The Embodiment of Social Inequality after Death: Ethical, Legal and Political Issues about Amassing Human Skeletal Reference Collections from Cadaver and Cemetery Sources

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Outline

• Introduction & Objectives

• Contrasting North-American and Continental European collections

• Ethical issues arising from collection processes

• Contrasting socio-cultural contexts

• Discussion & Conclusion
Introduction

• Importance of identified skeletal reference collections

• North America: Cadaver sourced collections

• Continental Europe: Cemetery sourced collections

• Unclaimed individuals
Introduction

The Coimbra identified osteological collections

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Abstract / Zusammenfassung

Skeletal collections with extensive documentation of personal data possess an enormous potential for science and history, and are an invaluable source of information for every discipline addressing questions regarding skeletal biology. They can be viewed as a veritable research laboratory, and since these skeletal series are composed of identified individuals, they present an opportunity of validating various methods integral to osteological or demographic research, such as determination of sex and age at death, which both form the requisite basis of any anthropological study. Furthermore, such skeletons represent a living atlas with respect to palaeopathology. Their value for science is undeniable. The Museum of Anthropology at the University of Coimbra houses several very important identified osteological series well known amongst the anthropological community. This article presents a synopsis of these unique collections.
Introduction

Ethical issues relating to the sources and acquisition processes of collections

• Deceased’s right to bodily autonomy
• Funerary rights
• Cadaver sourced collections targeting the poor and marginalized
Objectives

• There are no moral absolutes; each collection has its own historical, legal, political, economic, and social context

• Individuals either gave explicit consent, implied consent, or did not give consent on use of their remains for research

• The amassing of archaeological collections consisting of aboriginal remains are outside the scope of this paper
Contrasting Collections: Sources

Anatomy-Based Collections (North-America)

- Unclaimed and unburied bodies from almshouses, hospitals, and morgues used for anatomical instruction
- Mostly made up of adult male African-American individuals of low socioeconomic status or migrants at the time of death

Cemetery-Based Collections (Continental Europe)

- Unclaimed remains from temporary plots in cemeteries
- All individuals had been previously buried
- Includes a more diverse sample of the entire population
Contrasting Collections: Acquisition Process

### Anatomy-Based Collections (North-America)
- Created slowly, individuals added one-by-one, or in small numbers
- Span several decades
- Typically amassed before 1950s
- Incorporated into a collection 1-2 years after death following completion of anatomy course

### Cemetery-Based Collections (Continental Europe)
- Amassed many skeletons at a time over a shorter time period
- Span more than a century
- Amassed through the 19th, 20th, and 21st centuries
- Incorporation into a collection occurs years, decades, or a century after death
Sources: Structural Violence and the Deceased’s Rights of Autonomy

Anatomy-Based Collections (North-America)

- Bodies of poor people, minorities, and migrants
- Individuals were not aware they would be put in a collection
- Individuals were not aware they would never be buried

Cemetery-Based Collections (Continental Europe)

- Bodies of those who could afford to be buried and put in an ossuary, but not able to afford burial in perpetuity
- Individuals were not aware they would be put into a collection but were aware they may end up in a communal grave
- They did not know they may be cremated
# Acquisition Process: Next of Kin’s Rights and Legal Issues

## Anatomy-Based Collections (North-America)
- Relatives forced to abandon remains because funerals were too expensive and could not afford the cost
- Sometimes there was no next of kin to claim the body
- Next of kin could, and still can claim the body at any time
- Very strict legal requirements for acquisition, documentation, and retention of records in perpetuity

## Cemetery-Based Collections (Continental Europe)
- Occasionally questionable whether relatives were informed properly
- High cemetery fees leading to unclaimed bodies
- Sometimes there was no next of kin to claim the body
- Loss of memory
- Acquisition based on cemetery permission and the legislation and terms are not always clear
Contrasting Socio-Cultural Contexts: Anatomy-based collections (Protestant)

**Burial**
- Remains are buried in perpetuity with no disturbance of the dead

**Individual Memory**
- Graves are often abandoned as next of kin have no financial obligations to visit and maintain graves

**Collective Memory**
- Human remains are not often seen by the public

**Attitudes Towards Death and the Dead Body**
- Fear is associated with the dead
- Tissue acts rely on a default non-donor system (opt-in systems)
Contrasting Socio-Cultural Contexts: Cemetery-based collections (Catholic)

Burial

- A significant proportion of graves are reused for new inhumation, especially in large urban areas

Individual Memory

- Graves are cared for and visited on a regular basis

Collective Memory

- Interaction with skeletons is a normal occurrence and it is not unusual for skeletons to remain above-ground for long periods

Attitudes Towards Death and the Dead Body

- History of proximity between the public and the dead (Relics)
- Tissue acts include all citizens as donors unless requested otherwise (opt-out systems)
Contrasting Socio-Cultural Contexts: (Catholic vs Protestant)
Beyond Collecting Skeletons and Ethical Issues

- Ethical issues are not static after the collecting of skeletons has stopped
- Reinforcing racial power relations; The Terry Collection, the Hamann-Todd Collection, and the Montague Cobb Collection
- Impacts of racism and discrimination
- Impacts of poverty on growth, health and well-being
- The existence of these types of collections that include mostly the poor or marginalized has actually given them a voice, allowing research into the lives of people neglected by society
Beyond Collecting Skeletons and Ethical Issues
Conclusions

• Ethical issues surrounding collections are context specific

• Ethical issues are not limited to the duration of the collection process, and continue to be relevant long after collecting has stopped

• Collection processes have impacted variation in collections and influence the types of research questions that can be applied to, and answered by, each collection
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