

When Is It Okay To Dig Up The Dead?

Human bones tell stories that would otherwise be lost to history. But archaeologists are increasingly confronted with demands to let past generations rest in peace.

By [Mark Strauss](#)

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Dan Davis watched on a video screen as an underwater robot explored a ship that had sunk to the bottom of the Black Sea. He was stunned to see bones appear in the wreckage.

Davis, a marine archaeologist specializing in ancient Greek and Roman shipwrecks, wasn't used to encountering human remains. Ancient ships were typically open decked, so most doomed sailors floated away when their vessels sank; and in any case, skeletons rarely survive long in the ocean environment. According to Davis, out of 1,500 ancient shipwrecks, only a few have been found to contain human remains.

Davis imagined the possibilities. "We could do scientific testing, maybe some DNA tests, to help us learn about these people who are virtually historically invisible," he says.

Davis later shared the video with his Greek archaeology students at Luther College.

"Some of them said, 'Oh, you should just leave those bones alone. Don't recover them,'" Davis recalls. "I remember thinking, 'Wow! What? These poor students are misguided.'"

The expedition was unable to recover the bones, but, Davis got to thinking more about the question, and he did some research on how the ancient Greeks viewed the issue. "In Athens and other ancient cities, it was a crime to mess with human remains," he says.

Should that matter? Variations of the debate in Davis' classroom are playing out across the United States and around the world. News stories about archaeologists unearthing and studying human remains inevitably prompt accusations of "grave robbing."

"These people were buried with love and dignity by the people who cared most about them," wrote one commentator on Facebook, responding to a *National Geographic* [article about human remains excavated in Jamestown](#). "What gives anyone the right to dig them up and put their skeletons on display?"

The objections often stem from religious beliefs and historic grievances, but the outrage is also driven by perceptions of indecency—the discomfort of disturbing a person's final resting place to satisfy idle curiosity.

Yet "bioarchaeologists," people who specialize in the analysis of human remains, often defy the stereotype of emotionally aloof scientists who treat skeletons as inanimate artifacts, no different than clay shards or stone tablets.

These researchers are deeply aware that they are handling what was once a living person. They see themselves not only as scholars of the past, but as speakers for the dead, giving a voice to those whose stories might otherwise be lost to history.

**THE DESTRUCTION OF HUMAN REMAINS...IS THE FORENSIC
EQUIVALENT OF BOOK BURNING.
ARCHAEOLOGIST DUNCAN SAYER**

Still, ethical debates continue. At what age should a skeleton be considered prehistoric, or even just historic?

Does it matter what the dead person's religious beliefs were, or whether those religious beliefs still exist today? (See [The Story of God with Morgan Freeman](#) to explore how religions past and present deal with death.)

And there's the most heated issue of all: the debate over repatriating and reburial of human remains that are now held in museums or research labs.

Some bioarchaeologists are staunchly opposed to returning bones to the ground. Duncan Sayer, an archaeologist at the University of Central Lancashire, [writes](#), “The destruction of human remains prevents future study; it is the forensic equivalent of book burning, the willful ruin of knowledge.”

Native Americans blame such entrenched views for the slow repatriation of their ancestors’ remains, despite federal legislation mandating their return. The bones of thousands of individuals remain in storerooms—in one instance, an infant’s skeleton was found in an oatmeal box.

Bioarchaeologists tend to agree that the days when “the pursuit of scientific knowledge” could be cited as the sole justification for studying human remains are at an end.

“We’ve come to a point in American society that we recognize we do science *for people*,” says [Larry Zimmerman](#), a bioarchaeologist at Indiana University, who has long been a proponent for the protection and repatriation of Native American remains. “Their concerns sometimes have to come first, even if it’s a matter of sacrifice from the scientific community’s side.”

GRAVE CONCERNS

Skeletons are time capsules that preserve the details not only of human lives, but of the era in which people lived. They can reveal the types of labor people performed. DNA analysis can help identify remains and reconstruct family trees or even patterns of human migration. Spectroscopic studies can tell us what people ate—and, by extension, what types of fauna and flora existed at the time.

Bones also let us diagnose diseases such as the Black Death, which killed 20 percent of Europe’s population in the 14th century. Over the past decade, Sharon DeWitte, a bioarchaeologist at the University of South Carolina, has made regular visits to the Museum of London, where she examines their collection of skeletons excavated from a mass grave of plague victims buried beneath East Smithfield Road.

Her [studies](#) have implications for present-day epidemics. “A lot of people have assumed the Black Death killed indiscriminately,” DeWitte says. “It didn’t matter how healthy people were or if they were rich or poor, male or female—none of those things would’ve mattered.”

But the skeletons told a different story. DeWitte looked for occurrences of “non-specific stress markers”—signs of illness and malnutrition than can be found in bones and teeth. For instance, excess bone growth on a tibia or shinbone can indicate soft-tissue infections on the leg that spread to the bone.

Lines on the teeth can also record childhood illnesses. If a child is malnourished or suffering from a disease, enamel formation stops temporarily. But, if the child survives, it begins again.

DeWitte concluded that people who already had been in poor health were more likely to die in the Black Death epidemic than healthy people. The mortality rate was also higher among older people than the young.

DeWitte’s work suggests ways to target efforts in future epidemics. “We should expect there to be some variation in risks based on biological and also social factors,” she says.

Although scholars have praised her work, a history professor wrote [a journal article](#) singling out DeWitte and her colleagues as “grave-robbing scientists.”

DeWitte believes this notion persists, in part, because of archaeology’s unseemly past. During the 19th and early 20th centuries, archaeology was largely the provenance of wealthy explorers with a “finders-keepers” ethos and disreputable people hired by museums to acquire artifacts—including human remains—for their collections.

Archaeology was also tainted by racism, as 19th century scholars sought Native American remains to prove their theories about the inferiority of non-whites. Graves were robbed, and the recently dead were taken from battlefields. It wasn’t until the 1960s and ’70s that professional archaeologists established comprehensive ethical guidelines.

Present-day bioarchaeologists, DeWitte says, strive to uphold those ethics. And, she argues, her chosen profession makes a unique contribution by correcting history’s oversights.

“Written records are mostly biased towards wealthy individuals and men, especially if we’re talking about the medieval period,” she says. “If we want to know anything about the experience of

women, children, and poor people, very often the only way we can get at that is by looking at skeletal data.”

THE DRUIDS STRIKE BACK

[Simon Mays](#), a British archaeologist and human skeletal biologist, tells a story about a phone call he got when somebody heard a rumor about an excavation in Yorkshire:

“Did you dig up my ancestors?”

No, responded Mays.

“Oh, what a shame. We were hoping to learn something about our family history from you.”

By and large, the British public supports the excavation of historic human remains. (Read ["London's Big Dig Reveals Amazing Layers of History"](#)) But that view varies from country to country. In Israel, during the 1990s, ultra-orthodox Jews—who believe the human body should never be desecrated—rioted against the excavation and study of human remains. The law in Israel now stipulates that any Jewish remains found at an archaeological site must be transferred to the Ministry of Religious Affairs for burial.

Native Hawaiians believe bones are a connection between the spirit world and the physical world. But southern Europeans, Mays says, rarely oppose the excavation of human remains, since bodies are typically buried just long enough for them to decay, at which point the bones are removed from graves and placed in ossuaries.

Ultimately, when assessing the ethics of recovering human remains, the key issue, according to Indiana University’s Zimmerman, is whether “the stakeholders have a level of say in it, beyond just the stakeholders who are in the scientific community.”

Or, put another way, since the dead have no say in the matter, researchers are obliged to consult those who have the closest ties to the departed.

That principle is reflected in laws adopted by [U.S. states](#) for regulating archaeological digs. While specific details vary, permission to excavate historic human remains generally requires obtaining permission from descendants, culturally affiliated groups, and other “interested parties.” Those same individuals also have a say in the disposition of the remains.

England has adopted similar guidelines to determine when bones should be repatriated. That policy was put to an unusual test in 2006, when the Council of British Druid Orders demanded the reburial of prehistoric skeletons on display at a local museum in Wiltshire.

The skeletons, between 4,000 and 5,700 years old, were excavated at a Neolithic enclosure at [Windmill Hill](#), a UNESCO World Heritage Site. The Druids consider the skeletons to be their ancestors and argued that placing them in a museum was a violation of their beliefs.

“Humanity is, after all, *an integral part of nature*, and to isolate any part of it in a clinically clean and static environment, to preserve it, is to deny the sanctity of nature: to block its course,” [declared](#) one Druid priest.

Much to the surprise—and dismay—of several British scholars, the authorities responsible for repatriation took the Druid claims seriously, and agreed to place a moratorium on research requiring destructive sampling of the bones until the case had been settled.

After four years of deliberation, the claim was denied. The Druid groups “don’t bear any stronger genetic relationship to the remains than anybody else in Britain, so they had no special links,” says Mays.

HOLY GROUND

The Church of England gets more say than the Druids. When human remains are excavated from land under the Church’s jurisdiction, religious as well as secular laws apply.

The Church takes the [theological position](#) that “there is little in the Bible to suggest that Jesus had great concern for the human body and its remains after physical death,” adding that past

and current Christian theologians are in agreement that “at the resurrection there is no literal reconstitution of the physical body.”

However, the Church also [believes](#) that, “The phrase ‘laid to rest’, being common parlance for burial, implies that remains should not be disturbed. The finality of Christian burial should therefore be respected even if, given the demands of the modern world, it may not be absolutely maintained in all cases.”

Indeed, in its perceived role as safeguarding the wishes of those laid to rest, the Church opposes the cremation of historic human remains that have been excavated. Although it is currently the most common means for the disposition of the dead in England, cremation was abhorred by Christians prior to the late 19th century.

Today, the Church permits the archaeological excavation of human remains with the provision that they will be reinterred in consecrated ground after the scientific analyses are completed.

But are scientific studies of excavated human remains ever truly *completed*? This is the most contentious issue in bioarchaeology. Some researchers view repatriation and reinterment as the willful destruction of scientific information.

“If you do not repatriate, and if you keep remains for years, then future generations will have the opportunity to learn from those remains,” says Mays. “If they are reburied, you’ll be denying that opportunity to future generations. That is ethically undesirable.”

Mays points to some of his own recent research as an example. He was studying human remains—three adults and 50 infants—excavated in 1921 from a Roman site in England. The archaeologists at the time focused on the adult skeletons, because the research question of the day was to look at the history of British populations.

“They weren’t able to think of a use for the infant skeletons, but nevertheless they had the foresight not to rebury them, to keep them in a museum,” says Mays. “So I could come along 90 years later and do some DNA analysis on them, which, in fact, helped address some compelling archaeological questions.”

Mays was interested in the gender of the infant skeletons, who had been deliberately killed at birth. Quite a lot of societies practiced female-related infanticide. Was this also true of the Roman period?

“We found that there was a fairly balanced sex ratio between the males and the females,” says Mays. “So it really argues against this idea of female-leading infanticide in Roman Britain. We wouldn’t have learned that at all if these remains had been reburied. “

Mays says that even temporary reinterment speeds up the destruction of human skeletons. “If you imagine bones that have been laying for centuries undisturbed in soil, they reach a kind of equilibrium with the soil around them, so the deterioration tails off, as it were,” he says. “If you dig them up, and then rebury them in another place, you get this fresh round of deterioration.”

Archaeologists and the Church have found at least one way to compromise: Some bone collections are now stored in churches that are no longer in use. This fulfills the archaeologists’ desire to avoid reburial, while meeting the Church’s requirement that human remains be returned to sacred ground.

NEXT OF KIN

For Native Americans—who have endured decades of having their ancestors’ looted remains displayed at museums and kept in storage—repatriation is both a religious and human rights issue.

“They do not ethically have the right to study ancestors of people who haven’t given their consent,” says [Rae Gould](#), an anthropologist and repatriation representative for her tribe, the Nipmuc Nation in Massachusetts. “Just the idea that Native American ancestors are put in a category of being less than human, or being archaeological specimens, is beyond disrespectful.”

Since 1990, the U.S. Native American Graves Protection and Repatriation Act ([NAGPRA](#)) has required publicly funded agencies and institutions to return human remains held in their collections to culturally affiliated, federally recognized Native American tribes and Native Hawaiian groups.

“I introduced this legislation because I feel it does not simply address the return of Native American remains to their rightful resting place, or the matter of the protection of Indian graves in the

future,” [said](#) Rep. Morris Udall, who served 30 years in Congress, when he gave a floor speech supporting the law. “It goes far beyond that. It addresses our civility, and our common decency. In the larger scope of history, this is a very small thing. In the smaller scope of conscience, it may be the biggest thing we have ever done.”

Some within the bioarchaeology community opposed NAGPRA, notably the renowned archaeologist and anthropologist Clement Meighan. He wrote a lengthy essay in 1993, [“Burying American Archaeology,”](#) that encapsulated his colleagues’ grievances. He attributed the rise of the repatriation movement to “New Age” sensibilities and “political correctness.”

He also defended the scientific value of the “large quantity of bones tucked away in museum drawers and cabinets,” since advances in forensic science were continuously creating opportunities to extract greater amounts of data.

“Even if it were true that the bones, once examined, need never be studied again,” repatriating bones removed any chance of correcting errors later, he said.

In 2010, new NAGPRA rules allowed for the repatriation of culturally unaffiliated remains as long as they were found on tribal lands. That means bones that are thousands of years old—uniquely valuable in studying North American prehistory and human migration—could be taken from the scientific community and given to tribes that might not have a proven direct ancestral connection to the remains.

“The idea of repatriating 10,000-year-old skeletal remains to the group that happens to be living in the vicinity where those remains were found is simply preposterous,” [said](#) Arizona State University paleontologist Geoffrey Clark, upon hearing of the new rules.

Gould says that institutions have used arguments such as Clark’s to delay repatriation. “The heart of the law is demonstrating cultural affiliation, so they’ll tell us that these ancestors are 2,000 years old, therefore, they’re not related to you, therefore, we’re not going to repatriate them.”

From Gould’s perspective, even “4,000 to 5,000 years ago is not really that far back,” given that indigenous peoples have lived continuously in North America for more than ten thousand years.

As vindication, she cites the case of Kennewick Man—the 8,500-year-old skeletal remains found in Washington State in 1996. The [results](#) of DNA tests published in 2015 in *Nature* confirmed that Kennewick Man is “closer to modern Native Americans than to any other population worldwide” and that genetic comparisons show “continuity with Native North Americans over at least the last eight millennia.” The closest genetic match came from the Colville tribe living along the Northwest coast.

“Scientists were pushing for more science,” Gould says. “We got it for them.”

A more recent case went all the way to the U.S. Supreme Court. Three scientists at the University of California sought to block the repatriation of a pair of 9,500-year-old skeletons—among the oldest ever found in the Americas.

The Kumeyaay Cultural Repatriation Committee, representing 12 tribes, filed a claim for the remains in 2006, prompting a decade-long court battle that ended when the Supreme Court declined to hear the case, allowing the decision of the lower courts in favor of repatriation to stand.

However, a spokesperson for the committee hasn’t ruled out letting the scientists study the bones. “These things we need to discuss,” he [told](#) the *New York Times*. “We want to be the ones who tell our own story.”

Larry Zimmerman is optimistic that these “bone wars” are already becoming a thing of the past. “In another couple of decades it won’t be an issue anymore,” he says. “The people who were fighting over repatriation will have been dead and buried, me included. I see so many of our younger bioarchaeologists who are just coming up who understand the issue. They are quite willing to work with Native Americans and many of them have been provided with more access than they ever imagined.”

Still, Gould wonders whether she will see the issue resolved in her lifetime. According to a recent [report](#) of the NAGPRA Review Committee, “74 percent of federal collections ready for repatriation are now back with tribes. But that number represents less than 10 percent of all Native American remains in museum and federal collections.”

Worse, a Government Accountability Office [report](#) on NAGPRA compliance decried “poor curation practices by agencies and repositories, in general, along with poor historical records and documentation.” Human remains have been discovered in boxes stored in rooms with leaky roofs, or wrapped in old newspapers.

WHY DO WE CARE?

Why do we care so much about the rights of the dead, who, by virtue of their non-living status, have no apparent opinion on the matter?

Some academics portray the issue as one of religion versus science. That’s certainly true in many cases, but not all of them. Those uncomfortable with the excavation of human remains don’t always express their distaste in religious terms. Even the Church of England, which concedes there is no theological basis for the protection of human remains, nevertheless feels obliged to safeguard them.

Interior of a first class cabin in the sunken R.M.S. Titanic. The bodies in the wreckage recently crossed the one-century threshold to be deemed “historic,” but it still has the aura of being a grave site.

PHOTOGRAPH BY EMORY KRISTOF, NATIONAL GEOGRAPHIC CREATIVE

Dan Davis says time is often the defining issue: “Time is the big washcloth that wipes away distinctions between uncovering a modern, 100-year-old body from a cemetery versus one that’s from 2,300 years ago.”

Yet, he adds, time is relative in human affairs. The bodies in the wreckage of the Titanic, he notes, recently crossed the one-century threshold to be deemed “historic,” but “it still has this aura of being a grave site.” And, among peoples who see an unbroken continuity in their history, time measured in millennia has little meaning.

For others, the treatment of human remains taps into historic injustices; an extension of racist, colonialist policies inflicted on indigenous peoples.

“Particularly for groups that are currently or who historically have been marginalized and exploited, I think that we really do have to give greater weight to their wishes than to scientific endeavors,” DeWitte says. “They’re the reason why I work with dead Europeans and I don’t do work with the Native American populations.”

Our views are also shaped by tradition. “I think that the idea [that] the only way to respect the dead is to place remains in a hole in the ground and cover them up is something that is very strong in Western European culture,” says Simon Mays. “It’s probably to do with the idea that you own a burial plot and the remains should stay there in perpetuity. This is something that only became widespread in the 18th and 19th centuries.”

Above all else, when discussing human remains, the terms that most commonly emerge are “respect” and “decency.” How we deal with the dead is how we gauge our own humanity. It’s why, depending on one’s perspective, the excavation of the dead can be seen as an act of desecration or as an act in service to those who might otherwise be forgotten.

After being awakened from their slumber, billions of people found themselves dispersed in various sealed crypts. Surrounded by earth, they each had only a shovel. They had to dig their own tunnels in order to advance to the next crypts. Nobody could predict whether it was a crypt full of supplies or monsters ahead! Klein was also forced to join in the digging, but he could see hints. [Dig further and you will end up in magma.]. [It's not a bad idea to dig to your right. After you enter the crypt, dash for four meters and stab the underground creature in slumber to death with a spear.]. [What gives anyone the right to dig them up and put their skeletons on display? The objections often stem from religious beliefs and historic grievances, but the outrage is also driven by perceptions of indecency—the discomfort of disturbing a person's final resting place to satisfy idle curiosity. England has adopted similar guidelines to determine when bones should be repatriated. That policy was put to an unusual test in 2006, when the Council of British Druid Orders demanded the reburial of prehistoric skeletons on display at a local museum in Wiltshire. The skeletons, between 4,000 and 5,700 years old, were excavated at a Neolithic enclosure at Windmill Hill, a UNESCO World Heritage Site. Good question. I think that ppl dig up the past for a few reasons. One, and i think most commonly, the instance that they keep bringing up hurt them and they haven't gotten past it yet or forgave the person that did it. conversley if that person never validated said hurt, appologized, and made amends for it , it can be hard for some to move on. also It may not even be you that really did. it, more that something you did or said made that person think back to or connect with a traumatic experience of sorts in another relationship thst they havent dealt with. Either that or I would be shot dead as soon as I moved. However, if I am going to die anyway, it is worth a shot, and if I die before I've dug a the grave, it is an inconvenience to whoever wants me dead. Sophie out. 4.8K views · Banana was code for human bones, on one archaeological dig where I've worked. We were excavating a cemetery, several thousand years old, and had permits from the appropriate authorities. However, certain religious groups in the area had a history of protesting any destruction of burials, so we kept our work discrete. Read Full Article ».

Related Topics: Laws, Dead, Archaeology. Comment. Show comments Hide Comments. Log In with your RCMG Account Register. Related Articles. So then, when is it okay? Grave Robbing or Justified Research? First, there are laws, which vary by country, state and context, and must be interpreted. Digging up human remains can run against the cultural and religious beliefs of certain groups. (Credit: Masarik/shutterstock). When to Dig. Bound by legal and ethical guidelines, archaeologists must determine when to dig. Letting The Dead Tell Their Story. Sometimes human remains are the only way learn the story of past peoples. Just ask bioarchaeologist Elizabeth Sawchuk, who has personally excavated about 60 skeletons and studied over 200 from East Africa that range from 2,000 to 8,000 years old.