

Request for Repatriation of Human Remains

Dossier Item 1: Departmental Report

The Tasmanian Aboriginal Centre in conjunction with the Australian Government has requested the return of two cremation ash bundles from Tasmania.

1. Object information

- 1.1 The two objects requested are cremation ash bundles from Tasmania, registered as Oc1882,1214.1 and Oc1882,1214.2. Both are thought to date from about 1838.
- 1.2 They were both donated by the Royal College of Surgeons, having been previously in the possession of Dr Joseph Barnard Davis. They were originally collected by George Augustus Robinson.
- 1.3 The bundles are both made of animal skin, tied with three ply string. They are likely to contain ashes collected from a human cremation site, rather than all the ash from a human cremation. They were examined in about 1960 by J.B Plomley of the University College, London, who reported that the contents are 'partly charcoal and dust, and partly unburnt vegetable matter' (1962:10).
- 1.4 Ethnographic evidence collected by Robinson himself indicates that the bundles were used as amulets against sickness by their owners, that they were highly valued for their efficacy.
- 1.5 Entries from Robinson's diaries suggest that he had considerable difficulty in obtaining the bundles for his collection, because their owners were unwilling to part with them.
- 1.6 Oc1882,1214.1 was obtained from a named individual, Killupey.

2. Significance and publications

- 2.1 These are the only two objects of their kind known to exist, and are unique. Further they provide evidence for a revised view of the occurrence of a specific technology, three-strand twining, in Australia.
- 2.2 The act (UK Parliament Acts/H/Hu-HZ/Human Tissue Act 2004 (2004c/Part 3 Miscellaneous and General 47/Power to de-accession human remains (sections 2 &3) specifically includes 'power to transfer the thing with which the human remains are mixed or bound up' when 'it is undesirable, or impracticable to separate them'. The objects therefore fall within the meaning of the Act.
- 2.3 The human ash bundles have been well documented, published, studied and recorded; images are held for permanent retention, and it does not seem likely that there is anything new of major significance to be learned.

Bibliography:

Plomley, N.J.B, 1962. *Aboriginal material in collections in Europe. Records of the Queen Victoria Museum, N.S. 15: 1-18*

Plomley, N.J.B, 1966. *Friendly Mission. The Tasmanian journals and papers of George Augustus Robinson 1829-1834. A Supplement. Tasmanian Historical research Association. Hobart.*

Roth, H.L. 1899. *The Aborigines of Tasmania. 2nd edn, King & Sons. Halifax.*

Sculthorpe, G. 1990. *The ethnographic collection of George Augustus Robinson. Memoirs of the Museum of Victoria, 1(1):1-96*

3. Background to request

- 3.1 George Augustus Robinson had administrative responsibility for Tasmanian Aboriginal communities from 1829 until 1839. During this period these communities suffered very considerable population loss. Robinson is remembered with antipathy by contemporary Tasmanian Aboriginals.
- 3.2 The Tasmanian Aboriginal Centre submission on these objects suggests, with some justification, that Robinson acquired these two cremation ash bundles against the wishes of their owners.
- 3.3 For Tasmanians today, the existence of Tasmanian human remains in museum collections embodies all the pain of dispossession and genocide which they experience in reflecting on their colonial history.
- 3.4 The Tasmanian Aboriginal Centre (TAC) has sustained a long campaign for the return of all Tasmanian human remains, implementing research, requests, negotiations and ultimately effecting the return of remains.
- 3.5 The TAC has made requests to the British Museum for the return of these remains in 1985, 1994, 2001, and 2002. Unfortunately, until the passing of the Human Tissue Act none of these requests could be given serious consideration, because the Trustees did not have a power of de-accession.
- 3.6 There is a strong impetus for the return of identifiable human remains in Australia. Most Australian state museums have returned all Aboriginal human remains for which a specific location and community can be identified. Most have been reburied.

Two Tasmanian human ash bundles: catalogue information from Merlin

Oc1882,1214.1

PRN: EOC5442

Cremation ash bundle. Ash contained within a circle of animal skin (rather than of bark, as described in original registration), with evenly-spaced cuts around the edge of the skin, a three-ply string threaded through the cuts and tied, drawing the edges of the circle together. The surface is blackened by ash.

Date: 1838 (?)

Bibliography: Sculthorpe 1990

pp.42, 45, plate 4

Bibliography: Plomley 1962

pp.3-4, 10-11

Bibliography: Roth 1899

p.64 (illustration)

Bibliography: Plomley 1966

p.225

Diameter 17.40cm

Height 5.50cm

Weight 0.3 kg

Found/Acquired: Oceania, Australia, Tasmania

Made in: Tasmania (E)

Oceania, Australia, Tasmania

Donated by: Royal College of Surgeons

Previous owner/ex-collection: Dr Joseph Barnard Davis

Previous owner/ex-collection: George Augustus Robinson

Acquired in 1882

Acquisition notes: Formerly in the collection of George Augustus Robinson, Protector of the Aborigines 1839-1849. Thereafter in the collection of Dr J. Barnard Davis.

Reproduction: MM026938 (items 1 & 2)

Curatorial comment:

Recorded on registration slip: "Marked "Amulet of Killupey" "Malatoft or tupa" June 26th 1838"; "...containing cinerated ashes of the dead..."

Text Plomley 1962, pp. 3-4. Dr. Barnard Davis' collection, (List of ethnological objects collected by the late Geo Augustus Robinson, and purchased of his widow, Mar 29 1867.)

2 amulets made of the cremated bones of the dead V.D.L

Date 08 Jun 2005

Text Mortuary remains. Composite object. Modified human remains. No record of research. Repatriation claim received 1985, 1994, 2001, 2002.

Date 21 Jul 2005

Text G. Sculthorpe 1990, p.42: Plomley (1962:10) has noted the three-ply string cord on the "ashes of the dead" in the Museum of Mankind The three-ply string in the Robinson collection gives cause for reconsideration of the occurrence and distribution of indigenous three-ply string in Australia. Technical analysis may be able to

determine if the fibre of the string is from Tasmania or Victoria.' p.45: 'The relics of the dead from Robinson's collection are the only surviving examples of their kind.'

Date 25 Aug 2005

Text A passage in Robinson's journal for May 25, 1838 could potentially relate to the collection of one of the two cremation ash bundles at the British Museum (1882,12-14.1 and 1882,12-14.2). Plomley (1962) states: 'The date June 26 1838 [on the objects' registration slip] is not one on which a Tasmanian aboriginal died on Flinders Island but there is a reference in Robinson's journal for May 25, 1838 to a native woman called "Ellen" who wore "an amulet a parcel of ashes hung around her throat to alleviate the pain." Robinson had previously seen her with a human bone suspended to her back and had asked her for it, but was refused, Ellen pointing out that he already had one in his office. Ellen died on June 13 and Robinson might well have obtained the "amulet" on June 26.'

Date 26 Aug 2005

Text From Robinson's Draft of an unfinished book, quoted in Plomley 1966.

Observations of the practice of making cremation ash bundles, recorded at Bruny Island 9 July 1829.

'In the course of my rounds this day and whilst passing through the sombre domain of the dead, I observed a native woman where a corpse of a male aboriginal had been burnt, clearing away the debris until nothing remained but the very finest ashes. I was not prepared for this and yet it was evident she had a purpose. Whilst I was thus reflecting I observed she went to her basket and took two circular pieces of kangaroo skin about thirteen inches in diameter having holes perforated on the outer edge, and laid them on the ground; and on these she placed the ashes and then took a cord made of the sinews of the kangaroo tail, passing it through the holes, and drew the parts together, with the fur turned inwards, until the ashes were covered up. It was then tightly laced until the whole was reduced to six inches in diameter and two or two and a half inches in thickness. One of these amulets she gave to her invalid husband, and the other she kept.'

Cremation ash bundle. Ash contained within a circle of animal skin (rather than of bark, as described in original registration), with evenly-spaced cuts around the edge of the skin, a three-ply string threaded through the cuts and tied, drawing the edges of the circle together. The surface is blackened by ash.

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Bibliography: Sculthorpe 1990 pp.42, 45, plate 4

Bibliography: Plomley 1962 pp.10-11.

Bibliography: Plomley 1966 p.225

Bibliography: Roth 1899 p.64

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Height 5.00cm

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Made in: Tasmania(E)

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Source jnewell

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'In the course of my rounds this day and whilst passing through the sombre domain of the dead, I observed a native woman where a corpse of a male aboriginal had been burnt, clearing away the debris until nothing remained but the very finest ashes. I was not prepared for this and yet it was evident she had a purpose. Whilst I was thus reflecting I observed she went to her basket and took two circular pieces of kangaroo skin about thirteen inches in diameter having holes perforated on the outer edge, and laid them on the ground; and on these she placed the ashes and then took a cord made of the sinews of the kangaroo tail, passing it through the holes, and drew the parts together, with the fur turned inwards, until the ashes were covered up. It was then tightly laced until the whole was reduced to six inches in diameter and two or two and a half inches in thickness. One of these amulets she gave to her invalid husband, and the other she kept.'

Tasmanian Aboriginal Cremation Ash Bundles and

The circumstances in which they were collected by George Augustus Robinson

1. Tasmanian Aboriginal amulets

Tasmanian Aboriginal people traditionally wore amulets made from the remains of their dead for their protective and healing qualities. There were two types: bones, including skulls, which were fastened to the body with a cord of plant fibre; and small bags of animal skin containing ash from the cremation of the dead.

Both types were collected by GAR during his employment as 'Protector of Aborigines' in Tasmania from 1828 to 1839. His journals record his sightings of the amulets, their manufacture and use by Aborigines, their Aboriginal language names, and the occasions on which he obtained them from their owners or carriers. He records also the reluctance of the people to give up what they felt to be their only effective protection from disease and misery.

Five bone amulets collected by Robinson were returned to Tasmanian Aborigines by the Royal College of Surgeons in 2002. These were bought from Robinson's widow by Barnard Davis in 1867 with all Robinson's other Aboriginal items. This 'Barnard Davis Collection' was then bought by the Royal College of Surgeons in 1880. The amulets were not destroyed in WW2 bombings as the College had thought and as reported by Plomley 1962:10.

The two cremation ash bundles now in the British Museum were also been part of the Barnard Davis Collection and had been collected by Robinson. They are the only two now known to exist.

2. Cremation ash amulets

Robinson's journal describes watching a woman make such an amulet in July 1829:

"... I observed a sick aborigine busily engaged in folding up a small portion of the ashes, of a deceased, which she tied round with grass and enclosed in a piece of kangaroo skin with the fur turned inwards, and then sewed in tightly together... the aborigines hold these relics as a charm... I observed that the sick women before alluded to girded them about the part which seemed most afflicted"

[GA Robinson's MS journal 9 July 1829]

Writing about it this occasion again, in a draft of his unfinished book:

"... I observed a native woman where a corpse of a male aborigine had been burnt, clearing away the debris until nothing remained but the very finest ashes. ... she went to her basket and took two circular pieces of kangaroo skin about thirteen inches in diameter having holes perforated on the outer edge, and laid them on the ground; and on these she placed the ashes and then took a cord made of the sinews of the kangaroo tail, passing it through the holes, and draw the parts together, with fur turned inwards, until the ashes were covered up. It was then tightly laced until the whole was reduced to six inches in diameter and two or two and a half inches in thickness. One of these amulets she gave to her invalid husband, and the other she kept."

[Plomley 1966:225]

3. Robinson's acquisition of a cremation ash amulet

Six months later Robinson writes that he has

"Obtained a relic worn by the natives, consisting of the ashes of their deceased relative."

[GA Robinson's MS journal 2 February 1830]

4. Aborigines' use of the ash amulets

Several of Robinson's journal entries in the following months describe the Aborigines' use of ash amulets. As well as applying the amulets to their bodies to heal pain, people speak with the remains of their dead, and give them water to stop their thirst.

"One of the young females was afflicted with a pain in her head and was crying. An elderly woman sent her little girl with a relic of the dead (the ashes of some dead person enclosed in a piece of kangaroo skin), which the female took and, placing it close to her head, laid down. In a short time she rose up apparently without pain. The relic was then handed to another, after which it was restored to its rightful owner. I only saw one of these relics among the whole tribe; some tribes have several of them." [GA Robinson's MS journal 6 April 1830]

"...an elderly female named PEN.NE.ROWNER ... Her husband was dead, and she had preserved a part of his ashes as a relic or charm. They were wrapped neatly up in a piece of kangaroo skin having the fur turned inwards. This relic she frequently exhibited to my female aborigines." [GA Robinson's MS journal 18 April 1830]

"... the dead body of TYBUN was burned... ... The strange natives remained for the purpose of collecting some of the ashes of the dead for the purpose of making amulets or charms." [GA Robinson's MS journal 1 August 1832]

"Today observed RACERDUNUPE, the widow of TYBUNER, in deep conversation with the amulet, i.e. the ashes of her deceased husband which was made into a amulet, called by the Brune natives ROIDEENER and by the west coast natives NUM.REMUR.RE.KER." [GA Robinson's MS journal 13 August 1832]

"The natives had a sham fight and were throwing pieces of kelp at each other. PENDEROIN was struck on the testicles with a piece of kelp. The pain was acute and the poor fellow roared out. The women began a song of lamentation, calling on their god to allay the pain. An old woman applied an amulet of ashes of the dead to the part affected." [GA Robinson's MS journal 15 September 1832]

"...HEEDEWEE-twenty-six years, a native of WARTERBIM. Brother to LOETHGIDDIC, who was killed by the TOMMYGINNY... has the ashes of his deceased brother tied up in a piece of kangaroo skin about the size of a quartern loaf and which he carries about with him as a amulet or charm, and takes particular care of this memento of his deceased relative. ... Often have I seen the natives in conversation with those relics. It was told me that this man gave his brother's ashes water from an idea he was dry. This ceremony is performed by placing the amulet, i.e. ashes, close to the side of the body about the abdomen and pressing it hard whilst the person drank water. They then imagined it was communicated to the ashes of the deceased and afforded them relief." [GA Robinson's MS journal 7 April 1834]

All these incidents took place while Robinson was travelling within Tasmania, hunting people from their tribal lands. Once captured, each group of Aborigines was taken off mainland Tasmania to be incarcerated at Wybalenna, on Flinders Island. Here they were stopped from engaging in their traditional death practices and all the dead were either buried or cremated by the camp officials, removing any opportunity to make amulets. From then on, the protective amulets became even more precious by virtue of their rarity.

5. Robinson's attempts to acquire ash amulets at Wybalenna

In his Wybalenna journals from 1835 to 1839, Robinson mentions amulets of ashes on only two occasions. He no longer gives much information about these or any other cultural objects or activities; his impetus is now to repress all Aboriginal cultural practices and he mostly reports on

his civilizing initiatives. His only interest in the amulets is to obtain them for his already large collection of Aboriginal artefacts and body parts. Robinson was contemptuous of the people's belief in the healing powers of the amulets and was not troubled by denying the people the few comforts they could cling to as they died from European diseases.

"... Today asked Caroline for the bundle of ashes she had about her, which she refused and said I had plenty and if she gave me that she had nothing left to put away the MANARTIC sickness. I said that the doctor would do that. Her husband said that doctor was no good, he killed plenty of blackfellows. Other women told them to keep it or else they would have nothing to put away sickness, that those amulets were very good PARRAWAY, put away the sickness very quick."

[GA Robinson's MS journal 2 December 1837]

Ellen was dying in great pain in late May 1838 when he asked her for the bone she wore on her back. She also wore an amulet of ashes around her throat:

"Frederick an aboriginal extremely ill and not expected to recover. He is in Ellen's cottage....Ellen is in a rapid consumption. The doctor says he never knew a patient to have so much expectoration. Ellen wears an amulet, a parcel of ashes hung around her throat to alleviate the pain. Poor creature, the other day I saw her with a human bone suspended to her back. She felt pain there. I asked her for the bone. She said I had one in my office."

[GA Robinson's MS journal Fri 25 May 1838]

"Frederick was stretched before the fire apparently in great agony...He looked wishfully at me. Ellen lay on her bed in a recumbent position. The expectoration from this patient was scattered all over the floor in a most filthy state. It was an appalling sight to see those poor creatures suffering so much and so little attention paid to them."

[GA Robinson's MS journal Sun 27 May 1838]

Ellen died of pneumonia two weeks later on 13 June. She was a cheerful and friendly young woman who had smiled a lot and coughed to death in dreadful conditions.

"Died this evening of pneumonia the aboriginal female Ellen in cottage 15. The deceased was a young woman of the Big River tribe, an excellent temper, a facetious disposition. Risibility was very powerful with her. The day of her death she smiled at Miss R when she made her usual visit. The doctor said he never knew a patient expectorate more than she did."

[GA Robinson's MS journal Wed 13 June 1838]

The registration slip for the bundles of ashes collected by Robinson and now in the British Museum shows:

'Marked "Amulet of Killukey" "Malatoft or tupa" June 26th 1838"

[British Museum Merlin Collections Database 2005]

26 June is less than a fortnight after Ellen's death. Given Robinson's self-recorded history of acquisition of amulets and his attempt to obtain Ellen's before her death, it is most likely he removed the amulet after her death.

Ellen's Aboriginal names were Pealurner and Nernateer, meaning 'thin leg'. She was also called 'Helen', 'Corrobery', and 'Twopence' by white people. White people made a practice of abbreviating both the English and Aboriginal names of the Aborigines (eg. 'Tibb', 'Wot', 'Sal', 'Bung', 'Fan' etc). 'Tupa' may be an abbreviation of 'Twopence'.

She was from the Big River tribe in midland Tasmania, as was Caroline. Family members of both Caroline and Ellen had died in previous years.

Conclusion

Robinson definitely obtained one amulet of ashes on 2 February 1830, and the date of the registration label indicate he most likely took Ellen's from her body after her death on 13 June 1838.

His own journal entries show there was no honour or compassion in his taking of these items - he was well aware of the faith vested in the amulets by Aborigines, their need to continue using them, and their distress at their loss. His journals also show no free consent was given by the *Aboriginal owners*.

Tasmanian Aboriginal Centre
14 November 2005

References

Plomley, NJB (ed): *A List of Tasmanian Aboriginal Material in Collections in Europe*. Records of the Queen Victoria Museum, Launceston, Tas. 1962.

Plomley, NJB (ed): *Friendly Mission: The Tasmanian Journals and Papers of George Augustus Robinson, 1829-1834*. Tasmanian Historical Research Association. 1966.

G.A.Robinson's MS journals 1829 - 1839. Microfilm

Appendix 1

Extracts from George Augustus Robinson's Wybalenna journals 1835-1839 on 'Ellen':
in Plomley, NJB (ed): *Weep in Silence - The Flinders Island Journal of George Augustus Robinson 1835 - 1839*. Blubber Head Press. Hobart. 1987.

17 December Thurs 1835 ...Native women Corrobory and DROMETEHEEN brought me some parroquets, and dead birds for my hawks. ...

11 May Fri 1838 ...Helen an aboriginal female in a rapid consumption. ...

19 May Sat 1838 Visited the sick women every day this week, Ellen.

25 May Fri 1838 ...Frederick an aboriginal extremely ill and not expected to recover. He is in Ellen's cottage. Ellen is in a rapid consumption. The doctor says he never knew a patient to have so much expectoration. ...Ellen wears an amulet, a parcel of ashes hung round her throat to alleviate the pain. Poor creature, the other day I saw her with a human bone suspended to her back. She felt pain there. I asked her for the bone. She said I had one in my office. ... Flora has a sore throat and wears the amulet of ashes under her chin. ...

27 May Sun 1838 9am visited no. 15 cottage. Frederick was stretched before the fire apparently in great agony...He looked wishfully at me. Ellen lay on her bed in a recumbent position. The expectoration from this patient was scattered all over the floor in a most filthy state. It was an appalling sight to see those poor creatures suffering so much and so little attention paid to them.

13 June Wed 1838 ...Died this evening of pneumonia the aboriginal female Ellen in cottage 15. The deceased was a young woman of the Big River tribe, an excellent temper, a facetious disposition. Risibility was very powerful with her. The day of her death she smiled at Miss R when she made her usual visit. The doctor said he never knew a patient expectorate more than she did. She was a good wife, cleanly in her person and house to a fault. Ellen's house was the cleanest in the square. She conformed to the requests of the doctor with the same attention as white persons. The body was removed to the dead house.

15 June Fri 1838 Attended the postmortem of Ellen. The left lung was indurated. Adhesions was found all round the upper cavity. The right lung, which alone carried on respiration, was in a morbid state, and the heart was large for so small a woman (vide postmortem enquiry). 4 pm attended the funeral of Ellen.

Record of Deaths of the Aborigines and their causes 1829-1876.

[WIS:942. Appendix II:C]

1838 Aboriginal settlement

Ellen F young 13 June pneumonia

M Walsh, Surgeon, to GA Robinson, 15 June 1838

[WIS 94-5; (ML A7070, p109)]

Postmortem on female Aboriginal Helen.....[Diagnosis - bilateral pneumonia]

English and Other non-Aboriginal names given to Tasmanian Aborigines.

Helen. Other names: Ellen/Corrobory/Two-pence

[WIS:859. Appendix I:B]

Last return of the number of deaths at Flinders Island, March 1839, in Charles Robinson's handwriting

2. Helen, Ner.ta.te.en.ner

[WIS: 911. Appendix 1:N (d)]

Names of Aborigines and their Meanings Recorded by Charles Robinson at 'Wybalenna. Before 7 Sept 1836

(1) Pe.a.lu.rer.ner - spear

(2) Ner.ta.te.er.ner - thin leg

Corrobory

[WIS:885. Appendix I:F]

Report for the Trustees of the British Museum:
request from the Australian Government
for the return of two cremation ash bundles from Tasmania
Independent assessment by Tristram Besterman

| CONTENTS | Page |
|--|------|
| 1 Preamble and terms of engagement | 2 |
| 2 Current context: published issues of procedure | 2 |
| 2.1 English law | 2 |
| 2.2 Museum ethics and published standards in the cultural sector | 2 |
| 2.3 BM Policy on Human Remains | 3 |
| 2.4 Process | 3 |
| 3 Description of the cremation ash bundles | 3 |
| 3.1 Access | 3 |
| 3.2 Treatment | 3 |
| 3.3 Observations | 3 |
| 4 Historical context | 5 |
| 4.1 Introduction | 5 |
| 4.2 George Augustus Robinson, c.1788-1866 | 5 |
| 4.3 Dr Joseph Barnard Davis, 1801-1881 | 6 |
| 4.4 Royal College of Surgeons | 7 |
| 5 Tasmanian Aborigines cultural context | 7 |
| 5.1 In the nineteenth century | 7 |
| 5.2 In the twenty-first century | 9 |
| 6 Public benefit | 9 |
| 6.1 Introduction | 9 |
| 6.2 Value to the source community | 10 |
| 6.3 Value to the study of material culture | 10 |
| 6.4 Value to the study of bioanthropology | 10 |
| 6.5 Value to the museum visitor | 11 |
| 7 Discussion | 11 |
| 7.1 Consent | 11 |
| 7.2 Value | 12 |
| 7.3 Cultural engagement | 12 |
| 7.4 Terminology | 13 |
| Acknowledgements | 13 |
| References | 14 |

1 Preamble and terms of engagement

The Director of The British Museum, Neil MacGregor, wrote to me on 25 July, asking me to provide the Trustees with "an assessment of the actual and potential public benefit of the remains in question, if held (by) the Museum". This brief was further clarified in a telephone conversation with the Director on 12 August, in which 'public benefit' was defined non-exclusively in terms of the BM's engagement with its many communities both in the UK and overseas. On that basis I accepted his invitation.

The Director also stressed the Trustees' long term responsibility for items in the BM's collections, which is rooted in a 'presumption of retention'. The three independent assessments commissioned by the Trustees in relation to the two cremation ash bundles are intended, therefore, to establish whether there exist grounds for overturning that presumption in this case.

2 Current context: published issues of procedure

I have made my assessment, paying due regard to a number of formal constraints that currently bear on the BM's decision in determining how it will respond to the Australian request for return.

2.1 English law

- **British Museum Act 1963:** clauses 3 (1) and 5 (c) deal with the duties of the Trustees to keep objects and their powers of disposal.
- **Human Tissue Act 2004:** clauses 47 (1) – (4) provide the Trustees with powers to transfer human remains from the BM's collections.

2.2 Museum ethics and published standards in the cultural sector

- **Museums Association Code of Ethics for Museums (2002):** paragraphs 6.16, 7.4, 7.5 and 7.7 are relevant to the treatment of human remains and engagement with source communities.
- **International Council of Museums Code of Ethics for Museums (2004):** paragraphs 2.5, 3.7, 4.3, 6.2, 6.3 and 6.7 are relevant to the treatment of human remains and engagement with source communities.
- **World Archaeological Congress Archaeological Ethics and the Treatment of the Dead (1989).** 'The Vermillion Accord': a statement of principles agreed by archaeologists and Tasmanian Aborigines peoples at the WAC, held at Vermillion, South Dakota, USA on the treatment of human remains.
- **United Nations, UNESCO and UNIDROIT statements** on the treatment human remains, Tasmanian Aborigines communities and the obligations of science (1994-99).
- **Museum Ethnographers' Group (UK) Guidelines on the Management of Human Remains in Ethnographical Collections (1994).** Professional guidelines concerning the storage, display, interpretation and return of human remains in ethnographical collections in the United Kingdom.

2.3 **BM Policy on Human Remains**

This was presented to the Trustees at their meeting on 7 July 2005. Under 'Claims for the return of human remains' pp.5&6, the cremation ash bundles comply with category (b) that they are less than 300 years old, the claim is made by a source community with cultural continuity with the remains, and the claim is made through a national government.

2.4 **Process**

Procedures for dealing with requests for the return of human remains are addressed in the **BM Policy on Human Remains** and are also expressed in Part 3 of the DCMS consultative draft **Code of Practice for the Care of Human Remains in Museums**.

The Code of Practice derives from the DCMS **Report of the Working Group on Human Remains** (2003) and the consultation document that it generated, **Care of Historic Human Remains** (2004). I was a member of the Working Group, and am associated with the recommendations of the 2003 report. I do not agree with the statement of dissent made by my colleague Sir Neil Chalmers, which was included in the 2003 report.

3 **Description of the cremation ash bundles**

3.1 **Access**

I examined the two Tasmanian cremation ash bundles on Monday 15 August at the BM's off-site store. I was accompanied by Ms Jenny Newell, Curator, Oceania (Polynesia) at the BM, who facilitated access. The remains are held in a high-security, locked storage room, to which access is strictly controlled.

3.2 **Treatment**

The two bundles are kept together in a separate wooden crate, in which they are nested in acid-free tissue. This is a form of storage which is consistent with the wishes expressed by a representative of Australian Aborigines, who visited the Manchester Museum in 2003, prior to the return of human remains from Manchester that year (Besterman 2004).

Each of the bundles is kept in a separate polythene bag, to contain the leakage of dry ash that they enclose. I examined the bundles in their polythene bags, thereby avoiding any direct contact with the bundles themselves. Out of respect, I refrained from photographing the bundles, since both photographs and sketches of them exist in the BM's records and in published accounts.

The temperature of the building and the room was cool, on a day of exceptional warmth. Temperature and relative humidity are monitored electronically.

3.3 **Observations**

(i) **Material and documentation**

The BM registration record for the two bundles "**two bundles of bark (containing cremation remains), tied with string**" is based, presumably, on the description made at the time that they were accessioned into the BM collections in 1882. The latter *handwritten record provides the following description:*

"Tasmania. Bundle of bark containing cinerated ashes of the dead. It is circular in outline & pressed flat: flattened by thick reddish string on one surface. Marked 'Amulet of Killupey 'Malatofi or tupa' June 26th 1838'. Another bundle, blackened by ashes. L 7. Formerly belonged to George Augustus Robinson, Protector of the Aborigines [From Dr. Barnard Davis' Collection]".

From my examination it is apparent that the bundles are, in fact, made of very thin mammalian hide¹. This accords with the description given by Plomley, who describes the bundles thus: **"The cover is skin of a mammal, but no trace of the hair remains"** Plomley 1962, p.10. The bundles are indeed drawn together by string, but no evidence of red colouration was discernible when we examined it.

It is also clear from the accession register entry that the full attribution given above applies only to one of the bundles. Although the detailed provenance given above cannot apparently be securely connected with one of the two bundles, the association of both bundles with the transfer of Robinson material from the RCS to the BM makes the nineteenth century Tasmanian provenance for both bundles fairly certain.

(II) Dimensions

We took rough measurements to improve the BM's documentation and to cross-check with the measurements in published accounts, particularly Plomley, 1962, pp.10-11. There is more discrepancy than might be expected, but allowance should presumably be made for the different circumstances under which the measurements were recorded.

| Smaller cremation ash bundle BM Oc1882 1214.1 | height(mm) | Diameter (mm) | |
|--|-------------------|----------------------|---------|
| Newell/Besterman 2005 examination | 55 | 145 min | 174 max |
| Plomley 1962, p.10 | 30 | 135 | |
| Larger cremation ash bundle BM Oc1882 1214.2 | | | |
| Newell/Besterman 2005 examination | 50 | 185 min | 190 max |
| Plomley 1962, p.10 | 30 | 170 | |

(III) Contents

It was impossible to investigate properly the material contained in the bundles, given the constraints we imposed on ourselves for our examination. It was, however, obvious that a fine greyish, ashy material had leaked out of the bundles into the enclosing polythene bags. This is consistent with their provenance.

It should, however, be noted that Plomley casts doubt on whether the bundles do actually contain any human remains:

"The contents of each bag are partly charcoal and dust, and partly unburnt vegetable matter. The largest lumps of charcoal have one or more sides of about 10mm, and there is a gradation of size between these and dust. All the charcoal appeared to be wood charcoal: no bone was found except part of the beak of a bird, slightly charred at its base, in one of the specimens. The unburnt vegetable matter comprised bark and grass, the bark being more papery in one and more fibrous in the other; no leaves were found." (Plomley 1962, pp.10-11.)

¹ Both Roth (1890, p.132) and Plomley (1962, p.10) record the use of kangaroo hide for making bundles of cremation ash. For further detail, see Section 5.1 below).

It is reasonable to infer from his description that Plomley had opened the bundles and subjected the contents solely to visual examination. His failure positively to identify ash from cremated human remains, does not, of course, preclude the possibility that it is present.

4 Historical context

4.1 Introduction

The association of these two cremation ash bundles with their original collector, G.A. Robinson is important. Sculthorpe 1990 discusses Robinson's interactions with Tasmanian Aborigines between 1829 and 1849, as collector and as colonial administrator. Both aspects of Robinson's activities are significant in considering the claim for the return of the cremation ash bundles. The bundles subsequently passed through the hands of a private collector, Dr Barnard Davis and the Royal College of Surgeons before reaching the BM.

4.2 George Augustus Robinson, c. 1788-1866

(i) Robinson, colonial government official

G. A. Robinson was by all accounts a sincerely religious man of limited education and poor administrative ability, who presided inadvertently over the decline and near extirpation of the Tasmanian Aborigines at a critical period of colonial history. His intentions towards the Aborigines were not unkind, though we would judge his *actions today to have been ill-informed and seriously misguided.*

After years of skirmishes between white European settlers and the indigenous peoples of Tasmania, Robinson was appointed in 1829 as 'conciliator' of the Tasmanian Aborigines. Over the following five years, Robinson travelled tirelessly throughout Tasmania, to effect 'conciliation' between the Europeans and the Tasmanian Aborigines. His 'friendly mission' took the form of persuading Aborigines to leave Tasmania, using a mixture of inducements and deception, so that they would accompany him to a settlement on Flinders Island especially created to receive and 'civilise' them.

By 1835, only a small handful of Aborigines remained on Tasmania, and Robinson was appointed commandant of the Flinders Island settlement, a position he held for four years. During this time most of the Aborigines in the settlement, removed from their natural hunting grounds and denied their traditional forms of sustenance, pined and died.

In 1839, Robinson left Flinders Island to take up the post of Chief Protector of the Aborigines in the Port Phillip district of mainland Australia.

If Robinson was deficient in understanding Aboriginal culture and needs, and was inadequate as an administrator, he was prolific in his writing. His journals and other papers, held in the Mitchell Library, Sydney, provide an important source for studies *of this period of Tasmania's colonial history.*

(ii) Robinson, collector

Robinson's collecting activities in Tasmania changed over time. Initially his acquisitions were a by-product of exchange to signal his friendly intent: he would

receive Aboriginal artefacts in return for 'beads, biscuits and other goods' (Sculthorpe 1990, p.7). Later on, he began to acquire material specifically to fill gaps in his collection, including crania and other anatomical specimens. From the Flinders Island period in which he pursued a policy of 'Christianising' the Tasmanian people, he also collected proof of the 'civilised' skills he had imparted to the Aboriginal people in the form of specimens of their writing and knitting.

'Amulets' (in which category we might reasonably place the two cremation ash bundles) were obtained by Robinson after much persuasion. Sculthorpe (1990 p.12) draws on Robinson's own accounts: "**When he asked Caroline for her bundle of ashes, she refused to give it away as she would then lose the cure for all the sickness around**" (Robinson 2.12.1837:506). "**Agnes, who had a jawbone amulet, was eventually persuaded to give it to him**" (Robinson 1.6.1838:565).

When we consider the imbalance of power and influence that existed at the time of these interactions between Robinson and the Tasmanian Aborigines, 'persuasion' could today not unreasonably be considered as coming close to coercion.

Sculthorpe (1990 p.12) goes further in adducing Robinson's motives for collecting amulets: "**His interest in collecting amulets was likely due to his desire to eradicate the customs of the Aborigines... These items were kept by Robinson and later taken back to England.**"

4.3 Dr Joseph Barnard Davis, MD, FRS, FSA, 1801-1881

A Staffordshire surgeon and Fellow of the Royal Society, Davis was interested primarily in anatomical anthropology, and amassed during his lifetime an unrivalled collection of human skeletal material and associated anthropological objects. He purchased the cremation ash bundles among a number of other objects from Robinson's widow in 1867 for the sum of £30 (Davis 1867, cited in Sculthorpe 1990 p.20).

Items numbered in the Davis catalogue 1487 to 1494 (Davis 1875, pp.64-65) refer to Tasmanian skeletal remains, each of which had been modified to some degree to enable the item to be suspended and worn, usually with a 'sinew cord'. "**These singular relics, worn by Tasmanians, were collected by the late George Augustus Robinson, Protector of Aborigines, and were purchased after his decease**". However, this published catalogue of Davis's holdings of 'relics' purchased from Robinson, makes no mention of the two bundles now held by the BM. A likely explanation for this is the absence of any skeletal material in the two bundles that would be of interest to a student of anatomy.

The archives of the Royal Anthropological Institute contain a notebook of Joseph Barnard Davis with the following entry, "**2 amulets made of the cremated bones of the dead. V.D.L.² 'Roydeener' or 'Numremureker' "**. (Royal Anthropological Institute archives Ms 147). This is tantalisingly at variance with the BM accession register entry quoted above at 3.3 i). Consultation with someone with the necessary expertise might clarify whether these are the names of Tasmanian Aborigines or the Tasmanian Aboriginal name for the bundles. Ryan (1996 Appendix 3) lists the names of Aborigines at Flinders Island and Oyster Cove between October 1835 and May 1876. At no. 109 Ryan lists "**Nomercuer**", a female from the Sandy Cape, who died 8 October 1837. Aboriginal names were recorded phonetically.

² The acronym for Van Diemen's Land, the name for Tasmania current in the nineteenth century.

4.4 Royal College of Surgeons

The RCS purchased skeletal material from Davis's collection before his death, in 1880 (Plomley 1962, p.5). The RCS passed on two specimens of "ashes of the dead" from the Davis (ex-Robinson) collection to the BM in 1882. It seems reasonable to infer from this that the RCS viewed the cremation ash bundles as having more value to social anthropology than to the study of comparative anatomy.

5 Indigenous cultural context

5.1 In the nineteenth century

In all Australian Aboriginal cultures, the remains of the dead are treated reverentially. The ancestors are an integral part of the living group's sense of identity and continuity. The treatment of the dead varies between nations, and includes burial, consigning remains to bark bundles hung in trees and cremation.

It is important to try to understand the purpose and status of the cremation ash bundles in the source community's cultural life at the time that they were collected. This should involve a proper consideration of the traditional practices and the underlying cultural values and beliefs of the relevant Tasmanian nations.

Therein lies one of the difficulties faced by the BM: the Tasmanian Aborigines were heterogeneous, with beliefs, customs and practices that varied in detail between, and were distinctive to, each Aboriginal group in Tasmania. Ryan (1996, p.16) lists nine distinct tribal groups, political units distributed between three geographical regions. The nine tribes comprised 48 named social units or 'bands'. A contemporary account by Milligan, cited by Roth (1890) describes the diversity of Tasmanian Aboriginal practices, which varied between tribal groups:

"Some of the tribes were in the habit of burning the remains; in which case the ashes were sometimes taken up very carefully, and carried about as an amulet, to ward off sickness and to insure success in hunting and in war. Other tribes placed their dead in hollow trees, surrounded with implements of the chase and war...; while others would look out for natural graves... and there deposit the bodies of their dead, leaving them covered with stones and loose earth" (Roth, 1890, p.131).

Roth also records specific references to geographical distinctions in relation to funerary practices: *"The practice of burning the dead is said to have extended to the natives of Bruny Island; but those of the east coast put the deceased into hollow trees..."* (Roth 1890, p.133); and the discovery of elaborate structures of branches and bark housing cremated human remains at Oyster Bay and Eastern Bay Roth (Roth 1890, pp.129-130).

A second difficulty arises from the lack of firm provenance to link either of the two cremation ash bundles securely with a particular source nation. Robinson's journal for 2 February 1830 describes obtaining *"a relic worn by the natives, consisting of the ashes of their deceased relative"* (Plomley 1966 p.113), whilst his party is based at Recherche Bay, preparing for an overland expedition to Fort Davey. The link is at best circumstantial, and might with further research connect one of the bundles with a likely source community. The BM accession register entry has a very precise date of 26 June 1838.

A third difficulty lies in the lack of detailed information about the traditions and practices of Tasmanian Aborigines, whose way of life the European settlers had severely disrupted

during the first decades of the nineteenth century, and who in consequence were nearing extinction by 1835 (see also 5.2 below).

What was particular to certain groups of Tasmanian Aborigines was the recorded tradition of carrying or wearing **"objects of human origin as mementoes of the dead or as charms against or cures for sickness of injury"** (Plomley 1962, p.10). These objects could be placed in two categories: **"a) bones, fragments of bone or dried parts of the body which were either enclosed in a cover of, for example kangaroo skin, or tied around with a cord of sinew, by which they were suspended, and b) gatherings from cremation sites contained in a wrapping"** (Plomley 1962, p.10). The BM cremation ash bundles would seem to fit the latter category.

Ling Roth (1899 pp.64 and 65), a secondary source, describes the Tasmanian tradition of wearing the bones of 'dead friends' as 'charms' to ease pain and as 'mementoes'. Roth cites a contemporary description of cremation, which attests to the Tasmanian belief in the healing power of the departed spirit:

"One of the women died. The men formed a pile of logs, and at sunset placed the body of the woman upon it, supported by small wood, which concealed her, and formed a pyramid. They then placed the sick people around the pile, at a short distance... At daybreak the pile was set on fire... The ashes of the dead were collected in a kangaroo skin, and every morning, before sunrise, till they were consumed, a portion of them was smeared over the faces of the survivors, and a death song sung with great emotion, tears clearing away lines among the ashes. The store of ashes, in the mean time, was suspended about one of their necks..." (Roth 1890, p.132).

Robinson's journal for 25 May 1838 describes a Tasmanian Aboriginal woman called 'Ellen', who wore **"an amulet a parcel of ashes hung around her throat to alleviate the pain"** (Plomley 1962, p.10). Robinson had previously tried to persuade Ellen to part with a human bone suspended on her back, but had been refused. Ellen died on 13 June, so it is entirely possible that Robinson could have acquired her parcel of ashes after that date.

James Bonwick describes the Tasmanian response to bereavement:

"Their [the Tasmanians] friendship was limited by no distance of time, nor arrested by death. Their grief was sincere and expressive. In sickness they tended with affectionate solicitude, and at bereavement cherished the memory of the absent by ever-present memorials of their being. A bone suspended in a bag from the neck, as if hung against the breast, reminded the wearer of a former love. So many skulls and limb bones were taken by the poor Natives when they were exiled to the Straits, that Captain Bateman told me, that when he had forty with him in his vessel, they had quite a bushel of old bones among them." (Bonwick 1870, pp.10-11)

The picture that emerges is of a very personal link between the living and the dead forged by an 'amulet', whether it was composed of a single bone or a bundle of cremation ashes. Its purpose, according to contemporary European observers, appears to serve both as memento of the dead and as a charm against sickness.

So what was the fate of such bundles on the death of the wearer? I have been unable to discover any evidence for the treatment of bundles in the longer term. Roth records that amulets made of human bone were lent to other members **"of their own tribe when ill, who wear them as charms around their neck"** (Roth 1899, p.64). So it is possible that, as

amulets with curative and prophylactic properties, ash bundles like those held in the BM might have been passed on to others. On the other hand, as mementoes of the dead, they might have been consigned to the landscape of the source nation. This is, however, entirely conjectural. All that may be asserted with reasonable certainty is that such items were never intended to leave the landscape which was part of the cultural identity of Tasmanian Aborigines.

5.2 In the twenty-first century

I will leave to another of the independent assessors consideration of contemporary context and claimant groups in Tasmania in the twentieth century. One Tasmanian Aboriginal spokesman (<http://tasmanianaboriginal.com.au/voting2001/eric%207.pdf>) points out that there are three Tasmanian Aboriginal Elders Councils, and eight recognised Tasmanian Aboriginal Communities.

Despite the lethal impact of British settlement policies, the bloodline of Tasmanian Aborigines did not, in fact, die out:

"...it is absolutely crucial at the outset to understand that the Tasmanian Aborigines did not die out in 1876 or in any other period of Tasmania's history. Today there are over two thousand Tasmanian Aborigines living in Tasmania and elsewhere. They may not be 'full-blooded', but then neither are most mainland Aborigines. However, they are unquestionably descendants of Tasmanian Aborigines, and they retain their identity as Aborigines." Ryan (1996 p.1)

With the recent dissolution by the Australian Government of the Australian and Torres Strait Islander Commission, Tasmanian Aborigines claims are now being made through the Federal Government. It is very important that the BM obtains a satisfactory answer to the question posed in the Director's letter dated 25 July to Wayne Gibbons, to establish that the Australian Government is authorised to act on behalf of a claimant community **"which has cultural continuity with the remains in question"** (BM Policy on Human Remains 2005, p.6). The BM should also take an informed view on the importance it attaches to the formal recognition given to that claimant community by the Australian Government.

6 Public benefit

6.1 Introduction

The public served by the British Museum is here interpreted as the BM's engagement with wider society, in its many forms and at many levels. The sense of the BM as a 'universal' museum is expressed as much through its relationships with communities worldwide as through its stewardship and interpretation of a global patrimony.

6.2 Value to the source community

There have been six occasions between 1985 and 2005 on which the BM has recorded requests for the return of human remains held in the BM's collections. The letter dated 19 July 1985 from the President of the Tasmanian Aboriginal Centre (TAC) stated, **"In accordance with our heritage and cultural obligations towards our dead, we must bury or cremate or lodge the remains of our dead in a Keeping Place within the bounds of the clan area from which the people originally belonged."**

From this, it may be reasonably inferred that, as far as one leading group of representatives of the source community is concerned, there is no value in the BM's retention of the two cremation ash bundles. Furthermore, because of the sacred nature of the items, retention is seen by representatives of Tasmanian Aboriginal communities as offensive to their traditions and beliefs. Therefore continued possession by the BM of the bundles is perceived by the cultural descendants of the community of origin as damaging to the interests of Tasmanian Aborigines.

6.3 Value to the study of material culture

The two cremation ash bundles are the only known extant examples of this aspect of the traditional customs and beliefs of Tasmanian Aborigines. This gives the bundles as 'material evidence' a unique status in the study and understanding of material culture, and the way it can illuminate the diversity of spiritual and religious practices worldwide.

Notwithstanding that significance, it was clear from my examination of the bundles and the quality of the BM's associated documentation, that the items have been the subject of little, if any, serious study since they were acquired in 1882.

Objectively, there is a number of questions about the composition of the bundles that could be investigated, using modern bio-analytical techniques: the animal from which the hide was made; the source of the fibre that makes up the draw-strings (to establish whether this is a European addition, since Robinson records the 'sinew' of kangaroo tail to be typically used³); the contents of the bundles, which Plomley claims is largely of vegetable origin (see above 3.3 iii) 'Contents'). Such research could add to our understanding of Tasmanian Aboriginal funerary practices and any subsequent modification of the bundles before they came to the BM. (See also issues around consent, discussed at 7.1 below).

In the course of this assessment there was not sufficient time to pursue further lines of enquiry, which might shed valuable light on the provenance of the two bundles. The records of the Royal College of Surgeons in London should be searched to check the J. B. Davis collection documentation. Also the G. A. Robinson papers at the Mitchell Library for the crucial period of 1830-1838, should be searched for any entries that might refer to the acquisition of either of the two bundles.

6.4 Value to the study of bioanthropology

One of the BM's other independent assessors will be in a better position than I to advise on this aspect of the items' value. From Plomley's description of the contents (Plomley 1962, pp.10-11), I would be very surprised if there exists any evidence in the bundles that would advance significantly the science of bioanthropology (see above 3.3 bullet point 3 'Contents'). The fact that the Royal College of Surgeons passed them on to the BM in 1882 implies that at that time the bundles were considered to provide no benefit to medical science or the study of comparative anatomy and human evolution.

³ "I observed a native woman where the a corpse of a male aboriginal had been burnt, clearing away the debris until nothing remained but the finest ashes... she went to her basket and took two circular pieces of kangaroo skin about thirteen inches in diameter having holes perforated on the outer edge, and laid them on the ground; and on these she placed the ashes and then took a cord made of the sinews of a kangaroo tail, passing through the holes and drew the parts together..." Plomley 1966: 225 n.4 in Sculthorpe 1990, p.28)

Issues arise that are similar to those raised in 6.2 above, in relation to the apparent lack of interest taken by the scientific community in the bundles hitherto. Also, sensitive issues of consent would need to be addressed, were the bundles to be considered as the subject of any planned bioanthropological research programme (see 7.1 below).

6.5 Value to the museum visitor

As far as I have been able to establish, the BM has never displayed these bundles. The BM's statement on display in its *Policy on Human Remains* (p.5) pays, in my opinion, insufficient attention to the need to take into account the sensitivities of source communities (and their cultural affiliates) in display decisions and methods. It is unclear to me whether the BM might seriously consider displaying these cremation ash bundles or might lend them to another museum for that purpose.

The fact that the BM has not hitherto found a reason to exhibit the bundles does not, of course, rule out the possibility of future display, if they are retained. If exhibition were ever seriously considered, I would hope that it would only be done with the consent of the representatives of the Tasmanian source community. Since the cremation ash bundles are considered sacred, it should not be assumed that permission would be given.

The BM's *Policy on Human Remains* considers Access and Research (p.5) only in the context of public display and academic research. It should also formulate policy on requests to examine human remains held in store from members of the public, who may be motivated by personal interest or curiosity. In terms of its published policy and a general presumption of rights of public access to its collections, the BM currently has no reason to withhold permission or prevent access.

My own view is that any form of public access to the cremation ash bundles is likely to be offensive and unacceptable to Tasmanian Aborigines. It therefore seems unlikely that the BM could ever justify public access to the bundles either through public exhibition or access to them in store. If that is the case, then the value to the public of the cremation ash bundles themselves (as opposed to information about them) is negligible. (See also the discussion of the principle of consent at 7.1 below).

7 Discussion

7.1 Consent

The concept of consent is central to much of the debate about contested historic human remains. The two cremation ash bundles were collected, probably in the period 1829 to 1835, by George Augustus Robinson, at a time of expanding British colonial settlement in the territories of Tasmanian Aboriginal peoples. It is questionable, at the very least, that Robinson acquired and then exported the bundles with the willing consent of peoples who were being treated as inferiors and whose power to control events had been lost to the white European settler (see 4.2, above).

The repeated claims for repatriation by representatives of Tasmanian Aborigines over the past ten years is evidence that the BM holds the bundles without their consent.

There is another, potentially controversial issue over consent in relation to any further investigations that the BM may wish to conduct on the bundles in connection with their possible return. There is a strong argument in favour of finding out as much as possible

about the nature and composition of the materials of the two bundles, as the sole surviving examples of a particular, traditional Aboriginal practice in Tasmania. Such investigation could involve destructive as well as non-destructive techniques. The information would be held for the benefit of present and future generations from all cultures, even if the material evidence upon which it is based is no longer accessible. Capturing such information is certainly a responsibility of the BM. It is also incumbent upon the BM to try to ensure that any planned investigations proceed in partnership with, and with the consent of, the representatives of living Tasmanian Aborigines.

7.2 Value

The primary value of the cremation ash bundles to society resides, in my view, in their status within the spiritual beliefs and traditional customs of the Tasmanian Aborigines. As discussed above (5.1), within Aboriginal culture, this embraces not only the treatment of the dead but also their talismanic and healing value to the living. That value, as far as the claimant community is concerned, is compromised by their contested retention in the BM.

The two bundles are apparently the sole survivors of what was once a commonplace practice amongst certain Tasmanian Aboriginal groups. In that sense, the two bundles are irreplaceable, as material evidence for the social anthropologist. There are questions about the precise composition and nature of the cremation ash bundles whose investigation might further our understanding of Tasmanian Aboriginal customs in the first part of the nineteenth century. Even supposing that little (if any) of the contents is actually human, the descriptions in Robinson's journal of funerary practices makes it clear that the making of the bundles from cremation ashes was highly symbolic in its importance. (See also 7.3 below).

I must defer to the advice of the specialist who has been invited to assess the value of the bundles to bioanthropology, but I would be surprised if it were significant (and see 7.3 below).

The ethical problems associated with displaying the bundles and other forms of public access (discussed in 6.5 above), makes their value to the museum visitor negligible in practice (see also 7.3 below).

The BM's Policy on Human Remains, p.6, states that the Trustees will give serious consideration to claims for return, where, *inter alia*, it is likely **"that the cultural and religious importance of the human remains to the community making the claim outweighs any other public benefit."** In my view this criterion is unequivocally satisfied in the case of the two cremation ash bundles.

7.3 Cultural engagement

The BM should continue to pursue its policy of constructive engagement with authorised representatives of the Tasmanian Aboriginal community. Repatriation is only one of several issues raised in this paper, along with negotiating consent to carry out any further investigations into the material of the bundles (see 7.2 above).

The BM should note that repatriation of human remains is normally made unconditionally. In developing a functional relationship with a representative authorised to act on behalf of the Tasmanian Aborigines, it will be necessary to establish mutual understanding, respect and trust. The first step in repatriation, therefore, may not involve the transfer of material, but of *authority*. The BM must recognise that engagement of this kind involves

ceding important aspects of the powers of decision and control that it currently exercises.

The likelihood is that, managed appropriately and sensitively, this form of engagement will lead to a more sustainable and mutually rewarding form of cultural interaction between the BM and Tasmania, and indeed with indigenous communities more widely. This will result in the BM and its many kinds of user gaining richer and deeper insights into Aboriginal culture, in which the BM can mediate a different kind of interpretation of material evidence in partnership with Aboriginal communities.

Engaging with Tasmanian Aborigines constructively also opens up possibilities of *understanding the various Aboriginal names that are associated with the two cremation ash bundles* (see 3.3 and 4.3 i) above).

In this way, it will be seen that the public benefit is actually better served in the long term by returning the two bundles than by retaining them. This would give powerful new expression to the universalism espoused by the BM, and reflect a more ethical stance.

7.4 Terminology

i) The bundles

I have used the term 'cremation ash bundle' or 'bundle' throughout, rather than 'burial bundle' as referred to in current correspondence. The term 'burial' appears to have *crept in quite recently as an accreted descriptive artefact*. As discussed above (5.1), there is no evidence that burial played any part in the creation or purpose of the two bundles, so continued use of the word 'burial' seems to me to be inappropriate. I would suggest, therefore, that the BM, in all references to these two items, henceforth uses a term such as '**cremation ash bundles from Tasmania**'. This describes their source and method of preparation more accurately, and implies nothing further in terms of their likely disposition or purpose.

ii) The people

In referring to the indigenous people of Tasmania as **Tasmanian Aborigines**, I have followed the terminology adopted by Lyndall Ryan (Ryan 1996, pp.xix-xx), who draws her authority from the thesis developed by Michael Mansell, a prominent leader of Tasmanian Aborigines, in his *Treaty Proposal: Aboriginal Sovereignty*.

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University of Manchester
9 September 2005

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Report for the Trustees of the British Museum:
request from the Australian Government
for the return of two burial bundles from Tasmania
Independent assessment by Tristram Besterman
The Manchester Museum
University of Manchester
23 August 2005

Digest of national and international
Codes, Declarations and Conventions
cited in the assessment

CONTENTS

2.2 Museum ethics and published standards in the cultural sector

- Annex 1 **Museums Association Code of Ethics for Museums** (2002): paragraphs 6.16, 7.4, 7.5 and 7.7 are relevant to the treatment of human remains and engagement with source communities.
- Annex 2 **International Council of Museums Code of Ethics for Museums** (2004): paragraphs 2.5, 3.7, 4.3, 6.2, 6.3 and 6.7 are relevant to the treatment of human remains and engagement with source communities.
- Annex 3 **World Archaeological Congress Archaeological Ethics and the Treatment of the Dead** (1989). 'The Vermillion Accord': a statement of principles agreed by archaeologists and indigenous peoples at the WAC, held at Vermillion, South Dakota, USA on the treatment of human remains.
- Annex 4 **United Nations, UNESCO and UNIDROIT statements** on the treatment human remains, indigenous communities and the obligations of science (1994-99).
- Annex 5 **Museum Ethnographers' Group (UK) Guidelines on the Management of Human Remains in Ethnographical Collections** (1994). Professional guidelines concerning the storage, display, interpretation and return of human remains in ethnographical collections in the United Kingdom.

Code of Ethics for Museums Museums Association, 2002

This is the latest iteration of codified ethical standards published by the Museums Association (MA) over the last 25 years. It represents the consensus of museum practitioners and their governing bodies in the UK. The underpinning rationale is expressed at the beginning of each section in terms of the standards that society can expect of museums in the UK.

The following sections are relevant to the treatment of human remains, engagement with source communities (and their descendants) and the return of cultural material:

Society can expect museums to....:

...hold collections in trust on behalf of society

- 1 Museums behave as ethical guardians as well as owners of collections.

...consult and involve communities, users and supporters

- 4 Museums seek the views of communities...Museums engage with changing needs and values.
- 4.3 Work in partnership with others. Involve partners in decision-making. Treat partners with respect. Exercise the authority vested in the museum responsibly and guard against the unwitting or deliberate misuse of power.

...safeguard the long-term public interest in the collections

- 6 There is a strong presumption against disposal out of the public domain. Disposal should be undertaken within a strategic framework..., as a means of returning an item to its rightful owner...
- 6.16 Dispose of human remains with sensitivity and respect for the beliefs of communities of origin.

...recognise the interests of people who made, used, owned, collected or gave items to the collections

- 7 Museums try to develop constructive relationships with people who contributed to collections, with representatives of these people, their heirs and descendants, balancing responsibilities to a range of stakeholders.
- 7.4 Inform originating communities of the presence of items relevant to them in the museum's collections, wherever practical.
- 7.5 Respect the interests of originating communities with regard to elements of their cultural heritage present or represented in the museum. Involve originating communities, wherever practical, in decisions about how the museum stores, researches, presents or otherwise uses collections and information about them.
- 7.7 Deal sensitively and promptly with requests for repatriation both within the UK and from abroad...taking into account:...the interest of actual and cultural descendants; the strength of claimants' relationship to items; their scientific, educational, cultural and historical importance; their future treatment.

International Council of Museums, 2004

The ICOM Code of Ethics for Museums was first published in 1986. This version results from a thorough review of Code in the light of contemporary museum practice. It is based on key principles of professional practice. Its ethos continues to be that of service to society, the community, the public and its various constituencies, and the professionalism of museum practitioners.

The Code of Ethics for Museums provides a means of professional self-regulation in a key area of public provision where legislation at a national level is variable and far from consistent. It sets minimum standards of conduct and performance to which museum professional staff throughout the world may reasonably aspire as well as providing a statement of reasonable public expectation from the museum profession.

The following sections are relevant to the treatment of human remains, engagement with source communities (and their descendants) and the return of cultural material:

2.5 Culturally Sensitive Material

Collections of human remains and material of sacred significance should be acquired only if they can be housed securely and cared for respectfully. This must be accomplished in a manner consistent with professional standards and the interests and beliefs of members of the community, ethnic or religious groups from which the objects originated, where known.

3.7 Human Remains and Material of Sacred Significance

Research on human remains and materials of sacred significance must be accomplished in a manner consistent with professional standards and taking into account the interests and beliefs of the community, ethnic or religious groups from whom the objects originated where these are known.

4.3 Exhibition of Sensitive Materials

Human remains and materials of sacred significance must be displayed in a manner consistent with professional standards and, where known, taking into account the interests and beliefs of members of the community, ethnic or religious groups from whom the objects originated. They must be presented with great tact and respect for the feelings of human dignity held by all peoples.

6.2 Return of Cultural Property

Museums should be prepared to initiate dialogues for the return of cultural property to a country or people of origin. This should be undertaken in an impartial manner, based on scientific, professional and humanitarian principles as well as applicable local, national and international legislation, in preference to action at a governmental or political level.

6.3 Restitution of Cultural Property

When a country or people of origin seek the restitution of an object or specimen that can be demonstrated to have been exported or otherwise transferred in violation of the principles of international and national conventions, and shown to be part of that country's or people's cultural or natural heritage, the museum concerned should, if legally free to do so, take prompt and responsible steps to co-operate in its return.

6.7 Use of Collections from Contemporary Communities

Museum usage of collections from contemporary communities requires respect for human dignity and the traditions and cultures that use them. Such collections should be used to promote human well-being, social development, tolerance, and respect by advocating multi-social, multicultural and multilingual expression.

'The Vermillion Accord'
Archaeological Ethics and the Treatment of the Dead
World Archaeological Congress

A statement of principles agreed by archaeologists and indigenous peoples at the World Archaeological Congress held at Vermillion, South Dakota, USA in 1989.

1. Respect for the mortal remains of the dead shall be accorded to all irrespective of origin, race, religion, nationality, custom and tradition.
2. 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.
3. Respect for the wishes of the local community and of the relatives or guardians of the dead shall be accorded whenever possible, reasonable and lawful.
4. Respect for the scientific research value of skeletal, mummified and other human remains (including fossil hominids) shall be accorded when such value is demonstrated to exist.
5. Agreement on the disposition of fossil, skeletal, mummified and other remains shall be reached by negotiation on the basis of mutual respect for the legitimate concerns of communities for the proper disposition of their ancestors, as well as the legitimate concerns of science and education.
6. The express recognition that the concerns of various ethnic groups, as well as those of science, are legitimate and to be respected will permit acceptable agreements to be reached and honoured.

Ethical Principles
World Archaeological Congress

A statement of ethical principles agreed the World Archaeological Congress in 1989.

This acknowledges, inter alia:

- the importance of indigenous cultural heritage, including human remains.
- that indigenous cultural heritage rightfully belongs to the indigenous descendants of that heritage

International declarations related to the treatment of human remains

UNESCO: Principles and Guidelines for the Protection of the Heritage of Indigenous Peoples - Human Rights Commission 1997

These recommend, *inter alia*:

- the establishment of programmes enabling inventories of collections of sacred objects and other aspects of indigenous heritage in museums worldwide
- a mediation mechanism to facilitate applications from indigenous peoples for the return of their cultural property across international borders
- an international trust fund to act as global agent to protect and administer rights to the use of indigenous people's heritage

No reference is currently made to these principles in UK legislation or museums ethical guidance, as far as I am aware.

UNIDROIT: Convention on the Return of Stolen or Illegally Exported Cultural Objects 1995

This Convention requires signatory states to return all material shown to have been stolen. The UK Government is not signatory and has indicated its intention not to become signatory. Nonetheless, UK Museums are expected under the terms of the MA Code of Ethics for Museums to comply with the terms of the UNIDROIT Convention. The UNIDROIT Convention cannot be invoked retrospectively.

United Nations: Draft Declaration on the Rights of Indigenous Peoples 1994/45

This Declaration expresses the right of indigenous peoples to practise and revitalise their culture, recognising that material culture is part of the cultural and intellectual property of indigenous people. It also declares, *inter alia*, that indigenous peoples have the right to:

- maintain, protect and have access, in privacy, to their cultural sites
- control the use of ceremonial objects
- have human remains repatriated to them (Article 13)
- take special measures to control and protect the scientific and other manifestations of their culture, including human and other genetic resources

No reference is currently made to this Declaration in UK legislation or museums ethical guidance, as far as I am aware. Since the UK is a permanent Member of the United Nations, it could be argued that the Government should set an example for others to follow.

UNESCO World Conference on Science: Science for the 21st Century - a New Commitment 1999

This conference, held in Budapest in 1991, published a *Draft Declaration on Science and the Use of Scientific Knowledge*. Whilst the Declaration asserts the universality of science, it also:

- *Recalls that scientific research and the use of scientific knowledge should respect human rights and the dignity of human beings*
- *Appreciates the importance of traditional and local knowledge and the need to safeguard and make better use of it* *Underlines the need for a strong commitment of political, economic and social partners to science, as well as an equally strong commitment of scientists to the well-being of society.*

Annex 5

**Museum Ethnographers' Group Guidelines on the
Management of Human Remains
in Ethnographical Collections in United Kingdom Museums**

Adopted by MEG in 1991, revised 1994, published in the *Journal of Museum Ethnography* No 6 1994.

Introduction

- 1.1 Human remains are defined as including both prehistoric and historic biological specimens as well as artefacts (i.e. items made from human remains which have been altered by deliberate intent) in ethnographic collections in British museums. MEG acknowledges that other groups of museum professionals have overlapping areas of interest in human remains as defined above.
- 1.2 Different practices have commonly been applied in the curatorship of human remains from western and non-western societies. However, not all human remains in museums are problematic.
- 1.3 A number of interested parties claim rights over human remains. These include: actual and cultural descendants, legal owners and the worldwide scientific community. Governing bodies, museum curators and others have to evaluate these potentially competing interests and acknowledge that ideas about the legal and moral aspects of holding many sorts of material are complex and may not always coincide.
- 1.4 Human remains in museum collections were often acquired under conditions of unequal relationships. Ethnic and minority peoples are now taking back control over the preservation and interpretation of their heritage. This is part of the growing politicisation and cultural recuperation which is taking place amongst indigenous peoples in various parts of the world. The claim for the return of human remains may in some circumstances be a method of political self-assertion. In order to take these issues forward it is necessary to open dialogue between museum professionals and indigenous peoples from a position of equality.
- 1.5 Attitudes to death and human remains differ from one culture to another, and change within cultures over time. Curators need to address cases both in the light of the present-day situation and in a full and deliberate consciousness of all the historical circumstances. The question of human remains in museums is a developing issue. Therefore, policies made now may need to be reviewed in the future.
- 1.6 Requests concerning the appropriate care or return of particular human remains must be resolved by individual museums on a case by case basis. This will involve the consideration of ownership, cultural significance, the scientific, educational and historical importance of the material, the cultural and religious values of the interested individuals or groups, and the strength of their relationship to the remains in question.

Collections management

- 2.1 Museum collections are in the public domain and bona fide enquirers have the right of access to data on holdings.
- 2.2 However, it may be appropriate to restrict access to certain specified sacred items where unrestricted access may cause offence or distress to actual or cultural descendants. This may include the provision of separate storage facilities.

- 2.3 Governing bodies and curators should consider all the ethical and legal implications before continuing the active or passive acquisition of human remains.

Display and interpretation

- 3.1 Curators should take a proactive rather than reactive position with regard to the display of human remains. Existing display arrangements should be evaluated to consider whether the current treatment is likely to cause offence to actual or cultural descendants.
- 3.2 The process of preparing a display is a subjective editorial activity. Curators should inform themselves of the concerns of indigenous peoples and where practicable should seek their involvement through consultation.
- 3.3 Exhibitions in museums carry authority. Curators should be aware of the likely public effects of exhibitions. They should evaluate whether an exhibition is reinforcing existing cultural stereotypes or broadening an understanding of a particular group of people in a way which is relevant to the present day.

Requests for the return of human remains

- 4.1 All requests for the return of human remains should be accorded respect and treated sensitively.
- 4.2 It is the responsibility of the curator to assess the validity of the person or group making requests and to establish the credentials of their claim. Some embassies and high commissions and overseas national museums already have established networks which can provide advice.
- 4.3 Long-term loans are considered to be an inappropriate method of responding to requests for the return of human remains.
- 4.4 The rules and governance of the museum or institution will dictate the parameters for any action.
- 4.5 Legal ownership of requested items needs to be established before any transfer can be considered.
- 4.6 Before any decision is made the curator should establish and inform the governing body of the long-term fate of the items under consideration. This may include either the transfer to a museum or a local keeping place or the return to the community for customary disposal such as cremation or burial.
- 4.7 The cost and means of return should be considered before a decision is taken.
- 4.8 In those cases where a museum is free to dispose of items the Museums Association's codes of ethics and the Museums and Galleries Commission *Guidelines for a Registration Scheme in the United Kingdom* should be followed.
- 4.9 Before any transfer takes place items should be fully documented. A copy should remain in the museum and a copy should be transferred with them.

03 November 2005

Report on the scientific significance of two cremation bundles from Tasmania held in the British Museum

This report is entirely confined to the issue of the human remains in the two bundles. No comment is made about the collection history, or cultural context of the material, nor the relationship between the human remains and the associated cultural material.

The views presented in this report are based on the information provided in the documents 'Cremation Ash Bundles', provided by the British Museum (attached). I have not seen the material, nor photographs, and therefore my comments are limited to what can be inferred from the museum documentation. A full scientific assessment would require examining the bundles themselves. To some extent this means that this advice is qualified, as discussed below.

This report consists of two parts. First, a statement of the general criteria by which scientific significance can be assessed, and the approaches and methods which can be applied; and then a consideration of the British Museum holdings in relation to them.

The scientific significance of human remains

In considering the significance of human remains from a scientific perspective, the following are useful criteria that relate to the nature of the remains.

1. *Age of the remains:* where remains are of some antiquity, then the significance is likely to increase, as they can provide information about the more remote past, are likely to be one of relatively few specimens, and will provide important information about life in the past, about population distributions, about health and disease, adaptation, development and growth, and evolutionary history. It is not possible to have a general rule about how old a specimen has to be for it to become significant. In some parts of the world it might be a matter of thousands of years (e.g. Europe, where there is an abundant record and considerable knowledge of the past); in others (for example Australia, a matter of a hundred years or more can be important.

2. *Completeness of the remains*: the more complete the remains are, the greater the significance. At the lowest end of the scale are cremations, as the process of burning to fine ash will destroy most of the major sources of information, and most scientific techniques would not work (e.g. ancient DNA). At the top end, a complete skeleton, or a skeleton with soft tissue, would be of much greater significance, allowing a wide range of techniques to be applied (from morphometrics to bone chemistry to ancient DNA, as well as others). In between these two extremes, such as in the case of broken or fragmentary skeletons, the amount of information that can be obtained can be quite considerable.
3. *Isolated remains versus collections*: Where a specimen is a single isolated one, it can be useful, both on its own, and in comparison with remains from other places or collections. Isolation on its own is not a factor leading to a lack of scientific importance, and indeed, can often indicate a rarity which makes remains of particular scientific significance. However, where remains represent what can be considered a population, or a community, or a group of some form, then there can be added significance.
4. *Condition of the remains*: some human remains can be in excellent condition, with very little post-mortem damage or decay. This makes them particularly useful for studies. The more damaged or decayed remains are, then the less information is likely to be obtainable, and in some cases it may be impossible to handle them without major conservation. Chemical and genetic sampling can be particularly affected by processes of decay.
5. *Context*: context can refer to either geographical or chronological provenance, or to association with cultural or archaeological material. Human remains with no context can be valuable for some purposes, but this is likely to be limited in major research programmes. The greater the context, then the greater the potential for scientific study. Most biological work relates to understanding some aspect of biology in relation to a context - for example, morphological studies in relation to geographical distribution, genetic studies in relation to cultural or archaeological associations, etc.
6. *Anatomical part*: while some information can be derived from all parts of a human body, in practice research has focused on particular anatomical elements. Most significant are cranial remains, partly because of the information they have about both affinities and lifestyle, and partly because they have been extensively studied and therefore there is greater opportunity for comparative work. Teeth are especially important, and are often well preserved. They are the most significant elements of ancient DNA and growth studies, as well as studies of diet. After this, the major limb bones can provide considerable information about activity, about growth, and about body proportions, as well as insights into biomechanics.
7. *Age at death*: human remains come in all ages, from infants to adult and old. For many studies it is this range that is important, reflecting events at different stages of the life cycle. While most work has been carried out on adults, this is largely a function of the rarity of infant and child material in collections. These have become

increasingly important as studies of growth have developed, and new techniques such as enamel development analysis have been more prominent in the field.

8. *Pathology*: some human remains display particular pathological features – evidence of trauma or surgical procedures (trepanning, etc.), or else of the diseases which an individual suffered (tumours, leprotic degeneration, etc.). This information can be of considerable significance for the history of disease.
9. *Geographical location*: ultimately all human remains have a significance because they represent the totality of human diversity, and in that sense a particular individual or collection may take on a significance in relation to the extent it adds to that diversity and our knowledge of it. Some areas, such as Europe, are relatively well known; others, such as Melanesia, are less studied. However, even within well-studied areas the populational variation can be such as to make regional or local remains of greater significance.

In addition to these criteria which enable us to assess how valuable to science a particular collection of human remains are, it is important to consider the nature of the potential research questions. These are constantly evolving and changing, but some general points can be made.

- A. Human evolution: most of our knowledge about human evolution comes from human skeletal remains, either the fossils directly or from the comparisons made with other populations. Human remains collections are essential for addressing questions about human evolution. Ancient DNA, taken from human remains, has added a major new dimension to this work in recent years.
- B. Human diversity: as a species humans are remarkably diverse, and much of our knowledge of this diversity comes from work on human remains, perhaps the most important source of information. This work can be for both anthropological and forensic research.
- C. Human development: the way humans develop and grow is a central aspect of the evolution of a species as well as adaptation during an individual's lifetime. Skeletal material can play a major role in providing an understanding of this critical biological process.
- D. Human biological adaptation: the skeleton is a marker of activity, lifestyle, diet, and long term adaptation through evolutionary processes. As such it provides the most important source of information about the way people have lived in the past.
- E. Human health: many diseases leave their mark on the human skeleton, and in addition the pathogens which attack humans can be preserved in bone. As such human remains can provide one of the longest and most complete histories of human disease and health.
- F. Human behaviour: activities such as cranial deformation were once widespread, and human remains can provide important insights into human cultural practice

in the past. In addition, the associations between human remains and archaeological material. Sometimes activities such as defleshing or cannibalism can be inferred from human remains.

Various techniques can be applied to human remains. These are developing at a rapid rate with new technologies. The scientific criteria that can be applied relate to the application of these techniques

- M1. Morphometrics.
- M2. 3D imaging and computer tomography
- M3. CAT scans
- M4. X Ray
- M5. Bone and dental histology
- M6. Microscopy, (scanning, electron, optical, confocal, etc.)
- M7. Trace element bone chemistry
- M8. Laser ablation
- M9. Ancient DNA
- M10. Protein chemistry
- M11. Pathogen analysis

Human remains are used in the research of anthropology, archaeology, forensics, biology, genetics, medicine, and palaeontology.

The human remains

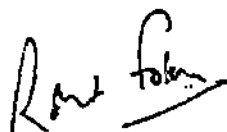
On the basis of the document Cremation Ash Bundles the human remains are cremation ashes. No information is provided about the extent of the remains, the degree to which they are fully burnt and therefore ash, and thus whether information about age and sex could be obtained from any bone fragments.

If the remains are purely fine ash, or very fragmentary bone with ash, then the scope for further scientific research of a biological nature is limited. If the remains are more complete, with teeth or complete bones, then there would be some significance, although limited. If any fragmentary bones do exist and are of an infant, then they may have greater significance.

In terms of the criteria outlined above, then as cremations their value is limited (see criterion 1). If, on the other hand, the bundles contain any more complete material, especially of infants (see criterion 7), then they could be considerably important. Tasmania represents an area of great interest in the study of human diversity, as it is an isolated part of the world with a continuous and separate populational history over thousands of years (criterion 9). There are no known studies of growth and development among Tasmanians, and therefore there could be a considerable value in assessing this if the remains are of an infant and are not completely burnt (criteria 7 & 9). Although it is probable that these are just cremations, more complete infant material could be studied according to a number of methods (M1 to M6 especially), and contribute to a number of fields of interest (B, C, D).

Summary

The human remains of the two Tasmanian cremations are of limited scientific significance if they are purely cremations. This statement should be qualified by the fact that the documentation provided does not make clear the detailed nature of the condition of the human remains. If they are more complete, and infants, then the geographical and biological context and rarity of infants from this region could potentially make them very important, and they should certainly be studied. A visual assessment of the remains would be necessary to determine which is the case.

A handwritten signature in black ink, appearing to read 'Robert Foley'.

Robert Foley, Sc.D., FLS, FSA

Professor of Human Evolution and Fellow of King's College, Cambridge

A BRIEF ASSESSMENT OF THE CULTURAL SIGNIFICANCE OF TASMANIAN CREMATION BUNDLES

At the request of Dr Andrew Burnett, Deputy Director, British Museum, I undertook a brief survey of the literature, in order to ascertain the cultural significance of Aboriginal Tasmanian cremation bundles.

Tasmanian Cremation Bundles.

Tasmanian cremation bundles are small packages, wrapped within a circular piece of animal (kangaroo) skin made to contain a portion of the ashes of a cremated person. Illustrations of Tasmanian cremation bundles are provided by Roth (1899: 64) and by Sculthorpe (1990: 50, Plate 4); while Robinson's description of their manufacture, which he witnessed on July 9 1829, can be found in Plomley (1962: 10) and repeated in Plomley (1966: 65, 225) and Sculthorpe (1990: 28).

Plomley examined the contents of the cremation bundles held by the British Museum and found them to contain a variety of matter including wood charcoal, bark, grass and dust – the latter presumably the remains of any ashes present (Plomley 1962: 10-11; Sculthorpe 1990: 28).

The Cultural Significance of Tasmanian Cremation Bundles.

An initial examination of the brief literature relating to the cremation bundles would reinforce their use as amulets rather than memento mori. As Robinson himself notes in his initial reference to them

"I am of the opinion that the aborigines hold these relics as a charm and not from any respect to the deceased, as I observed that the sick woman before alluded to girded them about the part of the body which seemed most afflicted." (Plomley 1966: 65)

The use of cremation bundles and other relics of the dead as vehicles of healing is constant. For example, on the 6th of April 1830 Robinson witnessed a cremation bundle being used to cure two people, one a young woman with a headache, before it was returned to its owner (Plomley 1966: 145).

George Washington Walker (in 1832 in the vicinity of Macquarie Harbour), notes that after a cremation the ashes '...are carefully collected by the relatives of the deceased, and are tied up in a piece of kangaroo skin, and worn about their persons. Not only as a token of remembrance, but as a charm against disease and accident. It is common for the

survivors to besmear their faces with the ashes of the deceased." (Walker, J.B. 1898: 167). Meehan (1969: 105), referring to Backhouse (1843: 105) also notes that the ashes of the dead, stored in skin bags were also used as a mourning cosmetic.

Notwithstanding Plomley's assertion that the ashes were primarily considered charms or amulets, it is clear that the cremation bundles were considered to also contain more personal elements of the deceased person, capable of feeling and need and with which close kin could communicate and care for.

On the 18th April, 1830, Robinson observed an elderly woman who carried with her the ashes of her dead husband wrapped in a piece of kangaroo skin. According to Robinson 'This relic she frequently exhibited to my female companions.' (Plomley 1966: 154)

At a later date (7th April 1834), Robinson notes, in relation to a young man named Heedeweek,

"This person has the ashes of his deceased bother tied in a piece of kangaroo skin about the size of a quartern loaf and which he carries about with him as an amulet or charm, and he takes particular care of this memento of his deceased relative. This is a species of idolatory. Often have I seen the natives in conversation with those relics. It was told to me that this man gave his brother's ashes water from an idea he was dry. This ceremony is performed by placing the amulet, i.e ashes, close to the side of the body about the abdomen and pressing it hard whilst the person drank water. They then imagined it was communicated to the ashes of the deceased and afforded them relief. TRUGERNANNA assured me that the natives of Brune Island had similar absurd notions and that they beat the RYODEE with a stick, imagining thereby that the females would conceive and bear children." (Plomley 1966: 874)

As can still be observed in other parts of Australia, relics of the dead, such as hair or a small bone may be both memento mori of deep personal significance, as well as being objects of power because of their links to the realms of the spirit world. Such tokens may be kept until a suitable period of mourning has passed and then disposed of in a culturally prescribed manner.

If this is the case with the cremation bundles, it may account for why they were never common. Robinson notes that among the people at Rocky Point "I only saw one of these relics among the whole tribe: some tribes have several." (Plomley 1966: 145)

While ashes of the dead were collected and preserved the by close kin of the deceased it is apparent that the ashes of a singularly important individual may be also collected by non-kin – for use as amulets.

After the death of Tybine / Tybun / Tybuner on the 31st of July 1832 and his cremation the following day Robinson noted that three 'strangers' remained in his encampment "for the purpose of collecting some of the ashes of the dead for the purpose of making amulets and charms' (Plomley 1966: 638-639). Robinson noted that his companions had held Tybine in high esteem, and 'there was much lamentation on his account'.

Later Robinson was to see Racerdunupe, Tybine's widow

"... in deep conversation with the amulet, i.e. the ashes of her deceased husband..." (Plomley 1966: 641)

Unfortunately Robinson does not always identify the kin-relationships between the relic and owner.

That the cremation bundles, and other mortuary relics, continued to be considered a source of power and relief to the Tasmanian people after resettlement on Flinders Island is made clear by references made to the dependence upon them (Plomley 1966: 934; Plomley 1987: 563). It is probable that the bundles were among the last tangible symbols of traditional religious life that may provided succour in those times of upheaval, relocation and repression.

Conclusions

It is possible there are in fact at least two levels of significance that can be considered in relation to the cremation bundles.

1. The first is that they are deeply personal mementos kept by close kin of the deceased, possessing personalities and needs etc, that, by their very nature, had supernatural therapeutic and other powers.

and

2. Mortuary relics generally were to the wider population, considered to have a range of curative and other powers and those derived from important individuals were *considered to be especially potent.*

One other, inescapable conclusion is that the cremation bundles may now represent the only extant, tangible symbols of Nineteenth Century Tasmanian Aboriginal cosmology and religious belief.

On the basis of the above I would consider cremation bundles to of great cultural significance, particularly to the contemporary Aboriginal Tasmanian community.

Kim Akerman

Moonah
Tasmania

14-2-2006

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