

*Ethics and Burial Archaeology*, by Duncan Sayer, 2010.  
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This book is published at a time when a unique legal and ethical situation which directly affects the archaeological excavation of human remains in Britain exists, whereby the issuing of burial licences, necessary for the excavation of human remains, was suspended by the Ministry of Justice in 2008. Importantly, these licences provided the option for the long-term curation of human remains, usually in local or national museums. For the past four years, revised licences have been issued that stipulate the reburial of excavated human remains within two years, with the option of extending this period by renewal (Ministry of Justice 2008). It seems that this unusual situation was one of the driving forces behind the writing of this book and therefore, its content and tone must be understood in this wider context.

The author describes the aim of the book as an examination of the relationships between the living and the dead, which is explored through a select number of case-studies from England, North America and Australia. The content is divided into four sections, which address interlinking aspects of burial archaeology and the wider ethical and political arguments associated with the retention (or not) of human remains, focusing on the British experience. These cover: the excavation of cemeteries, burial law in the United Kingdom and relevant legislation from elsewhere (e.g. the Native American Graves Protection and Repatriation Act — NAGPRA), ethical approaches to the excavation, study and display of human remains and the differing view-points about this, from the perspective of Indigenous groups, British Pagans and archaeologists.

For such an extensive topic which is dynamic and highly complex, the shortness and sparse detail of the text is surprising, particularly when contrasted to books on this topic published by both North American and other British authors (Fforde *et al.* 2002; Turner 2005; Weiss 2008). Therefore, it is best understood as a general overview, which examines some of the issues affecting archaeology, museums and the people who study human remains (particularly in Britain). Despite its short length, the author has to a certain extent achieved his goal of examining relationships between the living and dead, but only if the reader has a good working knowledge of the laws and guidance governing excavation and repatriation in the United Kingdom, Australia and North America, and practical experience of burial archaeology in England. A reader unfamiliar with these topics may find the assumed level of knowledge provides a welcome challenge for them to extend their reading in this area.

If viewed as a general debate about human remains in contemporary archaeology, then one of the book's strengths is the collation of information about burial archaeology, particularly about excavations carried out by commercial units (e.g. the St Pancras development), recent exhibitions, and

contemporary debates affecting museum collections. This creates a good 'jumping-off' point for the reader to explore these issues in more detail elsewhere, and to appreciate the extent to which ethics and legal issues tie these areas together for professionals working in a range of institutions, such as archaeological field units and medical museums. The author's writing style also promotes accessibility, as technical language is kept to a minimum and the tone is often informal. Sayer should also be acknowledged for being one of the few UK archaeologists in an academic position to make his views so clear to his peers and the public through the publication of a book on what is widely accepted to be a highly controversial theme. Indeed, he states, 'I hope that my words will stimulate thought ... and most of all I hope you do not agree with everything I've written' (p. 19) — he is to be commended for taking such an open stance and for producing a book that does instigate debate.

It is unfortunate that Sayer's aim is significantly undermined by a range of structural and factual inconsistencies and errors. The structure and content of the chapters can be quite confusing if the reader is not familiar with the guidance or legislation included in the discussion of case-study, as often these are all too briefly explained afterwards. This was particularly so with the North American case studies and the presentation of information about NAGPRA. Additionally, the four lines given to the Department for Culture, Media and Sport's guidance (Department for Culture Media and Sport 2005) is puzzling, considering that this has significantly altered working-practices in institutions holding archaeologically derived human remains to a greater extent than the Human Tissue Act (2004), which is given greater precedence throughout the book and only applies to very recent human remains. Overall, it is considered that if the author had focused on the British experience, the book would have been stronger, such as cemetery excavations at Sheffield Cathedral in 1980s which remain contentious. As the selected examples from North America and Australia are better known than those from Britain, Sayer has chosen to support his argument with some very controversial case-studies, such as the excavation of the African-American burial ground in New York and the Lindow Man exhibition at Manchester Museum. However, it is disappointing that many of the case studies contain inaccuracies, ranging from the minor — e.g. the incorrect spelling of an excavator's name — to the more serious. Amongst the serious errors, it was observed that throughout the book, language and terms which have very specific meanings and connotations for Indigenous groups and those working with human remains are used inconsistently and/or in the wrong context. For example, it is inappropriate to use the culturally and politically sensitive term 'repatriation' when describing the internment of British human remains following a cemetery excavation in Britain, particularly when this is stipulated in the burial licence. Additionally, skeletons are excavated not 'exhumed' from an archaeological context, and the use of the word 'stored' (as a short-hand?) to describe the care of human remains in museum collections is inappropriate, because it does not accurately reflect how they are curated and researched in UK institutions. It also appears

(perhaps unfairly) that many of the institutions included in these were not approached by the author for additional information or to comment on media reports, as 'facts' are frequently supported by references to newspaper/website articles rather than in addition to reports/statements by those directly involved or interviews with them. In the chapter, 'Display, Repatriation and Respect for the Dead', several factual inaccuracies were identified, one of which was that the Advisory Panel on the Archaeology of Burials in England (APABE) does provide advice to museums. Sayer omits to mention that museums are able to approach the APABE for advice and that they have established their own professional group to address concerns specific to their working practices — the Human Remains Subject Specialist Network — and to disseminate relevant information to the public and other professional bodies. This selection may be considered by other readers to be a minor omission, but such a culturally and politically sensitive topic requires all of the facts to be presented or referenced as their absence often leads to institutions and archaeologists encountering situations fuelled by inaccuracies.

Overall, the ability of this book to generate interesting discussions at a time of change in British archaeology is welcomed. However, as highlighted above, it should not be taken as a comprehensive discussion or representative of the literature in burial archaeology, repatriation or bioarchaeology.

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## References

- Department for Culture Media and Sport, 2005. *Guidance for the Care of Human Remains in Museums*. London: Department for Culture, Media and Sport.
- Fforde, C., J. Hubert & P. Turnbull (eds.), 2002. *The Dead and their Possessions: Repatriation in Principle, Policy and Practice*. London: Routledge.
- Ministry of Justice, 2008. *Statement on Burial Law and Archaeology*. <http://www.justice.gov.uk/guidance/docs/burial-law-archaeology-statementii.pdf>. [Accessed online 1st December 2009.]
- Turner, T.R. (ed.), 2005. *Biological Anthropology and Ethics: From Repatriation to Genetic Identity*. New York (NY): State University of New York Press.
- Weiss, E., 2008. *Reburying the Past: the Effects of Repatriation and Reburial on Scientific Inquiry*. Hauppauge (NY): Nova Science Publisher.