

# **Guidelines On Policy For Human Remains In Surrey Museums**

## **Introduction**

‘The question of human remains in museums is a developing issue’ (Museum Ethnographers Group *Recommendations on Professional Guidelines Concerning the Storage, Display, Interpretation and Return of Human Remains in Ethnographical Collections in United Kingdom Museums*, 1991, section 1:5)

‘Why is it that the interpretation and care of human remains...has received so little open discussion in Britain?’ (*Museums Journal* March 1993).

These guidelines are intended to open discussion on the conflicting interests involved in the treatment of the dead. There has been no intention of offering a single solution for all Surrey museums. ‘Each museum will establish its own policy on these matters’ (Museum Ethnographers Group 4.10)

There is, however, a common denominator for curatorial decisions in this area. This is provided by the Museums Association *Code of Conduct for People who Work in Museums* (second edition, 1997). Section A4 of the Code states that

‘You should encourage and assist your employer to take account of:  
the law;  
other current thinking on the subject;  
the interests of actual and cultural descendants;  
the strength of their relationship to the remains;  
the remains’ ownership;  
their scientific, educational, cultural and historical importance;  
their future treatment.’

The guidelines in this document follow the plan of the MA Code. They do not claim to offer a uniform solution; instead, they aim at a mutually agreeable framework within which each museum can decide how best it should respond to the dead. It is expected that diversity in this area will continue to be a fact of life in museums.

## 1. The legal situation

'The law recognises no property in a dead body' (Halsbury's *Laws of England* para 1019). This principle was established in 1857 (*R. v. Sharpe*) and remains in force, although modified by specific considerations relating to dissection. The use of dead bodies for therapeutic purposes or for purposes of medical education or research is covered by the Human Tissue Act of 1961.

Unauthorised disinterment of dead bodies is a common law misdemeanour. Section 25 of the Burial Act 1857 requires a licence for such disinterment to be obtained from the Home Office. When people are dug out from an active church under a faculty, church law requires their reburial. There are no analogous rules for those found away from churches.

Although dead bodies cannot be owned by anyone, there may be rights of possession and custody in them. (Davies' *Law of Burial*). These rights are incident to the duty to dispose of the body. 'The person upon whom the duty of disposing of a dead body falls is guilty of an offence if, having the means, he fails to discharge the duty. It is an offence...to prevent or conspire to prevent the burial, in a lawful and decent manner, of any dead body' (Halsbury 1018).

This probably does not imply that museum curators should face jail sentences *en masse* for their neglect of the dead. It does show that the law, as at present constituted, treats all dead people in the same way, and thinks of them in the same way as the newly dead – people with executors and relatives, whose bodies may be the subject of public health and other concerns which do not relate to archaeology.

In future, the law may be modified to take notice of the particular circumstances of archaeology and museums. However, it is unlikely that it would change to recognise property in the bodies of some people, but not of others. It is more likely that the duty of custody will be extended to cover the aims and objectives of museums. Such a formulation would not give museums title over the bodies of dead people, but it would allow them a prior right to hold those bodies provided that they were doing so to fulfil their aims of scholarship and education.

## 2. Current thinking

### 2.1 Respect

In the *Iliad*, Achilles ties the dead body of Hector to his chariot, by the heels, and drags the noble corpse around the walls of Troy. The people who see him, and even the gods, are horrified. At night, Priam leaves the city and begs the killer of his son to return the mangled body so that at least he can bury it with dignity and the proper rights.

It is an old story. What matters is the feelings which it has aroused in generations of readers - 'a profound pity and revulsion' which could be quoted, three thousand years after Homer's day, by a journalist who was outraged at the commercial sale of a Maori head as a display item (Bernard Levin, *Heads You Lose*, 1990).

The human body is a paradox. Objectively, it is a thing like any other thing. Subjectively, it is part of ourselves. Like someone in a coma, a dead body has left the world of social interaction and perception, but not the world of social relationships. The violation of ethical constraints through treating a dead person as a thing has been a theme of world literature from Homer to Joe Orton.

Respect for human remains is upheld in museum codes. 'Guardianship of human remains is a difficult issue for all those involved' and the museum 'should exercise a high degree of sensitivity in all its discussions and actions' (MA *Code of Practice for Governing Bodies* (1997) 2.8). Similarly the MGC *Standards in the Museum Care of Archaeological Collections* (1992) require that 'the museum should be sensitive to the issues involved in the curation of human remains'. The Home Office licence for disinterment requires that the bodies of the dead 'be treated with the utmost respect at all times'. Among other bodies, the York Archaeological Trust have a complex procedure which looks into the status and probity of an applicant and the academic standards of their work before they are allowed access to human remains. Researchers who show insufficient respect may be evicted. Clearly dead bodies are not being regarded as objects like other objects.

Kant's categorical imperative, often used as a basis for thinking about ethical issues, was the principle of individual autonomy. People ought to be treated as ends in themselves, not as a means to other ends. However, abuse of the bodies of the dead has often been justified by claiming that those treated in this way were not really human at all. Instead, they were categorised as slaves, savages, inferior races – people whose bodies could be used for any purpose, living or dead. Museums have also behaved in this way. For instance, the museum at Barcelona held the stuffed body of a black man in its wildlife section until protests were made on the eve of the Barcelona Olympics.

This is not modern archaeological practice. But any kind of public display infringes the principle that human beings must be seen as ends in themselves, and not as a means to other ends (however worthy). Scientific, educational, cultural and historical utilisation of their bodies is not a straightforward matter, but one which needs to be justified in the light of other, conflicting ethical principles.

## 2.2 The wishes of the dead

The Vermillion Accord, passed at the World Archaeological Congress in 1989, states (section 2) that 'respect for the wishes of the dead concerning disposition shall be accorded whenever possible, reasonable and lawful, when they are known or can be reasonably inferred'.

Most if not all people whose bodies are currently in museums did not want to be there. 'Many cultures had an intense dread of having their tombs or remains disturbed' (Paul Bahn, 'Do not disturb? Archaeology and the rights of the dead', *Oxford J. of Arch.* 3 (1984) 127-139). Dead people are not able to supervise the arrangements of their own funerals - they depend on the living to carry out this duty. A failure to bury someone as they intended, like other failures to carry out the wishes of the dead, is a breach of trust. Treating the body in a way which was clearly not anticipated, such as archaeological excavation, is also a failure to keep trust with the dead.

It should be borne in mind, however, that archaeologists usually disturb graves as part of rescue excavations. By the time that they are called in, it is no longer an option to leave the dead undisturbed. Exhumation will take place: it may be done in a context of scientific research, or it may be done with much less consideration.

The dead, however, forfeit their claim to the consideration of the living if they make unreasonable demands on us. This is an ethical principle which has already been worked out in relation to wills and other instruments for bestowing property after death. It is also possible that claims made by the dead, originally felt to be reasonable, may be found unreasonable under altered circumstances. This moral justification is often quoted when people are to be exhumed from cemeteries which stand in the way of some socially beneficial building scheme. In practice this claim is often flawed by the fact that 'socially beneficial' developments are also hugely profitable; but the principle still stands. Curation in museums may, or may not, be an act of such benefit to society that it overrides the dead person's wishes. Since museums are recent developments, it is clear that most dead people cannot have expressed a specific wish not to end up in them. But whatever museums are, they are not graves, and it is in the grave that most people have always wanted to rest.

## 2.3 Religion

There is an extensive literature on death, and responses to the dead body, in different societies. Since nobody knows what is going to happen to us when we are dead, there is considerable scope for speculation. Ideas about death also involve social models of what constitutes personality among the living.

Burials found in the UK are normally pagan, Jewish or Christian. In late pagan tradition, different aspects of an individual's social relations were seen as having different destinations after death. The body maintained a physical existence in the grave, at least until decay had ended. The shade was a kind of diminished personality retaining an ability to act and suffer; and other elements of the individual's social being, such as fame or reputation, could enjoy an independent existence. The welfare of the shade depended directly on the treatment of the body, and would be injured by a failure to respect it.

Jews have not traditionally showed such concern for the fate of the individual after death, but have been rigorously concerned with the proper treatment of the body. Burials should take place immediately, and remain undisturbed. Immediate reinterment was called for in the 1983 excavation of the mediaeval Jewish cemetery at York. The Chief Rabbi spoke of 'the reverence due to mortal remains which once bore the incomparable hallmark of the divine image' (*The Times* 11 Jan 1984)

Early Christian doctrine divided the identity of believers into body and soul. A human being was a conjunction of these two elements, neither of them able to exist autonomously. At the Resurrection, the souls and bodies of the dead would be miraculously reunited – whatever had happened to the body in the interim. Together, they would become integrated human beings again before the Last Judgement.

The Resurrection has never been deleted from the Creed, but it is of much less concern to Christians than it used to be. The soul is increasingly seen, not as a fragment of the whole, but as an autonomous personality. During life it occupies a body, which it will discard at death. The metaphor of the body as a suit of clothes, put on and then discarded when worn out, is often used. The beliefs of modern Western materialists are very similar. They see human personality as a set of mental capacities for which the body is a physical vehicle. At death, the mental activity ceases and the body is no longer of importance.

None of these beliefs about death can prove that it is a more reliable account than the rest. An ethical policy on human remains cannot trust to one of them being true, and the others false – especially when the selected 'true' belief is one which was not shared by the dead person. The Western materialist viewpoint is often represented as reality, while other models are categorised as beliefs. This is ethnocentric: twentieth-century views are constructions, like any other.

Religion is often used to justify a double standard in the archaeological treatment of burials – for instance, amongst Jews and Muslims in the Middle East, or in areas settled by Europeans. In America a dual standard, which protected the graves of Christian settlers and did nothing for those of indigenous peoples, was the norm until the Native American Grave Protection and Repatriation Act came into force in 1990. In the UK it has been argued that 'inherent racism is still reflected in our institutional structures: different standards have commonly been applied to human remains from historical Britain and those from both past and foreign cultures' (*Museums Journal* March 1993).

### 3. The interests of descendants

Current ethical guidelines for archaeological curators draw very heavily on the previous experiences of their ethnographer colleagues. These place great value on the involvement of actual or cultural descendants. For instance, the core document, *The Code of Practice for Museum Governing Bodies*, refers (2.8) to 'a proposed restitution of human remains', implying the existence of some social group that the bodies are to be restored to. It is defined as 'a specific community or area'. This could be understood as a country parish in the UK: certainly this is the perspective taken by Historic Scotland, in their *Treatment of Human Remains in Archaeology* 4.8, when they speak of considering 'any views expressed by the local community or of any claimant to family relationships'. The MGC *Registration Guidelines* (1998) state that 'a museum's governing body, acting on the advice of the museum's professional staff, may take a decision to return human remains... to a country or people of origin' (4.2.6). This policy is clearly thinking of the retention of human remains from other countries in UK museums, rather than those exhumed by the work of archaeologists in Britain.

The leading role of ethnographical collections in defining the ethics of human remains is the result of historic circumstances. 'In 1868, the body of the last full-blooded Tasmanian was fought over by rival teams of physicians; one made a tobacco pouch of his skin. Horrified, the last Tasmanian woman left a will asking to be cremated and buried at sea. The will was ignored for 40 years while her skeleton hung in a museum... Scientists who wish to study archaeological finds are struggling to deal with the legacy of distrust and suspicion' (Andrew Sillen in *Mail & Guardian* 1998).

'Human remains in museum collections were often acquired under conditions of unequal relationships... The claim for the return of human remains may in some circumstances be a method of political self-assertion' (Museum Ethnographers Group *Recommendations* 1.4). In this way, two separate issues – the rights of the dead, and those of the living – are treated as a single package.

This leads to confused thinking, both amongst those who advocate reburial and those who oppose it. Opponents of the practice may not have a free hand – in the USA they are overruled by NAGPRA, and in Australia and New Zealand by political pressure. This makes it difficult for them to make a clear ethical case for keeping the unburied dead as the subjects of research. It also leads to the kind of sullen rhetoric employed by one Australian physical anthropologist, who described the reburial of some people from Kow Swamp as 'a triumph of bureaucracy and irrationality over prudence... black intellectual totalitarianism' (D.J. Mulvaney, 'Past regained, future lost: the Kow Swamp Pleistocene burials' *Antiquity* 65 (1991) 12-21).

On the other hand, those museum curators who have supported the reburial of people from indigenous populations tend to approach the issue, not as one of ethical standards, but of good public relations. Human remains are seen as being 'owned' by the people who have come to request their reburial. In this way the duty to show them respect ceases to form part of the moral relationships between the living and the dead, and becomes a gesture made by Western liberals to the colonial Other.

The disputes which have arisen between colonial and indigenous peoples arise under very different circumstances from those prevailing in English archaeology. They have nevertheless influenced thinking in this field: for instance, the text of the MA *Code of Conduct* derives from the recommendations of the Museum Ethnographers Group (1991), which are cited in that document as examples of best practice.

'It is the responsibility of the curator to assess the validity of the person or group making requests', say the Museum Ethnographers Group, section 4.2. But what constitutes validity? 'Who are cultural descendants? Are they those who still follow a particular belief system; who maintain social rules relating to marriage, inheritance or allocation of political office; who speak a particular language; or who still derive part of their livelihood from hunting? Can it mean people with any distant hereditary link? Can they impose a morality on museums that may be obsolete for themselves?' (*Museums Journal* January 1996).

These questions do not absolve museums from ethical responsibility for the dead people in their care, but they do mean that it is not good enough to find an 'indigenous' group and shoulder the moral responsibility onto them. The much-reported case of Kennewick Man shows as much. This individual was found washed out of a river bank in the territory of the Umatilla Indians in Washington, and his remains were taken into custody by forensic anthropologists. His body is of immense scientific importance, since it shows that people of Caucasian ethnic type were in the area in the 8<sup>th</sup> millennium BC. The Umatillas want to bury him, and under NAGPRA they have the right to bury any pre-European inhabitants of the area. The physical anthropologists contest this, stating that he has no actual or cultural link with the tribe. This would seem to be a case which calls for a universal ethic of human rights, rather than specific and politicised claims of moral 'ownership'.

#### **4. The importance of research**

‘Canadian and American associations of archaeologists and physical anthropologists are diametrically opposed to arguments for universal reburial of all skeletal materials in museums and universities... The call for a moratorium on research and reburial of all skeletal remains is compared to censorship and book burning’ (*Museums Journal* March 1993).

Scientific study of human remains is normally accepted as a legitimate activity. The World Archaeological Congress has specifically called for ‘respect for the scientific research value of... human remains... when such value is demonstrated to exist’ (Vermillion Accord 4).

‘Palaeopathology... which investigates the life history of populations and how lifestyles contribute to the demise of societies, is fast becoming an important research area in British universities. The study of mortality, determined by disease, nutrition and environment, is allied to contemporary medical developments such as DNA fingerprinting’ (*Museums Journal* July 1994). The recent popularity of *Meet the Ancestors* as a television programme shows the strength of popular interest in the work of archaeologists in this field.

Research into the bodies of dead people takes two forms – studies made as part of the post-excavation process, and subsequent research using bodies which have been retained by the museum as an intellectual resource. Post-excavation work on palaeopathology and physical anthropology can continue, even where there is a commitment for archaeologists to rebury people at the end of their enquiries. However, museum scholars would prefer to retain people unburied in perpetuity so that future researchers can study them using techniques, such as DNA analysis, which were previously unimagined. Robin Cocks, keeper of palaeontology at the Natural History Museum, has said ‘One of the chief reasons for retaining the collection is the unpredictability of future research needs’ (*Museums Journal* July 1994).

## 5. Future treatment

### 5.1 Display

It is not necessarily disrespectful for the bodies of the dead to be seen by other people, long after they have received a burial ritual. In many cultures some, or all, of the dead are on view. This was clearly the case in Neolithic long barrows, and continues to be done in many Catholic countries, which have ossuaries in churches and shrines for venerating the relics of saints. In fact some of the arrangements for viewing relics were taken up as design features by early museums.

These practices differ from museum display in motivation. People who expose the bodies of the dead in religious buildings regard them as continuing spiritual presences. Their relationship with them is a personal one - an I-Thou relationship, in Martin Buber's terminology. The response of a museum visitor is much more likely to be objective detachment: what Buber called the I-It relationship. Seeing a person as an 'it' involves particular ethical issues which curators must address.

Curators, according to the Museum Ethnographers Group, 'should take a proactive rather than reactive position with regard to the display of human remains' (3.1). Displays should be evaluated to see if they are offensive, not just to actual or cultural descendants, but to the ordinary moral sense. This relates not just to how a display is set out, but how it will be treated. 'Most visitors approach him with tender concentration, as if peering at an intricate artwork. But I also saw a party of schoolchildren whooping in horrified amazement while hammering on the case. Later, a trio of beery breathed louts cracked jokes as they swayed over the mangled corpse' (Lindow Man – as seen in *The Independent* 15 Feb 97).

The body stands for the individual, and it is possible for bodily parts, such as the head, to represent the whole. In some contexts, such as the relics of saints, any fragment is a synecdoche for the complete person. In other contexts this does not apply: often a distinction is made between flesh in contrast to bone, or between the whole skeleton, assembled as it was in life, in contrast to single bones taken on their own. Curators need to be aware of these differences in perception.

There is also the issue of interpretation. 'Exhibitions in museums carry authority. Curators... should evaluate whether an exhibition is reinforcing existing cultural stereotypes or broadening an understanding of a particular group of people' (Museum Ethnographers Group again – 3.3). Displays should be set out with a clear educational and interpretative purpose, and curators will justify the exposure of dead people as part of that purpose. The Natural History Museum have refused to exhibit the heads of Bushmen – or even photographs of those heads – as part of an initiative by the artist Pippa Skotnes to develop an exhibition on San culture in South Africa. On the other hand, the Museum of London has mounted an exhibition on London Bodies, specifically intended to justify its retention of the bodies of 6,000 people by showing how scientific conclusions can be drawn from examining them.

The policy of Historic Scotland is that 'We will not normally display human remains to the public at our Properties in Care' (5.4 in *The Treatment of Human Remains in Archaeology*). In England, 'of 24 survey respondents... asked if they had removed human remains from display, 17 responded positively. Almost half indicated that this was the result of changes in the attitudes of staff members, one that this had led to a change in official museum policy, and four that it had been the direct result of external pressures. One had consciously omitted human remains from the displays when the gallery was renovated, while another had omitted them purely on design grounds' (Moir Simpson, reporting in *Museums Journal* July 1994)

## 5.2 Storage

Permanent incorporation into a museum collection, though less visible than display, is nevertheless a public statement about ethics. Museums are basically collections of things, and it is contentious to include people's bodies as a resource in this way. However, museums have also worked to restore some of the individuality of the dead, particularly those from prehistory, by making archaeological deductions about their lifestyle, family relations and so on. The situation is still one-sided, in that the bodies of the dead are being used, against their will, to serve the interests of the living. Storage involves prioritising the values of research over the claims of the dead.

Procedures at the University of Otago in New Zealand involve requesting the permission of relevant indigenous groups before holding the remains of their members in store. Permission should be requested from these groups before scientific research is undertaken on human remains, and the results of this research should be shared with the indigenous community. However, they do not have an ethical policy on people whose relatives cannot be traced (*Nature* 386, 1997).

The Museum Ethnographers Group recommend 'the provision of separate storage facilities' (2.2) when ethical interests collide. A precedent for this has been set in Australia by the provision of Aboriginal Keeping Places, although these are intended for the storage of sacred objects and not of human remains. In the Moira Simpson report, 9 of the 24 responding museums had placed human remains in separate stores with restricted access. Historic Scotland have said (policy 4.2) that 'following recognised archaeological and museum practice, we will expect human remains to be stored separately from other excavated finds'; they do, however, propose (4.10) that artefacts found in association with the bodies of the dead should remain with them.

Some churches have negotiated with archaeologists for the return of the dead, after scientific study, to a consecrated vault. In this way their bodies are not lost to future claims for exhumation, but they are returned to consecrated space. Solutions of this kind recognise the distinctiveness of human remains: 'a curatorially-labelled cardboard box on a shelf in a museum store is not an appropriate final resting place' (*Museums Journal* September 1999)

In the long term it might be more effective for museums which do intend to hold onto human remains to pool their resources. They could provide a common store where the bodies of the dead might be kept as respectfully as is possible under the circumstances, and would be separate from the typical museum collection of objects.

### 5.3 Reburial

Reburial is increasingly as a response to pressure for respectful treatment of human remains in post-colonial societies. The Australian Aboriginal Association has, since 1984, advocated the reburial of known individuals according to their wishes, if recorded, or those of their relatives. Federal archaeological policy in Canada states that bodies found by archaeologists should be referred to the closest living Native group for analysis and reburial. In the USA, the Native American Graves Protection and Repatriation Act has required museums in receipt of federal funding to prepare detailed inventories of human remains in their collections and to return known individuals to appropriate Native groups.

Israel is so far the only non-colonial state to enact specific legislation for the reburial of people exhumed by archaeologists. The 1997 guidelines interpreting the 1978 Antiquities Act require the removal of all people buried in the last 5000 years from museum custody.

According to the latest statement from the MA's ethics adviser, 'there is no compelling reason not to do the decent thing and rebury' (*Museums Journal* September 1999: 17). In the UK, when eighty Scottish archaeologists and museum professionals were approached for their views, 'a significant majority recognised that, under certain circumstances, the reburial of human remains after study should be accepted' (*The Treatment of Human Remains in Archaeology*). Following this, Historic Scotland agreed (policy 4.7) that 'we may agree to pass on human remains for reburial after scientific studies have been completed, provided we are satisfied that the request is reasonable and well-grounded'. However, the document goes on to authorise religious discrimination. The burial of Christians – specifically 'late mediaeval, post-mediaeval or modern human remains' – will 'occasionally be considered appropriate' (4.7) while followers of earlier religions do not receive the same treatment (4.9).

In their *Guidelines for the Disposal of Archaeological Archives*, the Society of Museum Archaeologists consider the issue of reburial, although they look at it from the viewpoint of collections care rather than ethics. Their primary concern is that the bodies of the dead should be identified in such a way that a later exhumation should be possible, if desired. In the same spirit, the MA advise that a full record be made of the material and its context, the results of any scientific investigations, the decision-making process and the location of the reburial.

Reburials are rituals of a quite different kind from the original burial, even if they draw on authentic liturgical details for inspiration, as can be done for mediaeval people. At a reburial there are no mourners and no knowledge of what the dead person expected. This suggests that any attempt to produce a stripped-down, all-purpose ritual for the reburial of the dead will be artificial, even when the ceremony concerns those who died so long ago that a reconstruction of their original funeral rites is impossible. During the recent reburial of Joan Wytte by the Boscastle Museum, religious references of all sorts were avoided since her original intentions were unknown. The reburial of a man from the Bronze Age site of Dan-yr-Ogof led to controversy, not about the ethics of this action, but about the religious affiliations involved in the ritual (*Times* 22 October 1999)

There are more precedents for Christian reburial ceremonies than for those for other faiths. Research into the bodies brought up with the *Mary Rose*, and those of clerics disinterred in archaeological work at St. Albans Abbey, both ended with well-attended ceremonial funerals which used the language and imagery of pre-reformation Catholicism while being conducted in an Anglican church.

#### 5.4 Research

‘Before any transfer takes place, items should be fully documented’ (Museum Ethnographers Group 4.9). Research will ordinarily have formed part of the post-excavation process, but special consideration must be given to it when a policy on human remains is being formulated.

If the museum intends to retain human remains in its collections, it must do so for scientific and educational purposes. This means that, if research has not already been done on the bodies, it ought to be done now, otherwise their retention cannot be justified.

If the museum intends not to keep bodies, then the need to support research is still greater. Once the dead are reburied – even allowing for the provisions made by the Society of Museum Archaeologists guidelines – it is unlikely that they will be disturbed again, and the scientific community will have lost its immediate access to them. The work done in studying the bodies should therefore use, as far as is reasonable, all the techniques of modern forensic examination.

The level of scientific examination which can be considered reasonable will vary according to the archaeological value of the burial. Individuals whose remains have been found without context, date or associations will require basic osteological examination. Those who come from cemeteries where there are clear indications of chronology, burial ritual, relationships between burials and so on will need much more exhaustive study. Museums will have to set a framework for forensic examination based on these criteria.

Prior notice should be given to the scientific community in archaeology and museums that the bodies of the dead will be reburied, in order to allow researchers with special skills or interests a reasonable period of time in which to make their enquiries.

## 6. Proposals

These notes offer a template within which each museum can draft its own policy on the treatment of human remains. It is expected that these will vary widely, but three key issues have been identified. These are: -

- 1. Collective Responsibility.** Decisions about human remains should be made by ‘a museum’s governing body, acting on the advice of the museum’s professional staff’ (MGC *Registration Guidelines* 4.2.6) and not by staff alone. In the case of local authority museums, it is particularly important that a decision should be made by a publicly elected body which is seen to embody the shared moral sense of a community.
- 2. Recognition of Conflicting Interests.** There are ‘potentially competing interests’ in the treatment of human remains, ‘which may not always coincide’ (Museum Ethnographers Group 1.3). It should be recognised that a museum’s governing body will have to make a choice between essentially incompatible ethical claims.
- 3. Equal Standards.** ‘Respect for the mortal remains of the dead shall be accorded to all irrespective of origin, race, religion, nationality, custom and tradition’ (Vermillion Accord 1). ‘The appropriate care or return of particular human remains must be resolved by individual museums on a case by case basis’ (Museum Ethnographers Group 4.10), but care should be taken that this does not involve preferential treatment for one social group at the expense of another.
- 4. Openness.** A museum should make its policy clear before accepting material from excavations in which human remains have been treated as part of the archive. The museum policy on the study, storage and reburial of the dead should be made known to the public in advance of individual decisions.

In addition to these key issues, there are areas in which museums are likely to vary from each other in policy. Each museum should make sure that it has its own written policy, duly authorised by the governing body, which covers the following areas: -

- 1. Duty of Custody.** Museums hold human remains in custody for the purposes of education and research. They should make it clear whether custody will be permanent, or will last for a specified period during the post-excavation process.
- 2. Ethics.** Museums should have a policy which justifies their actions in terms of human dignity, respect for the wishes of the dead, and concern for the religious beliefs of the dead.
- 3. Descendants.** Museums should have clear rules by which actual or cultural descendants of the dead can be identified, and should have a policy which will enable them to deal consistently and ethically with these descendants.

4. **Research.** Museums should clearly state the value which they place on scientific research into the bodies of the dead, and should be prepared to deal with ethical conflict between this and other interests.
5. **Display.** Museums should establish under what circumstances, if any, they are prepared to put human remains on display.
6. **Storage.** Museums should, individually or collectively, make arrangements by which the human remains in their custody can be stored with appropriate respect.
7. **Reburial.** Museums which propose to rebury the bodies of the dead should show that they will do so only after they have received scientific examination, at a level appropriate to their archaeological importance.