of a crisis of cultural authority, may serve as a starting point for similar or related problems in other spheres.

Chapter Six began with a critical discussion of an emerging literature that argues human remains are agents. The rest of the chapter argued that human remains are an effective symbolic object that can locate these issues due to their unique properties and broader contemporary social influences on their cultural meanings. I outlined that the materiality of human remains and their liminality means they are always provoking and potentially manipulable as a symbolic object. Crucially, I explained that how this is interpreted and granted meaning is enacted by the living, and historically contingent. I suggested three important social influences on the meaning of human remains in this study: the scientific view of the body and the rising distrust towards this outlook, the rise of the body as a site of identity, and the identification of the body as a site of domination and political struggle. I argued that these ideas informed and valorised the argument that human remains are a special object, to some extent. I concluded with a discussion of these ideas in conjunction with my empirical material, to establish that the concern about clinical detachment has purchase with some in the sector, and can be identified a growing concern in humanising human remains. This has subsequently been appropriated by scientists and curators of human remains in an attempt to reauthorize their work. The attempts to relegitimise scientific research on human remains by the identity work it can perform through accessing the body is a trend that would also warrant further scrutiny.

This thesis argued that the construction of the problem of human remains was not the product of public actions or attitudes. However, I did not explore public attitudes towards human remains in museum institutions. Whilst there is no evidence of a public demand for treating human remains with new sensitivity, and thus I did not concentrate on this as an influence, the final chapter, which raises the question of the significance of the body in the late modern period on attitudes towards the display of human remains, does touch on the question of public attitudes. This question points to a potentially rich seam of further study on public attitudes towards the use and display of human remains. It would be interesting to explore the ideas I chart, but do not expand on, about the significance of the body in relation to identity and as a site of significance for political struggle, or ideas about the use of this material in different contexts.

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