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# Claiming the Aboriginal Body in Tasmania

An Anthropological Study of Repatriation and Redress

Maja Petrović-Šteger

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## **CLAIMING THE ABORIGINAL BODY IN TASMANIA**

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# Abstract

How do contemporary Tasmanian Aboriginals think of the body? How do they think of the dead body and of their human remains? This work examines the intersection of different cultural, biological and legal concepts of authenticity and belonging as these concepts come into focus as the stake of disputes over Aboriginal remains.

In claiming remains, Tasmanians engage a complex set of discursive practices in which the aboriginal body is denoted, performed and negotiated in various ways as the sign of ancestral rights. Petrović-Šteger attends particularly to the language in which Tasmanian human remains are accounted for, appropriated and resignified in the context of the British policy on repatriation. Her work examines naturalist interpretations of both Tasmanian Aboriginal and Western ideas of biology, ancestry and kinship. Attending to a number of recalcitrant concepts—including those of the authority of science, purity of indigenous peoples and exclusive rights of descendants—Petrović-Šteger considers questions arising from contemporary data collection processes as they image and measure remains, and subject them to DNA and isotopic analysis. The collection also broaches the question of how contemporary understandings of Tasmanian indigeneity and ancestral rights are constituted and promoted through the use of various scientific, museological and representational technologies. These technologies are understood as ethical and empowering, on the one hand, and experienced as immoral, intrusive and reductive, on the other.

**KEYWORDS:** Human remains, Repatriation, Museums, Representational technologies, DNA analysis, Dialogue, Tasmania, United Kingdom.

## Povzetek

Claiming the Aboriginal Body in Tasmania je izvirna antropološka analiza sodobnih aboriginskih, političnih, znanstvenih in pravnih interpretacij mrtvega telesa. Monografija analizira zahteve po povračilu oz. repatriaciji telesnih ostankov prednikov, ki jih Aborigini iz Tasmanije naslavljajo na britanske in druge zahodne institucije (predvsem muzeje ter institucije, ki so lastnice arheoloških in medicinskih zbirk). V 18. in 19. stoletju je začelo veliko muzejskih in znanstvenih osteoloških zbirk v svoj korpus vključevati telesne ostanke tasmanskih Aborinov. Kolonialni znanstveniki tistega časa so namreč verjeli, da so prav predstavniki tasmanskih Aborinov najbolj primerki najnižje stopnje na lestvici Darwinovega evolucionizma, torej tip najbolj »primitivnih« ljudi na svetu. Takratni teoriji o najprimitivnejših skupinah stoji nasproti današnja trditev, da so sodobni tasmanski Aborigini ena najbolj uveljavljenih, uspešnih ter vidnih indigenih skupin v kontekstu boja za povrnitev predniških ostankov. Poleg tega, da se borijo za repatriacijo telesnih ostankov prednikov, Aborigini zahtevajo striktno prepoved kakršnekoli muzejske ali znanstvene intervencije v predniška ali sodobna aboriginska telesa. Takšne intervencije razumejo tudi kot nadaljevanje kolonialnih politik. Zaradi uspešnega lobiranja aboriginskih skupin iz Tasmanije se sodobne svetovne muzejske in znanstvene zbirke radikalno spreminjajo. V zadnjih desetih letih se je vrsta muzejev v Veliki Britaniji, Avstraliji, ZDA in drugje odrekla zbirkam predniškega telesnega materiala oziroma prepovedala njihovo razstavljanje v javnosti. Kar Aborigini razumejo kot uspeh, marsikdo razume kot poraz in poseg v avtonomijo sodobne znanosti (predvsem tisti znanstveniki, fizični antropologi in biologi, ki so eksperti na področju raziskovanja DNA in izotopičnih analiz telesnega materiala).

Monografija tako analizira različne materialne prakse in diskurzivne strategije, skozi katere indigene in zahodne interesne skupine (znanstveniki, oskrbniki osteoloških zbirk v muzejih, pravniki, idr.) razmišljajo in obravnavajo telo ter telesne ostanke. S poglobljeno razčlenitvijo moralnih in političnih interpretacij mrtvega

telesa odstira aktualna vprašanja sprave, bolečine, identitete, spiritualnosti, avtentičnosti, pripadnosti in pravic v kontekstu postkolonialnega sveta.

Knjiga temelji na dolgotrajnem terenskem delu v Tasmaniji in Veliki Britaniji. Antropološka analiza procesov iskanja ter pogajanja o dostopnosti in uporabnosti predniških telesnih ostankov ponuja orodje in metodologijo za širšo znanstveno obravnavo vloge biotehnoške znanosti znotraj sodobne interpretacije telesa in telesnih delov. Delo na pomemben in izviren način kritizira enoplastna razumevanja mrtvega telesa kot relikvije, znanstvenega objekta ali pravnega materiala. Namesto tega avtorica trdi, da so različni načini uporabljanja telesnih ostankov v sodobni dobi procesi, ki so izrazito politične in strateške narave.

**KLJUČNE BESEDE:** Telesni ostanki, Repatriacija, Muzeji, Reprezentacijske tehnologije, DNA analiza, Dialog, Tasmania, Velika Britanija, Antropologija telesa, Antropologija postkolonialnega prostora, Antropologija prava in znanosti.

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I dedicate this book to my dear family.

# Introduction

How are we to understand human remains? It is clear that new scientific applications to identification and imaging, together with the greater recent assertiveness of many Aboriginal Australians about their heritage, are opening unprecedented imaginative possibilities for reconceiving Aboriginal ancestral body parts. The philosophical implications and practical consequences of these ways of thinking have yet to be worked out. In the context of remains, ethnography has the task of following the practices of various actors as they promote various interests by participating in remains' afterlife. The book describes and analyses some of the discourses through which Tasmanian ancestral human remains are accounted for, appropriated and resignified in the context of the British policy on repatriation. The chapters deal with matters of accountability, justice, grief, victimisation, and suffering; the bodies they evoke are freighted with strong emotion. In Tasmania, many advert to human remains as a sign of the metaphorical unity of the Tasmanian Aboriginal people—a sign taken to be so manifest that no further interpretive work appears needed to understand bodies' import.<sup>1</sup> My account, by contrast, wishes to enquire into the always-situated politics of the claims for authentic identity conjured over dead bodies.

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<sup>1</sup> In this book I use Aboriginal with capital »a« in the phrase Tasmanian Aboriginal, Aborigines, Aboriginal people, Aboriginal tribes, Aboriginal community, Aboriginal women, Aboriginal NGOs, Aboriginal organisations, Aboriginal middens and Aboriginal spirituality. In other words, the practice designates unambiguous people, places and organisations. Otherwise, aboriginal is written in the lower case, as in aboriginal rights, aboriginal education, aboriginal repatriation, aboriginal identity, aboriginal status, etc.

Emerging out of ethnographic work carried out in 2004, 2007 and 2009 in Tasmania and the United Kingdom, my account sets out to explore how people involved in issues of repatriation not only invest political rights and ideas of property and reconciliation in dead bodies, but further construe bodies as vehicles through which particular versions of history and the future can be legitimated. This book examines remains as they form the intersection of various cultural, biological and legal concepts of authenticity, belonging and identity. It interrogates how contemporary Tasmanian Aboriginals construct the body, as those constructions straddle moral, social, scientific and political registers. My analysis seeks to capture a discursively complex set of practices in which the aboriginal body is claimed and denoted in various ways as the sign of ancestral rights.

The material for this short book has emerged from comparative ethnographic research I have been carrying out over the last decade (Petrović-Šteger 2005, 2006, 2009). This comparative work was concerned to examine a range of material practices and rhetorical strategies constructed around dead bodies and body parts in postconflict Serbia, as well as in Tasmania. It explored how narratives of conflict, enacted through human remains and their evidentiary traces, play themselves out in postconflict practices of intervention, including the collection and classification of remains. While in wartime Serbia the body was invoked as a metaphor for wholeness and resilience, symbolising people's claims to territory and motivating them to take sides in the conflict, after the war, human remains came to be invested with great emotional significance as carrying certain forms of kinship and national identity. In Tasmania, on the other hand, aboriginal activists have sought the unconditional repatriation of ancestral human remains from British (and other international)

museums and public collections. By constructing a mandate for a legal right of ownership to their dead, Tasmanian Aborigines have, similarly to the case in Serbia, posited a concept of ethnic identity grounded in kinship with their ancestors.

The comparison between the Serbian and Tasmanian data on human remains, national or indigenous identity and science, was made in my work on two accounts. First, in both instances, in launching claims in relation to human remains, Serbs and Tasmanians seeking repatriation put forward an emergent conceptualisation of the body as subject to international restorative justice. In so doing, they often translate diverse »local«, »international« and »transnational« sensibilities around human remains into a language of »universal« right. In both contexts, the recovery and identification of bodily remains, and their return to bereaved families, has been identified by diverse interests as a potentially healing or restorative act.

But besides the fact that my preliminary research revealed a strikingly similar discourse of claiming, offering »spiritual wholeness« as the prime motive for the repatriation of remains, I also recognised both sites—the Serbian and Tasmanian—as existing at moments of postconflict. It is not contentious to claim that present-day Serbia is a postconflict society. But is Tasmania? One contemporary analysis of the Aboriginal-Australian relationship might suggest it is:

The rhetorical and semantic context in which the extirpation [of Aborigines] takes place is [one in which] the manner of the British acquisition of Australia is under dispute. Was it by discovery, occupation, conquest and/or cession (Reynolds 1996, 86–107)? Whatever, the complex, enduring and tangled processes of colonisation are now glibly glossed as invasion, and the colonisers

as invaders. Martial diction and a plethora of descriptors of and metaphors for war describe both past and present encounters and relations between black and white. Certainly many Aborigines argue that Australia was invaded, invasion continues and that ipso facto, an ongoing war is being fought. Before a 1983 Senate Committee central Australian Aborigines argued that »Aboriginal people have never surrendered to the European invasion and assert that sovereignty over all of Australia lies with them« (cited in Reynolds 1996, 106-107). Not only is the alleged war over territory. »It's a cultural war« Professor Marcia Langton (2000) declared in a year 2000 conference address (Rolls 2005a [2003], 8–9).

In his writing Rolls critically queries whether one should accept the idea that Tasmania is marked by an »unfinished and ongoing war«, but his position is an embattled or at least minority one within Australian academe (Rolls, 2005a [2003], 8–9). My point is not so much that Tasmanian Aborigines are still on the less powerful side of a colonial conflict, as that their situation is one in which, whether real or not, conflict has acceded to a rhetorical register in which it justifies and directs various political manoeuvres. In contemporary Australia, and specifically Tasmania, a discourse of »unfinished business«, even of »unfinished war«, was prevalent at the time of my research both among scholars and indigenous groups active in Aboriginal-non-Aboriginal relations. War was most frequently invoked when different activists sought different forms of reparation from their »occupiers« (Maddock 1972, Cove 1995, Reynolds 1996, Murray 1996, the TAC 1992 and 2001, Breen 2003). Moreover, Aborigines argued that in contemporary times, both their land and their bodies remain subject to occupation by Western intruders—that is, by scientists and legal experts.

My bringing an anthropological perspective to bear on a comparison of geographically and culturally dissimilar societies was not intended to collapse the spatial and temporal distance between them. I wanted to be anthropologically exact in respecting their specificity, at the same time as seeking to exceed regional specialisation and thereby address a wider anthropological audience. Although this book focuses only on Tasmanian material, a number of analytic relations established during this particular comparative work form the book's background. The comparison also helped me to articulate and argue the increasing importance of a supranational language and code of practice in claiming to right the past's wrongs, as rectification takes human remains as its assumed evidence and their management as its central mode. This theme is not new and, together with the themes of repatriation and reburial, is attracting ever closer attention in archaeology, anthropology, museology, postcolonial as well as legal studies. For some revealing debates on the various details of aforementioned themes as well as microhistories of repatriation around the world, see Dietler 1994, Atkinson et al 1996, Diaz-Anderu and Champion 1996, Miheuah 1996 and 2000, Eriksen 1997, Thomas 2000, Tierney 2000, Watkins 2000, Cowan et al 2001, Barkan 2002, Murray 2002, Brown 2003 and 2007, Kane 2003, Fine-Dare 2002, Schanche 2002, Fforde 2004, Fforde et al 2004, Meskell 2004, Nilsson Stutz 2007, Appadurai et al 2008, McGhee 2008, Weiss 2008, Kakaliouras 2012.

This is a short book and comprises three chapters. The first introduces a history of the recognition of aboriginal rights in Tasmania. It examines claims made for the repatriation of ancestors' human remains and pays attention to anxieties provoked by the material discontinuity of »the body« (Bynum 1991). If the body is split up into parts, does this mean the soul is

sundered as well? This essay hints at the risks of ontologising the body and human remains as material objects and palpable realities, and so reifying the relation of any body parts to any assumed whole.

The second chapter outlines the question posed by human remains within the area of reparations politics, atonement, scientific intervention, and international diplomacy. Here, my specific concern is to clarify the position of Tasmanian Aborigines in agitating for the return of ancestral human remains from former colonial museums within the international restorative justice movement, and to situate these claims in relation to British policy on repatriation. The chapter further considers questions arising from the nature of contemporary data collection processes in relation to remains, involving remains' imaging, measurement, and DNA and isotopic analysis. Third, I connect the practical politics and practical science around remains to the more volatile and metaphorical processes by which remains are converted in other kinds of meaning or value, both by scientists and others.

The third chapter explores repertoires of images, argument and practice rehearsing tensions between the idea of »intrusive« and »non-intrusive« scientific intervention in aboriginal contexts. The discussion aims to illuminate the relation between the strategies and styles of transaction typically adopted by museums and scientific institutions, and the economy of contemporary Tasmanian Aboriginal self-representations.

By analysing a number of recalcitrant concepts—including those of the authority of science, purity of indigenous peoples and exclusive rights of descendants—the book considers how modern data collection methods analyse and image remains, and subject them to DNA and isotopic measurement. It also examines situations where tying indigenous claims to

authenticity to the verdict of some form of scientific objectivity risks the essentialisation of indigenous groups. As such, the chapters touch on a number of live rails given postcolonial sensitivities over the right to construct images of aboriginal peoples.

The pieces written in 2005, 2006 and 2009 while slightly touched up, are presented as originally conceived.

In Ljubljana, September 2013

Maja Petrović-Šteger

## CHAPTER ONE

# Claiming the Aboriginal Body in Tasmania

A lock of ochred hair and a portion of her black skin are finally again with us. On May 28th 2000, the [last] remains of Tasmanian Aborigine Truganini were returned to her community, almost 130 years after her death. The Royal College of Surgeons of England repatriated the remains, skin and hair samples, along with several other bones from unidentified Aboriginal people, to Tasmanian activists. Truganini died in Hobart in 1876, aged about 73, the last full-blood Aborigine to succumb to generations of colonial illness, persecution, murder and dispossession. [...] She had the longest funeral in the history of the world.

These were the words that first stimulated my interest in aboriginal repatriations. An Internet news item described how Tasmanian Aboriginal activists were lobbying a number of international public bodies for the return of the skeletal remains of their ancestors—articulating ideas of the body with ideas of kinship in a strikingly similar way to the confessedly political rhetorical strategies mobilised around corpses in postconflict contexts.

## 1. The Politics of Aboriginal Identity in Tasmania

On the evening of my arrival to Tasmania, a stroll through the windy and poorly illuminated centre of Hobart gave the impression of a completely deserted place. Only the next morning's milky light revealed how rich in heritage and natural beauty Australia's second oldest city is. Hobart, situated at the mouth of the Derwent river and backed by the towering Mount Wellington, appeared very tranquil. Walking down streets of old,

colonial façades, nouveau-riche style houses or simple, often poor brick veneer and wooden house-fronts, I observed high-school girls wearing mini skirts under their school uniforms, criss-crossing the park. In a local bar, a group of tanned, casually dressed businessmen discussed Green politics and gene therapy while drinking coffee. Two elder women debated drawing up their reflexology charts and visiting their masseuse. A couple resting in the shades of the blue gums and sycamore trees gazed at the myriad reflections of the open, broadly spaced latticework of light and shadow made by the struts and moorings of the city's marina on the waves. I, meanwhile, was trying to insinuate myself into any conversation I could. After introducing myself to a pensioner with whom I was sharing a decorated timber bench in Salamanca market place, and explaining the reasons of my visit, the silver-headed man looked at me and said:

Um... I am not sure what are you talking about darlin'. I know nothing about any kind of repatriation. But Aborigines are anyway gone. If you want to speak to them then go to New South Wales, or even better to Queensland. You won't find them here in Tassie. No, you won't.

Tasmania, a large island to the south of Australia, is perhaps best famed for both its convict history and lush wilderness. Amongst international restorative justice movement campaigners, however, Tasmania has also earned its spurs as the site of one of the most vocal indigenous communities in the whole world. In particular, international attention has been drawn to the repatriation of Tasmanian Aboriginal human remains as claimed for in the name of native Tasmanians seeking to address past injustices. The return of the remains, it was argued, would provide a sense of emotional closure to the Islanders' history of dispossession, persecution, and deterritorialization.

When Europeans first landed on Van Diemen's Land, as the island was called in the 19<sup>th</sup> century, an estimated 4,000 Aborigines lived in Tasmania. In 1860, after six decades of systematic atrocities, torture and forcible removal, only 15 Tasmanian Aborigines remained alive. During that period the indigenous people not only lost their land and fellows, but were often also robbed of their deceased relatives' remains. The inspiration for such thefts in 18<sup>th</sup> and 19<sup>th</sup> century Europe was often scientific projects that assumed with Darwin that »natives« in general were less evolved. Understood particularly as the lowest link in the »evolutionary chain«, Tasmanian natives, with their habitat, were designated as offering an exceptionally rich resource for doctors and scientists—»empirically minded men« (MacDonald 2006, 12). During that period aboriginal skulls, pelvises, spinal bones, and cremation ashes acquired a status as collectibles, coming to carry specific scientific and monetary value, and as such were often plundered from the natives or taken coercively through grave robbery and the boiling-down of corpses. These primitive objects of knowledge, illegally exported to a number of overseas medics, museums and private collectors, formed the material on which the anatomical techniques and phrenological principles of the time were tested.

Given the continuing prevalence (at least until very recently), in both mainland Australia and Tasmania, of the belief that European settlers in the early 19<sup>th</sup> century wiped out all of Tasmania's indigenous community, the idea that Tasmanians represent one of the most vocal of all indigenous activism groups cannot fail to appear paradoxical. Whilst there is widespread agreement that the Aborigines' extinction (or near-extinction) represents an unequivocal tragedy, the majority white population, that is, colonisers' descendants and subsequent settler-Tasmanians, were taught

until very recently in schools that the Tasmanian Aborigines were completely obliterated. No »full blood« Aborigines, it was asserted, survived in Tasmania after the death of Truganini in 1876, the last full-blood and tribally born member of her race. »Truganini, august and gone,« I remembered, was the almost commemorative phrase from the Internet news story. As the older man on the bench explained, »[t]he last Aborigine died hundred years ago«.

Despite their legal »non-existence«, however, the Australian state and federal systems have always adopted a special policy towards local »black communities«, with »blackfellas« being until the 1940s forced to live in designated areas subject to different laws. Descendants of mixed heritage were »for long the subjects of ostracism, concern, and administrative contumely«, often being forcibly assimilated as the state sought to »breed out the black strain« (Rolls 2005a).<sup>2</sup>

The long history of this broadly abusive treatment only arguably began to end in the mid-1970s, when a group of campaigners for aboriginal rights, introducing themselves as the descendants of Aborigines from Bass Strait Islands, first organised themselves in a political manner. Over the past 40 years, the Tasmanian Aboriginal community has increasingly and with exceptional insistence started to claim its rights, through national policy-making and advocacy organisations for indigenous populations such as the Tasmanian Aboriginal Centre (TAC) and the Aboriginal and

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<sup>2</sup> Aborigines were only given the status of citizens in 1967. For discussion of the experience of interaction between black and white Australians see Beckett 1988, Reynolds 1990, Kidd 1997, Birrell 2000, Manne 2003.

Torres Strait Islander Commission (ATSIC). The TAC<sup>3</sup> and ATSIC<sup>4</sup> have not merely contributed to but made possible the processes by which the recognition of aboriginal rights has begun to be observed (cf. Bromilow 1993). These programmes have provided a platform for political representation by presenting Aborigines as a people with a distinct, valuable and to some degree homogeneous culture. These organisations' activism has made aboriginal education, self-determination, health care, housing and employment schemes working realities as well as political demands; activists have moreover been especially successful in dealing with issues connected with recent restorations of Native Land Title and with the Australian reconciliation movement, as evidenced also through the claims for the repatriation of human remains.

While feted as community lobbyists internationally, the Aboriginal NGOs and rights groups are far from receiving a comparable level of domestic recognition. Very few »white Tasmanians« are informed about Aboriginal organisations' legacy or mission, leaving many indigenous organisations feeling that they are »still seen as ghost[s] and almost furtive political centres« in their own environment, as an interlocutor, a 51 year-old tourist guide explained:

The history of this country is not really told and we spent all our life justifying who we are. But from my own experience I can only say that it's a waste of time

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<sup>3</sup> The Tasmanian Aboriginal Centre Inc. (TAC) is a non-profit community based organisation established in 1973 providing legal, health, educational, cultural and welfare services to Aborigines throughout Tasmania.

<sup>4</sup> The ATSIC (1990-2005) was the Australian Government Body through which Aboriginal Australians and Torres Strait Islanders were formally involved in the processes of government affecting their lives.

telling whitemen about our beliefs and our needs, because they don't understand and they don't want to understand us. They still want to deny us.

The indigenous resident population in Tasmania, however, has grown markedly over the last decades. According to the Australian Bureau of Statistics, the number of Aborigines in Tasmania from a total state population of 495,354 increased from 2,700 in 1981 to 16,900 in 2006 and 19,625 in 2011.<sup>5</sup> This sudden spurt in population has provoked raised eyebrows amongst both the Tasmanian descendants of European settlers and Tasmanian Aborigines. Disputes over the definition of aboriginal identity, particularly as it pertains to eligibility to aboriginal status and to political organisation membership, have in effect internally fractured the local indigenous population. Notably, not all Tasmanians who claim indigenous status are recognised by the TAC as »truly indigenous«.

In fact, recent community history corresponds to a serious internal fracturing of Tasmanian Aboriginal political bodies. Without expounding at length the historical and local political rationales for differences of stance between different Aboriginal organisations, one of the key causes would appear to be disputes over the definition of aboriginal identity. »Self-proclaimed« (see Birrell 2000, Birrell and Hirst 2002) or »paper-black« Aborigines ruled out of group membership by some Aboriginal organisations criticise other sections of the community as a »corrupt black political establishment«.

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<sup>5</sup> The most recent Census of Population and Housing was conducted in August 2011. For information about the 2011 Census, see:

[http://www.censusdata.abs.gov.au/census\\_services/getproduct/census/2011/quickstat/6?opendocument&navpos=95](http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/6?opendocument&navpos=95)

To put the situation into a longer historical perspective, almost all the Tasmanian Aboriginal peoples today claim their heritage from two women, Fanny Cochrane Smith and Dolly Dalrymple. These Aboriginal women, historical sources and aboriginal oral tradition claim, were stolen or bought from Aboriginal tribes in the early 19th century by white sealers and taken to remote islands in the Bass Strait. The descendants of these families are *Palawah* Aborigines filiated genealogically to Flinders Island and to Bass Strait Island Aboriginal branches. The second group, designated *Lia Pootah* (those not of Flinders Island descent), claim rather to be heirs of Aboriginal women from mainland Tasmania whose ethnic legitimacy is disputed by the most of Palawah (see Ryan 1996, Flood 2006). In explaining why Palawah are »real« Aborigines and all others are not, a Palawah descendant asserted:

It is not fair that those who were embarrassed of their origins for decades, pretending to be ordinary Tasmanian and not really black, now want to participate in rights that were brought forward by us. Only we, people from Furneaux, know what means to be an Aboriginal. We were always highly conscious and proud of our roots.

Those addressed as »fraud Aborigines«, on the other hand, counter-claim:

No one can divest us from our aboriginal roots. Most of these TAC Palawah fellas are highly exclusionist, and want to be the only recipients of government funding and political power.

Necessarily, the arena in which disputes over the definition and membership criteria of aboriginal cultures play themselves (at least partly) is the contemporary one of federal money and bureaucratised and institutionalised access to power. To complicate the inter-Aboriginal

situation further, a group of people descending from revolted Caribbean slaves, Lascars, Mollucan whalers and Maori sealers, also inhabited Tasmania at the time of British colonisation. Though not »originally Aborigines«, those people may also claim entitlement to aboriginal rights and reparative privileges, on the basis that they »have suffered as Aborigines« and were also discriminated against because of their skin colour (Flanagan 2002, also Pybus 2000). These people pose an additional problem to Tasmanian indigenous organisations attempting to standardise requirements and measures for recognising »true Aborigines« (ibid; also see Reynolds 1996).

If it is hard for a Tasmanian Aboriginal to make out an »originary Aboriginal«, this task is even harder for an outsider. Unlike some mainland indigenous communities, Tasmanian Aborigines »lack« a residual traditional tribal culture. Families nowadays cannot be recognised by traditional totems, tribal artefacts or by specific place of residence. Tasmanian Aborigines form part of an urban indigenous population sharing almost no physical characteristics with the indigenous communities on mainland Australia. Most of those that assert aboriginal ancestry have fair skin, hair, and eyes, often offering »proof« of their aboriginality only through the form of recently made computerised genealogical charts, which they promptly pull from the back pocket of their jeans as soon as anyone questions their identity. The ability to produce such a genealogical tree, however, is not always regarded as a sufficient proof of one's aboriginality, making the definition of aboriginality as such an ever more contested issue.

Given the contentiousness of adjudicating issues of aboriginal belonging, certain indigenous activists in the past have proposed the

introduction of the DNA testing of the »authenticity« of claimants' Palawah family histories. Cheap techniques for the efficient analysis of regions of DNA and the comparison of the resulting genetic profiles were for a while (and for some) seen as capable of solving the question of their identity through a recourse to the incontrovertibility of science. The results of such DNA tests, it was proposed in early 1990s, would bestow on individuals the eligibility to vote and otherwise participate in local Aboriginal politics; genetic accreditation would represent a precondition of getting involved in and deciding indigenous policy issues in Tasmania.<sup>6</sup> This motion was, however, rejected and all the efforts of the politically active indigenous body continued to be focused on the legal operations through which land reclamation and the repatriation of ancestral remains from Australian and overseas collections could be achieved (cf. Creamer 1990, Rowse 1993 and 2000).

In his 1970 book *The Destruction of Aboriginal Society*, Rowley asked, »Who is an Aboriginal?« before presenting, »[t]he Answer in 1967«. He at least gestures towards the terms of his answer in noting that:

For generations decisions have been made, and may still be made, on the basis of skin coloration, and of »Aboriginal features«. The easiest way to define the Aboriginal person was to do so in terms of his racial origin—the degree of his Aboriginal descent, or, as the legislation often expressed it (and as the Queensland Act still does), the proportion of Aboriginal »blood« (Rowley 1970, 342).

He further states:

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<sup>6</sup> For further discussion see also Cunningham and Scharper 1996 and Shelton and Marks 2001.

The recent trend [in Australian politics] has been for the special definitions of person[s] as »Aboriginal«, »native«, or »half-caste«, etc. to disappear. However, government cannot assume that by abolishing a law it also obliterates memories and consequences of past relationships. If special laws are to apply to special persons, such persons have to be legally defined. Therefore, from the beginning of legislation restricting and protecting Aborigines, it has been necessary to include definitions indicating who is an Aboriginal person. Each state, and the Commonwealth after 1911, made its own decisions. One result was that a person might be legally »Aboriginal« in one state but not in another (Rowley 1970, 341).

This ongoing confusion in defining Aboriginality for »white« and »black« alike has left a confused legal heritage, as both community representatives and agents for bodies allocating reparations have sought to deny certain self-described Aborigines of that status and its associated entitlements (cf. Miller-Kennett 1992). Australian government regulations today define an Aboriginal or Torres Strait Islander as someone who: 1) is of Australian Aboriginal or Torres Strait Islander descent; and 2) identifies as an Australian Aboriginal or Torres Strait Islander; and 3) is accepted as such by the community in which s/he lives or has lived.

The Aboriginal Provisional Government Statute (1992) gives governmental and legal form to the attestation of Aborigines and Torres Strait Islanders »uniqueness«, thus entitling them to recognition as distinct and separate peoples with a right to protect their cultural identity. According to this document, an Aboriginal is amongst other things a person who »shall think black and act black; shall be black all the rest of thy days«. The phrasing of this text, and indeed many legal statutes concerned with the identification of Aborigines, represents an extraordinary mélange of arguments and languages, sometimes making identity the predicate of

an external and scientific classification and sometimes that of a personal or communal narrative or self-description. Needless to say, this bricolage extends to the everyday practices through which aboriginality is enacted or contested.

Make no mistake: these documents, whatever their legal incoherence, set the terms under which aboriginality is both determined and assumed. Among Aborigines themselves, that is, there is a demand for any claim of aboriginality to be substantiated through ancestry, self-proclamation and community acceptance. Cultural heritage and belonging tend only to be recognised if based on blood or genes—to some extent, in terms of scientific notions whose specifications are necessarily different among popular Aboriginal and state-bureaucratic institutions. These legal notions result in Aborigines paying careful attention to genealogies in order to demonstrate their biological links to a cultural heritage. As Rolls (2001, 11) observed, »blood and race, the cause of so much trouble for Aborigines in the colonial context, re-emerge as the hallmarks of authenticity«, with Aborigines themselves, it seems, coming to articulate a discourse of racial essentialism.

## 2. Human Remains – Bodies as Relics

No matter how diverse Aborigines may appear or claim to feel amongst themselves, there are a few issues which seem to hold the majority of indigenous activists living in Tasmania in some sort of agreement. The Native Title Act from 1994 commands broad allegiance among activists (cf. Sutton 1998), as do claims for the repatriation of human remains. Truganini emerges as the totemic figure of the rights movement. Although Truganini's ancestry derives from the Nuenone people from the island of

Alonna-Lunawanna, she is deemed an ancestor of all Tasmanian Aborigines (cf. Fletcher 1951, Pybus 2000). Until 1947 Truganini's skeleton was pinned up on display in a glass case in the Hobart's Museum, then kept in the museum's storage rooms, but after a decade of the TAC's active campaigning for her remains, in 1976 the Tasmanian Museum and Art Gallery returned Truganini's body to the Aboriginal community. With all due ceremony being observed, mourned for by her own people, her bones were cremated and scattered on the waters of the D'Entrecasteaux Channel. In the same year on 19<sup>th</sup> February, the Aboriginal Relics Act (1975) was introduced to formalise the protection and preservation of »the little left of the vanished race,« as the phrase was insinuated into even legal documents.

These two events gave rise on the part of the aboriginal movement to even more vocal and organised claims extending to the repatriation of some 60,000 aboriginal remains that are, as estimated, housed in medical and scientific institutions abroad. Tasmanian indigenous organisations started to demand, in effect, the unconditional repatriation of human remains »alienated«—removed from the locality in which they originated—during the colonial period. Only the restoration of bones to their rightful descendants and locales, it was claimed, together with the performance of last rites, could enable the deceased to finally enjoy spiritual rest. In the words of an activist:

Repatriation is about the health of our people. It's about our spiritual health and peace. Until we don't [sic] fulfil our mission to return and free all the spirits, I feel that we are weak as a community. I feel that I am weak as a person. I am not complete. It is simply a debt, which we have to our past. It's also a personal debt to myself, and to all spirits that make my being. Not only ancestors' spirits

but also our own spirits are brought back with remains. Repatriation gives us our inner strength.... It's a very, very strong feeling. We weren't here to help them when they fought for the country, when they were slaughtered and massacred ... so this is our way to say I am sorry. I wasn't there then, but will try to do everything what I can do now. Until the remains are brought back to the traditional areas... until then spirits remain tormented.

### 3. Science and »Rolling Souls«

One of the pivotal goals of the activists then was (and still is) to prevent any further scientific research (including archaeological research) being carried out on human remains and religious or ceremonial objects without their consent. In styling themselves the defenders of a set of ancestral ways, they become both the symbolic custodians and »traditional owners« of mortal remains. In this capacity, they describe scientific research concerned to elicit the racial or genetic characteristics of their forebears as an infringement of their human rights. Claiming an adverse experience of similar scientific projects in the past, activists are minded angrily to dismiss scientific arguments that it would be unwise to return remains back unconditionally to indigenous communities. A middle aged Tasmanian activist whom I met on Maria Island argued:

I hear they [scientists] say this material has huge value to science today, that it provides invaluable information about human origins and evolution. They say it could explain the spread and development of diseases and stuff. But to us, indigenous people, the collections are an affront to our customs. It makes us very sad that our people and their spirits are locked up in London. The remains are our unfinished business. It's not that we live in past, but past still lives in us. Tasmania was always the place of European obsessions, anyway. They wanted to collect and classify everything. Plants, animals, people ... This place

swarmed with scientists, traders and cheaters. It was not only bones of Aborigines but also bones of convicts and bones of poor people with which white people traded. Phrenologists at the time believed that on the basis of scientific measurement of the bones one could even define one's predisposition for crime. Each skull fetched was worth between five and ten shillings. Loads of money back then. Souls of our ancestors were rolling on the decks of the ships travelling for Europe and America. [...] Whilst they are still there we are not gonna be free. They gotta come home. So that we can be free. So look, it's easy to understand: we do not want any more research to be done on us. We do not want them [remains] to be DNA sampled, [...] because it is enough what they have already done. To be a voyeur and intruder into objects of other people's culture is not a way to understand them.

In arguing for repatriation, and explaining their spiritual beliefs in this manner, some respondents directly connected their fear of scientific investigation with a fear over the potential erosion of their spirituality by invoking a rhetorical figure of science, especially DNA testing. Indeed, the people I spoke to were alternately fascinated and repelled by the scientific study of human material:

They are holding not only our remains there, but our spirits! And that's a very damaging thing. Spirits don't want to be arrested in some others' people country. And this is why we are scared that our souls are lying over there. We are scared that some scientists are messing around them. We were always frightened to be messed around, to be touched. ... DNA testing could very closely interfere with spirits of our people. I really think that DNA testing is getting very close, much too close, to the heart and soul of what our spirits are all about. This is why I do not want anybody to DNA test me. In that way they [Western scientists] are getting as close as they can. DNA is dangerous.

Traditional aboriginal spiritual beliefs are said to be centred on the continuing existence of spirit beings who lived on earth during creation time, or Dreamtime, a period before the advent of humans, the »time before time«, or »the time of the creation of all things«. The Dreamtime or *Altjirang* extends from the very distant past to the distant future. Spirits are said to have created all the features of the natural world and represent the ancestors of all living things. Each person is spiritually bound to the sacred sites that mark the land associated with his or her spirit ancestor, and has an obligation to help care for these sites through tending them through ritual performances. Through singing the songs telling of the ancestors' deeds, the order created by all Aboriginals' imaginary forebears is maintained (cf. Fletcher 1951, Edwards 1998, Sanson 2001, Sutton 2005).

Although many contemporary, urban Aborigines do not regard the Dreamtime as their only or ultimate religious system, international discourse on Australian indigeneity often carelessly equates »aboriginality« with its presupposed underlying »spirituality«. Whilst some scholars argue that for white enthusiasts of Aboriginal religious systems, the attraction of Dreaming is bound up with its perceived rejection of any kind of materialism, especially its capitalist version (see Tacey 1995, but also Rolls 1998), for Aborigines themselves, it appears, the search for true spirituality is also a search for the lost materiality of human remains. Unlike Western modes of reasoning that profess some Cartesian mind–body dualism, aboriginal ideas of spirit presume its physical integument, on which in some sense it may be said to depend. An Aboriginal person whose spirituality refers to Dreaming will not necessarily imply »spirit's liberation« and detachment from the material world, and from the materiality of the body, but may rather advertise that spirit inhabits and creates the material

world—of land, of the body, the bones, and Aboriginal middens. Dreaming, it appears, seeks to establish a respectful relation towards the natural world as the indissociable setting of ancestral, and persistent, Aboriginal spirituality. The very relation with and the enactment of the material world of land, ancestral artefacts and human remains, as these objects are figured as spiritual vessels, would appear to represent within Aboriginal religion the possibility of accessing the past and joining to the future. Within this scheme, controversies over the repatriation of human remains appear to offer an ethnographically illuminating case that points to supposed differences between indigenous and non-indigenous attitudes. In particular, Aborigines claim that their resettlement of remains at ancestral sites is more respectful than their use in scientific experimentation. For Aborigines, corpses, body parts, and the symbolic and physical analogues of bodies' molecular information serve as a metonym of the Aboriginal spirit itself. Moreover, the dead body emblematises not only the spirits of ancestors but the spiritual quality of the living.

#### 4. On the »Transplantation of Peace«

When claims for the deaccession of indigenous human remains in British collections were first posed, they were barred in principle by the British Museum Act of 1963, which in general prohibited the removal of any donated objects from museums. Representatives of the British government stated that in British law there is no such thing as property in the dead, and that therefore institutions in the UK were in no position to acquire or revoke property rights in remains. According to this view, the

collections of remains kept by institutions (museums and galleries) are not held as property but as artefacts, in a form of perpetual »trust« by definition exempt from being relinquished as the indigenous organisations demand. Discussing with me the consequences of such a legal system, an ATSIC employee commented:

Repatriating indigenous human remains from overseas collecting institutions is of paramount importance to us, as we are the traditional owners of that material. Science or laws are not reasons to keep stolen remains, and museums are not stake-holders. I mean, you can call it science or museum policy or what you like but what happened was an ordinary theft. Our grandparents were forcibly removed from this land and their bodies were still warm when they stole them. People feared to die because they feared to be dug up. My mother used to tell that is always good to have a fake coffin. [...] We did not choose to be enshrined in a glass case with our story told by an alien institution, but we did choose to fight for our rights. Our [Aboriginal] first rule is don't touch anything that isn't yours. If you want an artefact, don't steal it from others. Make your own! [...] The atrocities that white people caused are still felt today. It is very important for the community to have remains back, 'cause this is where they belong. We want, and we expect, restitution.

As stated again and again, Aborigines activists' mission in seeking to retrieve mortal remains is to achieve a sense of closure on a period of history marked by dispossession and by the violation of their basic human rights. Collections of indigenous human remains represent a poignant reminder of the general harsh treatment of indigenous Australians throughout the colony, and the return of these remains is seen as a means of addressing past injustices. By constructing a mandate for a legal right of ownership vis-à-vis their dead, indigenous people also set up a concept of their ethnic identity as being grounded in kinship ties with ancestors.

Interest groups more specifically deploy a backwards-reaching rhetoric (of law, myth, property, right and anteriority) in conducting political actions, which bear on the present. In imagining the restoration of their community through the reconstitution of shattered remains, these groups, it appears, hope to experience inner strength, or a relief, in their own words, in the repossession of their »spiritual calmness«.

This set of ideas interested me in that it articulated a particularly cohesive model of bodily continuity as allegedly experienced between ancestors and present Aborigines. I asked a number of interlocutors to say something more about their experiences of that continuity and to explain the calmness that is said to arise out of it. If the spirit of their ancestors is—as they claim—lodged in ancestors’ bones, where is the site of their own spirituality, I wondered? Recalling what people said about the damaging effects of DNA tests on their souls—souls conceived as having a physical and not just a metaphysical dimension—I wanted to understand how Aborigines imagined and described the present-day relation of their souls, spirits and bodies. Sitting with an elder of local Aboriginal community in a finely decorated room of an old colonial house now housing Aboriginal community, I was told:

Well, I do not know how to explain this to you, but putting our ancestors to rest puts ourselves to rest. Once I know that they are brought home, I am relieved. Once their ashes are scattered, I feel stronger. I feel proud. At peace. It is crucial for us to have all of the remains back, to have whole bodies and spirits.

But where does this peace come from? Where does he feel his own and his ancestors’ souls? He replied:

My soul? Well, I never really thought about it. But now you are asking, I guess I feel it here... I feel the peace... first in my stomach.

I remember that there was a long pause after this sentence. Only after he had uttered his answer, I have realised, that my question could have been almost insulting, though it had not felt like that before. My host poured some more hot water over the tea leaves in my cup, smiled somewhat dryly, and said: »Tea should make us and our stomachs a bit warmer on such a windy day«. I nodded. We remained silent for a while, observing the small, tight buds swirling and growing in the heat. I did not know how to explain that by posing questions about the location of his feelings of peace, I meant not to belittle his concerns for his spirituality, but better to grasp the valence of this sensitivity, that was said to be located in and depended on the body.

Next to our cups, and a couple of books placed on the old cedar table, I could see a pile of all sorts of brochures, advertisements, and indigenous newspapers. The green leaflet on top gave out information on HIV, Hepatitis C, and alcoholism. Wanting to continue the conversation, I asked about the medical issues facing Aborigines. Again my respondent smiled sadly and answered that these explained how he could be less than 50 years old and already count as an elder of an Aboriginal community. The life expectancy of Aboriginal and Torres Strait Islander peoples remains about 20 years lower than that of the total Australian population. This is associated with their much higher rates of death from cardiovascular disease, such as heart attacks and stroke, as well as from external causes, such as accidents, intoxication, and (often domestic) violence. Cancer, dental care, petrol sniffing and general drug abuse, mental health, and most of all alcoholism loom large in the community. I listened again to the story I had heard many times before, of »blacks« struggling to fend off

»whitemen stereotypes« of their endemic alcoholism, while having to treat ever an increasing number of cirrhosis of the liver patients. So I asked:

Considering that many people are recognised as having serious drinking problems, and kidney disease, how are they medically treated? Do people receive kidney transplantation? Does Aboriginal community have anything against this type of medical intervention?

Yet another long pause, which I broke by further inquiring: Would you mind receiving organ transplantation in case you would need it? Would you donate your body as an Aborigine?

I can see your logic. Hmm... The completeness of the body is not a prerequisite for a spirit. But spirit shows itself through the whole body. [...] Back in my younger days, one of the first things, which I wanted to do, was to donate my body to science. There was nothing wrong with me then, as I think that there is nothing wrong with me now. I do not have any problems with donating my organs, although I am not sure if I am still licensed. A while ago I had that licence made, saying that if anything happens to me, they can use my body parts if needed. So I was basically an organ donor. Theoretically at least. If people can use them, if it is going to enable somebody else's life, I wouldn't mind helping at all. If my eyes, or my liver, lungs or my heart are OK., then why not? Fine with me.

I pushed: Would organ donation or receiving then interfere with your belief that for spirit to show one must have a whole body?

You mean, if I give, let's say my heart to someone, would that mean, that if they would have a part of me, that the part of them will be Aboriginal then? Hmm... I do not know. I never thought about it in that way.

In a series of conversations after this interview, in which I systematically broached the subject of organ donation, I received a range of fascinatingly

different answers to the compatibility of organ transplant practices with the contemporary beliefs of the Aboriginal community in Tasmania. Some did not object at all to this medical practice on the grounds of their spiritual beliefs, while others were repulsed by the idea of being »sliced, cut and [left] open after death«. Most often, people agreed that in cases of urgent need, one's health would have priority over any traditional concern. In 1999 there were 642 registrations for kidney disease patients who identified themselves as Aboriginal and/or Torres Strait Islanders; of these 82% were receiving dialysis treatment, and the remaining 18% had functioning transplants. As stated on the official site of National Health and Medical Research Council, some of the reasons Indigenous patients are less likely to receive a transplant include their having multiple illnesses, being less likely to find a suitable donor or being too ill to undergo the necessary surgery. In general, statistics show Australia's rate of organ donation as being very low. Even among registered donors, the rate of completed donation is not high, because at the point of death, about half of registered donors' families object to their organs and tissues being used.<sup>7</sup>

In understanding these facts, had I been brought nearer to understanding some of the complexities of the imagined body-soul relationship for Aborigines? With the tea drunk, the atmosphere in the room began to clear.

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<sup>7</sup> The information stated were procured in numerous interviews I had conducted amongst the Medicare Hobart and DonateLife TAS Network staff.

## 5. The Three Bodies of the Law

The background to my evocation of the complexities of aboriginal bodily and communal identity is necessarily the three bodies of law, Aboriginal, Australian and English Common law—which regulate the movement of aboriginal sacred and living bodies. Different legal techniques frame different arenas of accountability in relation to identity, the body, dead body, and body parts. Subjects' histories, legal heritage, experiences, texts, gestures, and claims all sustain the conclusion that aboriginal identity is not determined, or assumed, before the action of any individual or group, but is rather something that must be worked-through at all times. Aborigines invoke a range of legal strategies and discourses for many reasons: some groups seek indigenous recognition as authentic (they may still feel dispossessed in present day Tasmania, or seek to prove a contested aboriginality); some are suing for restitution for suffering in colonial times; other are testing the extent of the rights or capacities they have gained through the inception of new biomedical technologies in relation to living and dead bodies. The law is also called upon to »bring peace« to the souls of the past and present community. But a substantial measure of confusion derives from slippages between legal and conceptual systems as these characterise bodies and human material in general, in incommensurable ways. The human tissue law in Australia at present, for example, in consciously trying not to develop a language of property in human tissue, fails to develop an alternative language for dealing with the deceased and with human remains. Instead, one finds an increasing reliance upon tort claims for psychological damage and distress holding the place of any more carefully articulated statement of the meaning of body parts as these are still available in contemporary society.

In this sense, cases in which dead relatives sue individuals or institutions for harvesting organs from the deceased may be compared with the community aboriginal claims for the retrieval of human remains. One may ask then: how might ideas about organ transplantation illuminate indigenous claims about body parts, which until recently (that is, before biotechnological invention) phrased themselves only in terms of anteriority, and bodily and spiritual continuity? Is it easier to own and revoke something—a body part, or a sense of calmness—if we define and (rhetorically at least) localise it?

What is important to recognise at this juncture, is the artificiality of contrasting the central two positions, a supposedly scientific-western and an indigenous one, as if they are competing for cognitive exclusivity in people's conceptions of identity. Daily life and daily politics in Tasmania both suggest that people not only invoke both standards of identity in uneven and overlapping ways, resorting to one or the other under pressure of circumstance, but that standards appear as a continuum of different decisions at different times, not as a set of pre-emptive solutions. Ancestral ideas of the resuscitation of the corpse have a place somewhere on this continuum (that is, presuming it should be imagined as a continuum), as do the specific practices concerned in its retrieval, even when these seem to reify into an unthinking or essentialist adoption of tradition or indigeneity.

In imagining the restoration of their community through the reconstitution of body parts, Tasmanian Aborigines appear to experience a »time which is panchronic and empathetically expanded« (Boyarin and Boyarin 1995, see also Sansom N.B.). Through localising or siting their ancestors' missing human remains, and in actively pursuing them, the

body and body parts cease to be thoroughly ideational entities. A successful repatriation of human remains promises a possibility for time to be compressed and for the past to be rendered visible in the present. The repatriated body (part) becomes the medium through which continuity with and dissociation from ancestral tradition is negotiated. If conflict, or human intervention (in this case »body snatching«) was responsible for sundering the body into parts, the act of classifying, localising and constructing the body through indigenous activism, medical intervention and law restores the shattered body to wholeness. The act appears symbolically consubstantial with the constitution of a present-day social and political Aboriginal community. The relief and peace that comes with the retrieval of human remains intimate a more benign version of »colonial history«, which ends with the resettlement of a body of people in their own space. The very process of classification restores body parts to a status of persons. The motive for reclaiming Truganini in her entirety has then as much to do with reclaiming her from an iconic role as it has with the task of finally affording her »peace«. The integrity of »aboriginehood« appears not to be guaranteed by the physical integrity of bodies (either dead or living) alone but by the participative process of retrieving them, inscribing them and making judgements on their behalf. The potentialities of ancestors' bodies and souls may be realised, within the contemporary representational economies of Aboriginal people, only if they are treated as other than abandoned. As Pottage states: »the increasing recognition that each human body or individual is potentially either person or thing brings with it an awareness that techniques of personification and reification are constitutive rather than declaratory of the ontology upon which they are based« (2004, 9). By engaging with a juridico-medical

process of classifying, naming, and localising dismembered body parts, Aborigines negotiate not only the question of how to manage their ancestors' but the potentiality of their own bodies.

## 6. Postscriptum

What follows is an anecdote, which fused for me the image of Truganini with the idea of bodily completeness and that of the body as a form of unclaimed or unassigned potential. The affable, silver-headed man with whom I had shared the timber bench when I arrived in Hobart, and who had told me that »real Aborigines« no longer lived in Tasmania, turned out to be my neighbour. One evening when I joined him and his niece at dinner, the man said with a huge grin:

I was thinking, and as I understood you really are interested into all these body issues, so I thought of phoning my relative in Melbourne and guess what, she agreed on meeting you. You're lucky! You'll see what sorts of thing she is doing in that hospital. She is a skin-grower! Yeah, I bet you did not hear of that before.

The eventual experience of meeting the woman was truly rewarding. My neighbour's relative was a head of the Tissue Culture Laboratory, which grows keratinocyte cells into epithelial grafts for burn patients in hospitals around Australia. Discussing bioengineering, burn patients' attitudes towards their body, and the medicalisation of body parts in Australia, she told me an anecdote of her own:

It is more or less a regular thing that once patients are fully recovered they come to see us in the laboratory, to thank us again, or just greet us and tell us how they are doing. Once we received a patient, I remember, a very proud young man, who upon arrival to the hospital had almost all the front body badly burned. We somehow managed to keep him alive, and eventually his

new skin grew all over his body. His health was restored. Nobody saw him for a long while, but just very recently he came in, and wanted all our crew to gather together. He wanted to show us something. Once we were rounded up, he unbuttoned his shirt and shown two little circles that he tattooed recently and that stood for his lost nipples. Above them he made another tattoo, that spoke of his aboriginal background. He said: »Only now, I feel again as a complete person. I wanted to show this to you all and to thank you«. That was one of the most beautiful moments in this hospital for me.

In Berlin, February 2006

## Accounting for Aboriginal Remains

The European passion for »collecting« antiquities, purportedly instigated by Napoleon (see Greenfield 1996, 108), first manifested itself in the founding, in quick succession, of a series of museums in the late 18<sup>th</sup> century. Affluent travellers and traders, scholar amateurs and private collectors from Britain, France, Belgium, Germany, Holland, Italy, Denmark, and other countries, voyaged extensively through European colonial empires, amassing remarkable quantities of all sorts of objects (cf. Greenfield 1996, Henare 2005). Serving as the prompt for ostensibly universal or disinterested thought, these objects inscribed both an imperial prerogative of domination over subject peoples and the presupposition that such peoples comprised an »object of knowledge« for imperial science. Artefacts associated with colonial peoples were displayed so as to make perspicuous their »exotic« lifestyles, as apprehended through highly abstract nomenclatures and taxonomies. A number of British museums owe their founding impulse (and much of their collection) precisely to this era (cf. Greenfield 1996, 91; Fforde 1992 and 2004; Fforde et al 2004).

Whereas early accounts suggest that colonial people were often enthusiastic participants in the trade for natural artefacts, land and »artforms« such as tattooed skulls, more recent, postcolonial accounts describe peoples, rather, as vexed at losing or being robbed of their land, artefacts, regalia or human remains (cf. Henare 2005, 136). Former colonial peoples express this outrage over the appropriation of objects perhaps

most vehemently through a number of emotive claims raised in the 20<sup>th</sup> century. Ideas about past wrongs, touching on the supposed rights of indigenous people to an integral culture, more precisely started to gain currency from the 1950s onwards (cf. Eriksen 1997, Mihesuah 2000, Cowan et al 2001, Barkan 2002, Brown 2003 and 2007). As a consequence, as Peers and Brown (2003) note, the relationship between museums and their source communities has changed »dramatically« over the past few decades. No longer able to lay claim to a role as the custodian of a post-Enlightenment »science« or »knowledge«, museums nowadays often promote themselves as field sites or »contact zones« (Peers and Brown 2003, 2), operating under a recognition that artefacts are important for members of the communities that created them. Under the banner of a so-called »collaborative concept«, these »progressive museums« have also begun to encourage a mode of »visual repatriation«, whereby photographs effect a return of ancestors, historical knowledge and material heritage to source communities. In other words, contemporary museums typically acknowledge »a moral, ethical (and sometimes political) obligation to *involve* source communities in decisions affecting their material heritage« (ibid., my emphasis).

Now, for many claimants the fact that they are freshly *involved* in the decisions affecting their material heritage, cuts little ice, given that they are fighting for the unconditional repatriation of the contested objects. This is especially the case when people claim repatriation of human remains. In this matter, many claimant parties feel that unequal power relations continue to structure the terms of their negotiations with museums and other institutions.

## 1. Tasmanian Remains in Museums

The Tasmanian Aboriginal Center (TAC), whose case I examined in the previous chapter, has been particularly adamant in demanding the surrender of contested collections. TAC delegates publicly reject out of hand any »collaborative arrangements« conditional on returned remains' disposal and storage by, or guaranteed access for, scientists. In their words, offers of conditional return completely miss the point of repatriation's purpose, that is described as »about the unconditional return of aboriginal remains to Aboriginal people who will dispose of them as they see fit within [...] appropriate communities« (TAC Submission to WGHR, 2001, section 20, p. 9).

Since the early 1970s, pressure in Tasmania has been building for the deaccession and return of some 60,000 aboriginal remains housed in medical and scientific institutions abroad from both domestic [that is Tasmanian and Australian]<sup>8</sup> and international museums to their communities of origin. In the context of the wider Australian debate, the ATSIC and the TAC have been at the forefront of campaigns shaping changing perceptions of the proprieties of remains' handling. The TAC's legal operations have focused in particular on the UK, as it has been estimated that this country is home to the largest repository of aboriginal material. Historical records attest that most Tasmanian materials were collected in the 19<sup>th</sup> century by George Augustus Robinson who had been contracted by the colonial government of the day to clear lands by force for European settlers. On his death, the remains were passed into the

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<sup>8</sup> The Tasmanian state parliament passed a Museums (Aboriginal Remains) Act in November 1984 allow the hand-over of all Tasmanian Aboriginal remains as deposited in domestic museums.

possession of Barnard Davies and other individuals and eventually deposited in various UK but also other European institutions and museums.

When claims for the deaccession of indigenous human remains in British collections were first posed, they were barred in principle by the British Museum Act of 1963. Repatriation efforts with the British Museum, Natural History Museum, Royal College of Surgeons, Oxford University, Cambridge University (the Duckworth Collection), and National Museums of Scotland all came to no avail in the period 1986-2003. In this history of more than 30 years of active struggle for the return of remains, the joint communiqué of 2000 vowing to hasten the return of artefacts, as signed by the Australian and British Prime Ministers, marked a significant point. Soon after the signing of the declaration (in May 2001), the British Government, through the then Culture Secretary, set up a Department of Culture, Media and Sport Working Group on Human Remains (WGHR) to examine UK legislation, and those surrounding issues, which for a number of years had prevented institutions from releasing material from public collections.

As a consequence of the Working group report (2003)<sup>9</sup> and subsequent consultation (2004), and the bringing into force by the government of

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<sup>9</sup>A twelve-member expert panel of the Working Group in Britain has produced a report accepting that institutions habitually gathered remains without the consent of indigenous communities, further condemning remains' retention in such cases. British institutions are urged not to take any further action on human remains without gaining permission from descendants or, in the case of more ancient remains, appropriate cultural custodians. Among the report's 75 recommendations, it advocates 1) repealing statutes governing remains' management e.g. the British Museum Act so as to facilitate remains' return; 2) the establishment of a Human Remains Advisory Panel tasked with adjudicating disputes

section 47 of the Human Tissue Act 2004<sup>10</sup>, in October 2005, nine national museums<sup>11</sup> were granted powers to begin to deaccession human remains. Further, the relevant clause of the new law enables them to turn to a (non-statutory) guidance framework, which governs any possible return of remains. The legislation acknowledged a qualitative difference between the restitution of human remains and that of sculptures and artefacts, thereby separating questions bearing on remains from, for instance, the fate of the Parthenon or Elgin marbles. Moreover, the legislation, importantly, refers only to human remains believed to be under 1,000 years old, as these can be understood as having been abstracted in the colonial era, taking care to make public interest in the restoration of the »material memory« of past lives a prime concern in deciding remains'

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between museums and claimant communities; 3) the establishment of a licensing authority regulating institutions' holding of collections; 4) museums' observance of the »strictest standards of reverence and dignity, signifying respect for the deceased«; 5) the imposition on museums of a requirement to gain consent from direct and cultural descendants before retaining or researching human remains.

<sup>10</sup> The Human Tissue Act 2004 repeals and replaces the Human Tissue Act of 1961 and is primarily concerned with making consent the fundamental principle behind the lawful retention and use of body parts, organs and tissue from the living or deceased for medical purposes or public display. The existing law on retention and use of organs and tissue was reviewed following public inquiries into events at Bristol Royal Infirmary and the Royal Liverpool Children's Hospital (Alder Hey). These inquiries, together with the Isaacs Report (2003), which focused on the retention of adult brains following coroners' post mortems, showed that storage and use of organs and tissue without proper consent after people had died were commonplace.

<sup>11</sup> The Trustees of the British Museum, Natural History Museum, National Maritime Museum, Imperial War Museum, Royal Armouries, Museum of London, Victoria and Albert Museum, Science Museum, and National Museum Liverpool were enabled by this act to decide themselves on the merit of any claim addressed to them.

destination. It then becomes incumbent on claimant communities to demonstrate their association with the remains, usually in terms of their cultural, spiritual or religious significance.

That the first set of ancestral remains was repatriated to Tasmania, out of all countries or regions to have petitioned the British Museum, is unsurprising in light of the protractedness and pertinacity of the Tasmanian Aboriginal struggle for repatriation. On 26 March 2006, the Trustees of the British Museum announced their decision to return two cremation ash bundles to the TAC, saying that the cultural and religious importance of the claimed objects outweighed any other public benefit that might have flowed from their retention. The objects, two bags made of kangaroo skin and closed by a drawstring, holding ash from a cremation fire of about 1830, were collected on-site by Robinson, whose journals (2007[1966]) document the aboriginal practice of fashioning and wearing such bags of the ashes of close family members; Robinson understood these as talismans against pain and evil spirits.

On 17<sup>th</sup> November 2006, the Natural History Museum (NHM) in London similarly announced its willingness to return the remains of 18 Aborigines to the Australian government. These remains include the skull of an Aboriginal person from the Australian mainland and 24 sets of human remains from 17 Tasmanian Aborigines (cf. Davies and Galloway 2007/08). The remains were originally donated by Oxford University Museum in 1946, the Royal College of Surgeons' Hunterian Museum between 1955 and 1968, and from the Wellcome Trust in 1982. Whatever the documented provenance of these remains, the museum acknowledged that some material was most likely plundered or taken coercively through grave robbery and the boiling-down of corpses; nevertheless, the

Museum's submission insisted that in determining remains' fate, their scientific value be weighed against any claim made on their behalf by originating communities. Aiming to »strike a balance between an obligation to the international scientific community [which] claims access to study them for future generations and the cultural and religious beliefs of indigenous people«, they chose immediately to return the Australian mainland skull, due to confirmation that it has been exported illegally in 1913. The Trustees then determined to withhold the remaining collection for three months for the purposes of further research prior to deaccession. The research proposed shaving off pieces of bone to extract DNA for genetic testing, scanning skulls with surface lasers, imaging, making plaster casts and generally measuring.

This stay of execution, however, angered the TAC, who asked emphatically for further research to cease on the grounds that it would desecrate the spiritual beliefs of their community. As the »traditional owners« of mortal remains, the Tasmanian activists projected their guardianship of their ancestors as having more than a symbolic dimension, maintaining that any scientific research concerned to elicit their forebears' racial or genetic characteristics represented a breach of their human rights.<sup>12</sup> Claiming an adverse experience of similar scientific projects in the

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<sup>12</sup> TAC documents state that their involvement with other Aboriginal groups within Australia enables the Council to submit views which may be taken as representative of the concerns and problems faced by other Aboriginal communities and indigenous people worldwide, in other words claiming a very broad sphere of relevance for their claims in relation to British government policy on indigenous remains. Their claims to the »rights to retrieve their relatives« are very similar to those voiced by representatives of the Comanche Tribe, the Native American Grave Protection and Repatriation Act activists, etc.

past,<sup>13</sup> the TAC's president, Michael Mansell, resisted further tests, commenting:

They would never dare to do these experiments to the human remains of Jews or Roma or Scots or Manx Islanders. That they intend to mutilate our ancestors without our consent shows that they have not lost the same primitive mindset of the first English settlers, who treated our people as sub-humans (quoted in Langton, *The Independent*, 19/2/ 2007).

On Monday November 20, 2006, the Australian Indigenous Affairs Minister Mal Brough publicly welcomed the museum's decision to return aboriginal remains, but expressed his disappointment with the delay and its cause. Similarly, for the Tasmanian Green Party leader Peg Putt:

There is a long way to go yet in getting the museum in Britain to understand that this is stolen property. These are the ancestors, the relatives of people who are alive now in Tasmania and who deserve much better consideration than they've got so far (quoted in *ABC News Online* 19/11/2006).

The Tasmanian Supreme Court rebuffed the Natural History Museum attempt at compromise by ordering the TAC to become the administrator of the estates of 17 Tasmanian Aborigines, giving succour to a TAC High Court injunction in London to get the DNA testing stopped. Mark Stephens, a London lawyer representing the Centre, denied there was

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<sup>13</sup> As the NHM Report notes »At the time these Tasmanian remains were acquired, particularly in the 18<sup>th</sup> and 19<sup>th</sup> century, executed murderers and paupers who were inmates of workhouses, hospitals, and other institutions in the UK were acquired by medical schools for dissection without the permission of either the individual or their family, through act of parliament (Murder Act 1752; Anatomy Act 1832)«. This does not make such acquisitions morally correct by contemporary standards, NHM Report states, but does point to a different perspective on how human remains form of sanctity and respect accorded to them within the British Isles during the period of their original donation (NHM Report 2006, 3).

anything »going to come out of this research [...] likely to benefit humankind. This is scientific curiosity at its most mawkish.« (*ABC News Online* 13/02/2007)

In February 2007, the High Court granted a temporary injunction stalling the tests, only lifting this after the Museum offered to limit the scope of its interventions. Backed by AU\$100,000 of federal funding, the TAC's legal team further accused the Natural History Museum of seeking intentionally to mutilate the remains, threatening a High Court trial against the Museum and its chairman, Oliver Stocken, on the ground of civil theft and trespass' against the people of Tasmania murdered more than 140 years ago. At this point, with lawyers on both sides and the court appraising the evidence, the parties agreed to mediation. This is not quite the end of the story, and I return to the case later in the text.

## 2. Conversations

As well as causing a stir in museology, the British Museum's and London's Natural History Museum's decision to consider repatriating the remains made waves in the world of science. When approached by the TAC, the NHM's scientists had parted company with the museum's trustees, arguing strongly that the museum's human collection be left intact. For the scientists, the remains represented »a particularly important collection [for] the global scientific community«, since the Tasmanian island is believed to have been isolated from the Australian mainland for thousands of years, and the Tasmanian genetic stock could thus potentially offer a basis for radical insights into human evolution and its genetic and morphological variation (NHM Report on Human Remains in Tasmania 2006). »Failure to maintain scholarly access to these remains«, in the words of the scientists,

»would reduce the ability of all people to know aspects of their *common* heritage, to the detriment of both the Tasmanians and the wider community« (ibid., 1).

Of course, fields of science, as much as those of culture, in relation to remains are contested; and Robert Foley, Professor of Human Evolution at Cambridge University and former director of the University's Duckworth Collection, lost no time in querying these scientists' claims. As far back as 1992 and 2003 Foley had clearly set out his position on repatriation of human remains:

Above all... there are two powerful reasons for the retention [of human remains]. The first is that these skeletons are an irreplaceable record not just of particular cultures and populations, but of humanity as a whole, and their disappearance would be as much a loss to human history as the destruction of the statues of the Buddha in Afghanistan by the Taliban. The second is that these collections have preserved this history, and it is more likely that the descendants of people who are now calling so vigorously for reburial—often beyond retrieval at any time—would prefer to see them in museums as part of a global heritage, and as a source of historical and scientific ideas and discoveries.« (Foley in Besterman and Foley 2003, 51)

But at the same time:

[T]here's certainly a crisis of confidence in many museum people and the communities that work there, that museums have a particular image in relation to the places from which much of their material has come and they feel that in a way building relationships with emerging nations and communities is an important way of trying to restore the notion of museums... [M]useums, on the other hand, should not be ashamed of their past. If we look at what we find in the British Museum or we find in the great museums of Europe, we have saved there a history of the world which might otherwise easily have been lost and

which now acts to inform people in ways that can only be for the good.«(The *BBC Radio 4* transcript, 29/08/2004)

As the debate on the future of the remains began to filter through to the British media, a number of museum curators offered their opinions. In a radio programme Jack Lohman, director of the Museum of London, commented »it's high time for museums to start behaving morally towards their collections and towards the communities that they serve.« Former Greater London Authority Head of Culture Dame Lola Young advocated a new level of ethical introspection within museum culture, opining:

The problem with some of those collections is not just about the way in which they're collected; it's about the motivation behind them. So if something is collected in order to, for example, demonstrate the superiority of Europeans, the inferiority of Africans or Indians, so-called other peoples, then that is obviously highly problematic (The *BBC Radio 4* transcript 29/08/2004).

Anthropologist Michael Brown rejoined that:

If you try and do an exhibit that doesn't offend somebody, you end up with an exhibit that's so uninteresting and insipid that it's really of no use at all.(*ibid.*)

Clearly, the issue of the utility of the human remains collections had been posed in the public domain in a way unignorable by the advocates of repatriation, but also in ways inextricable from themes of ownership, domination and »offence« (cf. Lattas 1990).

However these debates are mired (or rather constituted) in culture, there is a broad consensus among most commentators on this debate that the position of human remains in museums, similarly to that of those in hospitals, is sufficiently important to be subject to regulation, either

statutory or expressed through a code of practice. Such a legal framework, though, for many, would *ipso facto* question whether a category of indigenous people should be made remains' legal and moral caretakers on the basis of their presumed kinship relationship with 19<sup>th</sup> century Aborigines. In the matter of restitution museums should always ensure that they are negotiating with duly representatives of the »right« claimant community (Besterman 2004, 11). In order to vindicate the assertion of remains as part of a group's »cultural heritage«, those claiming repatriation have sought in various ways to verify their affiliation with the deceased. In this context, the claim of TAC representatives to some direct form of genetic filiation with the material in British museums may be seen as especially problematic. The orthodox belief among historians of aboriginal culture has been that no »full blood« Aborigines survived in Tasmania after the death of Truganini in 1876. This would imply that many claiming direct Tasmanian descent are rather »manufacturing ... self-proclaimed aboriginal histories« (cf. Murray 1995, 1996 and 2002 in the context of archaeological research)<sup>14</sup>, possibly for reasons of self-aggrandisement in contemporary contexts. As discussed in the previous chapter, Tasmanian Aborigines today form part of an urban indigenous population sharing almost no physical characteristics with the indigenous communities on mainland Australia. Most of those asserting aboriginal ancestry need to offer »proofs« of their aboriginality. Beyond attestations of identity, many Tasmanians and others express concerns with the »biological purity« of indigenous peoples, wanting to know (in terms that have often been put

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<sup>14</sup> For the claims that the use of archaeological classification alienate indigenous perspectives see Atalay 2006 and Dongoske et al 2007.

to me apropos my research) whether those claiming aboriginality are »real« or »fake«.

Almost apart from any question of the historical lineage of Tasmanian Aborigines, a moral impulse seeks to deprive activist groups of the remains by pointing up the necessary fictiveness of the stories underwriting their identity. A biological anthropologist in Britain asked me whether the Tasmanians were not quite »guileful and cunning in their attempts to fine-tune their conjectural histories with their claims«. Another interlocutor suggested:

Well, even if some modern aboriginal groups could trace their descent to full Tasmanian Aboriginal, they have heavily interbred with other populations. Surely we are not talking about real Aborigines any more.

Yet another interviewee asserted:

[P]eople would understand if museums had to release human remains to close relatives. But we aren't speaking about the bones of a living person's grandmother, but really of some ancient, dusty bones.

A naturalist interpretation of Western ideas of biology, ancestry and kinship hardly needs expounding. Such comments seek to impose local or British notions of the proximate and plausible in kinship onto the forms of Tasmanian community, begging the question whether a durable emotional relationship and kinship bond may be established with people long dead. The scepticism over aboriginal legitimacy in repatriation claims for such a form of understanding also endorses the museum scientists' assumption that the only conclusive proof of lineal descent will derive from molecular evidence. Nonetheless, under Australian federal law, the decisive factor in the legal disposition of remains is cultural affiliation, not

biological (i.e. genetic) affinity, meaning that Tasmanian Aborigines in this context qualify as rightful claimants.

Another problem in tying indigenous claims to authenticity to the verdict of some form of scientific objectivity is that it risks essentialising indigenous groups –delegating to »truth« questions of who may or may not belong to currently composite communities, such as Tasmanian Aborigines. This characterisation would all hold for imputed indigenous groups worldwide, touching a number of live rails given postcolonial sensitivities over the right to construct images of the aboriginal.

Cautioning against this homogenising view, the Senior Curator for Anthropology at the Cambridge University Museum of Archaeology and Anthropology, Anita Herle commented:

We usually have a very good relationship with our source communities. Still, it is worth remembering that not all indigenous people want to repatriate human remains. There are groups who simply do not want to deal with human remains, [...] or others especially those who were head-hunters that take special pride in seeing their trophies on display in world museums (personal conversation, March 2007).

Taking this further, other scholars like Michael Brown (2003 and 2007) have, importantly, claimed that the identification of indigenous groups—the question, that is, »who are indigenous groups and what do they want?«—plays an essential role in the construction and projection of Western self-images.

Another anthropologist Adam Kuper responded to the human remains debate stating:

These are the people who in the 19<sup>th</sup> century were described by anthropologists as so-called primitive people: hunters and gatherers living in

far-flung parts of the world. They were seen as being somehow at the bottom of the evolutionary chain. Today, a hundred and fifty years later, after anthropologists completely deconstructed these notions of hunter gatherers, of primitives, of racial exclusivity, all these Victorian notions are being reconstituted with the support of NGOs, World Bank, United Nations in order to construct a new category – the indigenous peoples of the world – who are identical, it turns out, to these primitive peoples [...] And they are thought to have some sort of stable culture which dates back before colonialism, which must be somehow reconstructed, handed back to these people (*The BBC Radio 4 transcript, 29/08/2004*).

Kenan Malik, a writer and broadcaster, added:

The campaign for the repatriation of artefacts and remains, and for the protection of minority cultures, is motivated by the best of intentions. Its consequences, though, can be deeply troubling. It presents an idea of culture as fixed and immutable, and as something that people own by virtue of their biological ancestry – an almost racial view of the world. (ibid.)

Debates over the fate of remains thus have to navigate a number of misleading and recalcitrant concepts – including those of the authority of science, the purity of indigenous peoples and the exclusive rights of descendants. Even so, constructive dialogues between museums and representative ancestor groups would appear to represent the only way of resolving impasses over remains. This conception may itself be vulnerable to error, since, as Strathern (2006a and 2006b) describes, the idea that the rhetorical form of a dialogue enables one to decide conflicts of interest may itself involve an elision. Dialogues would appear to be premised on common ground, yet in these debates the claims of science and of descendent communities are couched in incommensurable orders, such that it would be difficult to adjudicate them through deliberation

(Strathern 2006b). I return to these ideas later, but first I want to characterise the Tasmanian debate more fully.

Participants in discussions over the museum holdings have experienced obvious difficulties in seeking to accommodate the interest of members of all constituencies. There is no comfortable position, either epistemically or morally, from which to judge the rights and wrongs of the matter—giving rise to polarised or caricatural representations of scientific and curatorial concerns over deaccession on one hand, and indigenous claims for remains' retrieval on the other. Many current discourses, moreover, in which the debate is modelled—such as the interrogation of genetic descent in science or models of post-conflict reconciliation in law—fail to capture and indeed obfuscate the essential concerns of both sides (cf. Lattas 1990, Appadurai et al 2008, Weiss 2008).

It thus came as a surprise when the processes of legal mediation between the Natural History Museum and the TAC recently did succeed in finding such a »common ground«, and indeed in deciding the fate of the remains. On May 11, 2007, the media released news that the representatives of the museum and of the Aborigines had settled. Under the agreement researchers would refrain from »invasive« techniques, such as DNA extraction or isotope analysis, on the remains. However, some of the genetic material previously extracted will be held at a neutral facility in Tasmania under the joint control of the centre and the museum, leaving open the possibility that it might be used for experiments at a later date, as subject to further negotiations. The TAC delegate Greg Brown professed satisfaction with this outcome, telling BBC News:

Now we have some power and say over what happens. Nothing can happen to the DNA samples unless it has the joint approval of all parties.

Natural History Museum director Michael Dixon agreed:

We are really pleased that we have been able to resolve this issue through mediation, and that we have established a framework through which we can ensure ongoing communication with the TAC. We have both come a long way.<sup>15</sup>

### 3. Conversions

For an anthropologist the debate I have depicted is potentially interesting, and its outcome—agreement—probably even more so. What does it mean that this agreement has been arrived at through *dialogue* (even if the threat of court was hanging over participants' heads)?

Taking account of the agreement's terms, it may seem as if both sides have substantially carried their negotiating points. The 24 sets of Tasmanian human remains were deaccessioned permanently; but the Museum retains the ability to access information the remains might yield in future. The Tasmanian negotiators thus concede the notion that the human remains could potentially be seen as biomaterial providing information about human evolution. The agreement therefore framed the terms in which three things could happen: (1) the remains could be managed; (2) the remains could be conceived as a repository for a form of information possessing a latent value, and (3) the remains, particularly insofar as they encoded this form of informational potentiality, could be designated as an asset under joint control. As such, the agreement's terms raise the question of what exactly, if both sides knew from the outset that

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<sup>15</sup> The BBC NEWS: <http://news.bbc.co.uk/go/pr/fr/-/1/hi/sci/tech/6645161.stm> Published: 2007/05/10 23:29:42 GMT

the stake of the dispute was remains' informational potential, and not any other value-encoding, they found so offensive in each others' claims? Why did the sides not sit down at once and talk about intellectual property rights? Why did they talk instead about spirits, molecular biology and loss? What does this say about the conceptualisation of biological information?

As noted above, one of the pivotal goals of the aboriginal activists was to prevent the remains (and ceremonial objects) being subject to any further museum exhibition or scientific and taxonomic research without their consent.<sup>16</sup> In arguing for repatriation, some of my respondents directly connected their anxieties over scientific investigation with a fear for the potential erosion of the objects' spirituality, which would be presumably siphoned off by science, especially DNA testing.

Scientific intervention in the form of genetic testing was, as shown previously, represented as inimical to the remains' spiritual life. But the intervention also appears to be offensive because it enacts a specific kind of *temporality*. Instead of acknowledging the horrors of invasion, and the devastation visited upon native Tasmanians in 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries, scientific techniques appear almost exclusively devoted to the time before the mass persecution, murder and dispossession—a time almost mythically encapsulated in the notion of an unadulterated biological heritage. Moreover, the techniques are seen as abusive because they are motivated only by the scientists' visions of progress. These scientists, activists presume, are seduced by fantasies of imminent applications for human material, such as advances in genetic analysis making possible the

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<sup>16</sup> Along with all other Australian communities, Tasmanian indigenous organisations have denounced »all scientific projects done on Aborigines« (See Declaration of Indigenous People of the Western Hemisphere Regarding the Human Genome Diversity Project 1995).

revelation of (for instance) past patterns of human migration through the isotopic study of bones, or of the genetic signatures of certain forms of susceptibility to, or immunity from, inherited medical conditions. It is against the perspective of the future mining of aboriginal genetic material as a resource—a procedure, furthermore, in which the material is almost exhausted in the face of the insatiable demands made upon it—that community activists so easily imagine the expropriation of the remains as a loss. For the activists, the remains represent a form of semantic and temporal fullness that has been abstracted and could readily be restored; while for the scientists they exist in a kind of temporal displacement from the present, as the site of both the past and the future. Human remains further signal a kind of lack in that they will never be adequate to all the questions science will ask of them.

These different conceptions of the remains manifest themselves particularly clearly in divisions in the way remains are discussed by scientists and supposed descendants (cf. Mihesuah 1996 and 2000, Watkins 2000, McGhee 2008, Weiss 2008, Kakaliouras 2012). Scientists notably render and describe the Tasmanian past in a language of numerical values, through which remains are measured. The deeply rooted Enlightenment idea that numbers are somehow purer and less susceptible to subjective influences than other sources of information grants numerical data a special authority not enjoyed by other »impressionistic« forms of knowledge (see Gould 1981), including attestations of personal meaning and connection. Yet both researchers and Aborigines deploy a suggestive rhetoric of number to evoke the potential loss of the remains. While for scientists this captures fears over the loss of the remains *qua*

object-of-knowledge to science, for those sympathetic to the Aborigines it connotes the ruin, and possibly the revival, of their history:

In 1803, when the British first landed on the island there were 4,000 Aborigines living in Tasmania. In 1860 only 15 Tasmanian Aborigines were left alive. In 2006, according to the Australian Bureau of Statistics, the number of Aborigines in Tasmania, from a total state population of 477,077 increased from 2,700 in 1981 to 16,900.<sup>17</sup>

And again, compare:

The Natural History Museum holds the national collection of human remains, comprising 19,950 specimens (varying from a complete skeleton to a single finger bone). These represent a worldwide distribution of the human population and a timescale of 500,000 years. The majority of the collection (54 percent) is material from individuals from the UK. 450 specimens are of aboriginal Australians. 56 scientists from 31 institutions used the collection for research in 2002.

As Urla (1993) and many others (Starr 1987, Mimica 1988, Wagner 1988, Appadurai 1993, van der Veer 1997, Ferme 1998, Verran 2001, Green 2005) have suggested, there are probably few features more characteristic of modernity than the notion that we can know ourselves through number. Counting practices elevate certain features to the status of signifiers and measures of identity (Urla 1993, 818). There is therefore a consequence to the construction of numerical narratives. The statement of number, as in the above examples, can be a »semantically powerful mechanism« (ibid.) in defining ideas of the past and future, and of loss and prospects for reparation. Scientists tend to present their efforts at quantification as

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<sup>17</sup> According to 2011 Census, out of 495,354 population of Tasmanian state there were 19,625 documented Aborigines.

indicating an access to objectivity, believing that numbers free them from the romanticism imputed to the Tasmanian activists. The citation of the figure of 500,000 years, as the date of human remains, works therefore to exalt the researches of evolutionary biology, and diminish the value of present aboriginal claims for materials' repatriation. This very aboriginality, meanwhile, is also conjured in the measurement and representation of loss. The number of human remains scattered round the world's museums here connotes a measure of the wrongs done to Tasmanian Aborigines since the 19<sup>th</sup> century. Tallying human remains here stands in a metonymic relation for gauging problematic pasts.

Still, one could protest the difference between being styled as quantifiable or enumerated and being transformed into numbers themselves. It would seem, that is, that this second objective underpins many current or anticipated scientific techniques, whose biotechnical power aims at not only extracting data from remains but at transforming remains into implements for research. For example:

DNA in bone comes from osteoblasts, which are cells protected from air, humidity and UV light by the calcium matrix they form. All ancient DNA work is conducted in a physically separate ancient DNA rooms, where the bones are scrubbed with a 10% bleach solution and then subjected to UV light for half an hour to cross-link any superficial DNA. Usually we drill a fine bone powder or shave off with a sterile razor blade. There are different DNA extraction procedures, which could be applied – but generally we work with phenol-chloroform method. After PCR amplification we visualise and sequence DNA. [...] Genomic sequencing is carried out by breaking the genome into small pieces from 1,000 to 3,000 nucleotides, cloning them, and sequencing each piece individually. The entire sequence is then put together by overlapping the sequences of all pieces. Genetic information is then adduced numerically in

tables stating characteristics of a species' DNA. The genetic profile is presented in a table that shows the codes of loci, and of genotype. The bone analysis and alleles values are all encrypted as numbers.

Scientific innovations that re-engineer human relics as archives are hence seen by some Aborigines as working further to destabilise and fragment already sundered remains. DNA intervention ceases to be taken only metaphorically, as yet another interference with ancestral spirits, but is read as offence because it assumes a straightforward *conversion* of human remains into codes and tables, that moreover presents itself as a uniquely privileged way of knowing remains. Technically converted into numbers, human remains in such a context cease to be able to mediate any relationship to their ancestors:

Every time they drill into those remains they take a part of that person's spirit away which will never ever be able to return to Tasmania and to the land. (Clyde Mansell on *SBS Radio* programme Living Black, 07/03/2007)

But this aversion to scientific measurement notwithstanding, Aborigines as much as scientists both have recourse to numerical techniques in representing remains and, even more markedly, participate in techniques of numerical conversion. In making legal claims, Tasmanian Aborigines often refer to »the fact that there are 60,000 aboriginal remains in world museums, out of which a great number come from Tasmania«. Yet this »great number« of remains may only apparently be released into full meaning once body parts are repatriated:

When, on behalf of our community, I travelled to England three years ago to receive the hair sample and a skeleton, I really felt we have achieved a tremendous victory. We brought the souls of our ancestors back to our own country. And believe me, the souls of our people held in that skeleton and hair,

have completely fulfilled the souls of hundreds of Aborigines who came to Oyster Cove to pay their respect. ... I knew, when standing there that I was surrounded by true Aborigines.

This rhetorical inflation around number possibly fails to accord with what one might expect on the basis of purported aboriginal eschatology, in which bones are the casket of the soul, and one set of remains contain one soul. Yet in this account, two sets of remains (perhaps equating to two souls) translate into, and are merged with, »hundreds of souls« of contemporary Aborigines through a successful act of repatriation and cremation. And not only has the number »two« been made up into »hundreds«, it moreover enables a general measure of »true aboriginality« in generating a representative qualitative status designating souls that have returned.

I can illustrate this idea of the representative and affective capacity of numbers through another example. A Wednesday morning finds me sitting in Peterhouse College Parlour expecting a guest. The woman who walks in, wearing a long red shawl soaked from the rain, is the elder of an Aboriginal community, who works as a manager in a repatriation unit; she is stopping over in England on her way back from a lobbying visit to Canada and the States and agrees to meet me in Cambridge. Tea and biscuits are served; the carpet muffles any awkwardness in our movements, and we comment on the light coming through the monastery-like windows. When I ask her about her work, she replies in kind yet dry numerical terms of an accountability report, stating staff numbers employed on permanent or project bases in different regions of Australia, differentials in budget, resources, and repatriation techniques of various legal teams, and so on. I write all these figures down. She then produces

from her bag a recently published report on her local Aboriginal community's history. Beyond the table of contents, the thin blue book is all text and few photos. My eyes pause on a sentence on influenza epidemic death rates at the beginning of the last century. When I query the aboriginal politics of visual display, she explains that publications rarely contain images or diagrams as writers »do not want to offend the communities... To see an image evokes a spiritual responsibility for caring for the person. It is not something to play with.« She gestures towards the paintings hung on the wall behind my back:

Graphic portrayals are rare. Unlike verbal portrayals, graphic is the real thing. People get scared when they see real things. ...[W]henver we put photos, images or scientific records into our documents we need to preface them by saying for example that they contain scientific diagrams. By that we prepare the reader and show our respect to the community.

As I am jotting this down, she gets up to investigate the portraits of former Masters on the Parlour walls, and I am bashfully unable to fill her in on their achievements. She helpfully points out the paintings' aesthetic values, then reads out the subjects' dates: 1575–1647, 1792–1866, 1714–1782. She smiles and says:

They must have had a good life. My ancestors were usually dying in their thirties and forties at that time. But let's go back to your question. You wanted to know about the influenza and bubonic plague rates?

#### 4. Conjunctions

At this point I want to tease out two broad classifications from presented material. It is clear that recent indigenous assertiveness on the subject of cultural heritage, together with the possibility of new scientific

applications, are opening unique and unprecedented imaginative possibilities for remains, whose philosophical implications and practical consequences have yet to be sounded. Among the many different claims made over remains I traced in the course of my work, two positions stand out. The first is occupied by those attesting a professional interest in remains: scientists, legal officers and museum workers, who treat collections as a form of information, and fragmentary remains as fragments of knowledge, constructing them, for instance, as evidence within a context of evolutionary biology. The second position is that of interest groups claiming an emotional and kinship relation to remains; these groups often endow them with some supposed attribute of their ancestors, such as their spirit or souls.

The interests claimants have in the stuff of human remains are also mediated by factors such as the manner in which remains were collected, the prospective uses to which they may be put (say to bring ancestors to peace, or to discover new evidence of human evolution), and the terms of latter-day communities' access to them. The current museological and scientific position on the management of remains, as evidenced in the many ethical boards and departments associated with museums, is to pay at least lip service to this variety of uses. However, when access to human remnants is reserved for scientific institutions in the name of preserving the »international heritage« value of holdings, this effectively construes Aboriginal ancestors as a scientific resource (cf. Thomas 2000, Kane 2003, Meskell 2004).

On the other hand, Aborigines' efforts to exert political, social, and legal changes regarding human remains are dependent on, and in fact answerable to, legal and political constructions framed in an international

(particularly British), not indigenous, context. A corollary of this is that, in appropriating the language and practices of international law and science, activists necessarily democratise or »internationalise« those remains they claim, making them available to others. Repatriation efforts also enumerate and quantify remains. As Jasanoff (1997 and 2004) observes, people attribute a quasi-juridical function to science on the strength of its social significance in contemporary societies, where it stands as both a cognitive and political resource in policymaking. The trajectory taken by remains in repatriation cases is a complicated one, in which they signify and cease to signify as information according to unpredictable patterns. In the course of debates over remains' management, processes of grieving or of coming to terms with loss are increasingly supplanting the use of remains to elaborate visions of the future. These grieving processes work through numerical attribution, as ideas of horror and loss are imputed to remains through statistical charts.

Such numerical representations of remains not only register indigenous feelings of humiliation but inscribe contemporary technologies of self-auditing, professional competence and the restoration of dignity. As such, numerical narratives affect the examination of various moral and practical problems relating to the management of human relics. What work as tools—practices of numbering and measurement—also work as signs, connoting desired ends in the management of body remains. Numerical values grant human remnants a certain metonymical potential—not only in a symbolic but also in museological and scientific ways.

Moreover, in considering techniques of intervention and measurement, we are not simply talking about representative technologies as applied to remains. These techniques are properly *transfigurative*, as surface laser

scans of skulls, images, plaster casts, and bone shavings all fashion technological artefacts holding a certain scientific data-value, to be further sequenced and numerically captured. This conversion into data, however, does not offer only a benign reflection of remains, »a symmetrical moment in which remains' form finds its numerical analogue« (Waldby 2000, 6). On the contrary, the remnants are experienced as literally re-made and re-cast into new entities.

It is here, most likely, that a high degree of anxiety and expectation can be located. As the UK law currently stands, the dead body and body parts are not property and cannot be owned, unless skilled techniques have altered them to such an extent that they are unrecognisable as the craftsman's raw materials. This appeals equally to organs as it does to limbs. Individuals' or institutional claims of interests in human remains material are then adjudicated in law on the basis of how far they have been transformed by a technical process.

It may seem correct that the law grants protection to skills such as dissection, DNA analysis, imaging and museological preservation techniques, even as these processes transcode body parts as biological data. But as Waldby notes (in a different context), once remains are so rendered as compendia, »as information archives to be stored, retrieved, networked, copied, imaged, transferred and rewritten, [they] become permeable to other orders of information, becoming liable to all the forms of circulation, dispersal, accumulation and transmission which characterise informational economies« (Waldby 2000, 7). The future this supposes for remains, needless to say, is at odds with the prospectus of the Tasmanian Aborigines, for unconditional repatriation.

In conclusion I will go back to the question of the elisions that may mark debates over remains. Commenting on conceptual difficulties with the idea that dialogue could itself extend »respect« to the values of both sides, Strathern (2006b, 2) finds a slippage between argument and the settling of conflicts of interest. The Museum's assumption was that dialogue would »foster a mood of understanding among parties« (DCMS 2003, 157), making available to each other experts' and activists' views. But for many activists, the difference was not one of perspective, or such as could comfortably bring the two sides into a single field of discourse. As my ethnography shows, those claiming biological and emotional relationship are opposed in principle to the practices of professionals. The two sides envisage different kinds of bodies, and in so doing claim to be different kinds of people, so that their relationship to the human remains belongs to different orders (Strathern 2006b, 6).

This perception—of experts' positioning of themselves as inaccessible to the claimants' concerns—applies equally to the numerical form in which human remains are increasingly couched. In order to be usable as standardised representations or fungible as information, human remains through practices of claiming and intervention undergo a series of conversions. Moreover, by using the standard metric of numbers through which to express their claims, different constituencies make unlike things into comparable units. The aboriginal evocation of human remains as sites of ancestral spirits is made commensurable to scientific arguments for access to them as sites of a universal knowledge of the human condition. But even though scientific and aboriginal claims would then proceed in the same terms, the scientific claims on this footing would remain superior. Different assumptions will always inform expectations of what numbers

can convey and perform. I wonder then, what it is that the Natural History Museum and the Tasmanian Aboriginal Centre had agreed upon? And what is it exactly that they have under joint control?

In Cambridge, May 2007

## Performing Aboriginality, Democracy and Science

The age of self-determination in Australian indigenous politics has, among other things, opened up new spaces for the discussion of indigeneity itself. In addition to the two classical colonial loci of aboriginality—the museum and scientific collections—questions of indigenous identity, and the rights attaching to it, are nowadays also frequently negotiated in the world's courtrooms. Ever since the 1960s, practical, political and spiritual issues pertaining to aboriginal Australians have registered themselves and often been adjudicated under the rubrics of reconciliatory projects presenting themselves as democratic. These settings tend to consider the dispossession, mass extinction, and sorrowful defeat of aboriginal culture in the hope of strengthening the moral fibre of present-day liberal democracies, whose polities are consciously oriented to human rights and the cultivation of conscientious subjects.

At the same time, competing sets of liberal democratic principles offer to frame contemporary indigenous identities according to a possibly contradictory variety of ways. The global scientific community, for example, often conceives indigenous identities in terms of the genetic identities produced in clinical settings. Scientists claim, as I have shown in the previous chapter, that their research into genetic stock has the potential to advance radical insights into human evolution and its biological and morphological patterns of variation. On this basis, scientific scholars claim rights of access to studying this »material« insofar as it forms

part of a global biological heritage. Opposed to these scientists, however, a number of indigenous activist groups assert that many (if not all) forms of scientific intervention into the biological, cultural and historical heritage of traditional peoples should be rejected as deeply inimical to native spiritual life.

The following chapter explores repertoires of images, argument and practice rehearsing tensions between the idea of »intrusive« and »non-intrusive« scientific intervention in aboriginal contexts. In it I discuss how contemporary understandings of Tasmanian aboriginality and ancestral rights are shaped, constituted and promoted through the use of various scientific and representational technologies understood as ethical and empowering, on the one hand, and experienced as immoral, intrusive and reductive, on the other. The discussion aims to illuminate the relation between the strategies and styles of transaction typically adopted by museums and scientific institutions, and the economy of contemporary Tasmanian Aboriginal self-representations.

## 1. The case of Truganini

The totemic figure in the described rights struggle, around which all Aboriginal Tasmanians rally irrespective of their bio-genetic bona fides, is the mid-nineteenth century Tasmanian forebear Truganini. Dying in Hobart in 1876 aged about 73, Truganini was buried at the old female factory at the Cascades. Since she was considered the last »full-blood« Tasmanian, her body was exhumed as soon as 1878 by the Royal Society of Tasmania, which was authorised by the government to take possession of her skeleton on condition that it was not exposed to public view but »decently deposited in a secure resting place accessible by special

permission to scientific men for scientific purposes«. In 1904, however, her skeleton was strung back and articulated for public display in the Tasmanian Museum in Hobart. It remained there until 1947, when press agitation largely on the grounds of the tastelessness of its display consigned it to the vaults of the museum, where only scientists could view it. It was in 1975 that the Tasmanian Aboriginal government reclaimed possession of the skeleton, and in April 1976, to mark the centenary of Truganini's death, cremated it. Much of the initial TAC legal reasoning concerning the protection and preservation of indigenous heritage and repatriation of human remains was therefore articulated precisely around the Truganini case displayed in the Hobart Museum collections.

Over the years, as I have shown, the Tasmanian Aboriginal movement has become even more organized, setting in train claims relating to the repatriation of an estimated 60,000 sets of aboriginal remains housed in medical and scientific institutions abroad. Only the restoration of bones wrongfully abstracted to their rightful descendants and locales, the activists claimed, together with the performance of last rites, could enable the deceased at last to achieve spiritual rest. Moreover, they were particularly adamant in claiming that scientific intervention of any kind was characterised as an affront to the remnants' spirituality, given that their ancestors' spirit remained lodged in their mortal remains.

The upshot of forty years of active struggle for remains' return, as this has kept pace with the changes in public, legal and medical understanding of the human body and body parts, as evidenced for instance in the UK Human Tissue Act 2004, has been a certain success on activists' part in keeping aboriginal remains (and ceremonial objects) away from any further museum exhibition or intrusion in the sense of taxonomic science

research. Scientific research such as shaving off pieces of bone to extract DNA for genetic testing, scanning skulls with surface lasers, isotopic research, imaging, making plasters and generally measuring is nowadays strictly prohibited. Over the last ten years, a number of British and other overseas museum and institutions have started or successfully completed handing over their collections to aboriginal communities worldwide. The legacy of the TAC in this context is undeniable.

## 2. Performing Aboriginality in the Island Gallery

The theme of aboriginal autonomy and Aborigines' struggle for control over self-representation is therefore inextricably linked to the politics of aborigines' status as full juridical »persons« within the Australian state, as well as to their struggle for land rights and the repatriation of remains (cf. Taylor and Nadel-Klein 1991, 415). However, although exceptionally successful on the international level, TAC political strategies are often interpreted by both descendants of the European settlers and »natives« themselves as aggressive, exclusionary, and sometimes »not [even] authentically indigenous«. The following is taken from a long conversation with a Tasmanian of European descent:

The reason why Tassie Aborigines are so successful in their claims and politics is because they are not like the Abos from mainland. They are not properly aboriginal. Only the Northern Territory Aborigines are really Aborigines. They still live in Dreamtime, respect the Law, speak their own languages... Here in Tassie, some fellas might be boong<sup>18</sup> but they think white, they think in a European way. They are racist in a European way. Colour and blood matter much too much to them... Anyway, they should be called Islanders, and not

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<sup>18</sup> *Boong* is a racist term for blacks.

Aborigines. That would not mean they are anything less, but it would be a more precise word.

This chapter does not aim to adjudicate disputes over the proper definition of indigeneity in Tasmania or even to document grievances broadly expressed on both sides on the settler-aboriginal divide, as well as among »Aborigines« (cf. Whittaker 1994). Rather, my focus falls on certain institutionally constituted practices of self-representation among activist Aborigines, as these groups both work with and against museums (see also Langton 1993).

A good starting-point for the excavation of these issues might again be Truganini. Twenty-seven years after she came down from the walls, I visited Hobart for the first time. In the beginning I had a hard time finding anyone willing to reflect on aboriginal issues in Tasmania and went along to the Aboriginal gallery of the Hobart Museum in the hope of picking up leads that could direct my research. At the time the gallery was a gloomy, neglected place, dimly lit, heavy with dark wood panels and showcasing only a few unattractively exhibited objects. It was hardly the place to learn about the aboriginal presence in Tasmania, unless one read the gallery's dingy emptiness as a sign of the complete absence of aboriginal issues from contemporary Tasmanian self-presentation. Indeed, the topic of many of the conversations that I had in 2004 was the notion of »absence«, »non-existence«, or the »vanished« race. As noted, I was even advised that if I wanted »to speak with Aborigines, I must go to New South Wales, or even better Queensland«. When I returned to the island in summer 2007, however, for a subsequent spell of fieldwork, a number of changes in the public discussion of aboriginal issues were immediately apparent. Local voices acknowledged and documented activists' success in securing the

repatriation of cremation ash bundles from the British Museum and sets of human remains from the Natural History Museum in London.<sup>19</sup> My visit coincided with the run-up to the Australian election, with Australians closely following the then prime minister John Howard's and Kevin Rudd's televised debates and presentation of their proposed policies. Aboriginal politics emerged as a leading theme in these debates, with Howard's explicitly supporting the Northern Territory National Emergency Response—a military intervention into the Northern Territory prompted by a government report on the sexual abuse of children among Aborigines. A colleague reacted to my comment that public discourse<sup>20</sup> about aboriginal affairs have visibly changed over the past couple of years in these terms:

Well, the State Government has changed. The Tasmanian government was the first one to officially apologise to Aborigines. The time is better now for a good dialogue between the community and the government. We do not have to push any more, we can simply negotiate. And that position is almost as good as passing the new laws. We now have three separate lots of legislation to return the land. We have legislation that covers the compensation of the people. We have the Aboriginal employment programme. We also have the cultural heritage legislation that covers not only the human remains repatriation, but also the fishing and hunting rights. Jim Bacon [the late Tasmanian premier] parted ways with old manners of looking and thinking. But how long will this

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<sup>19</sup> However, it appeared, that this was certainly a bigger issue in the UK than in Tasmania.

<sup>20</sup> It would be still too much to say that the aboriginal rights figure that prominently in everyday Tasmanian conversations. People tend not to speak about aboriginal affairs if not directly asked. However, five years ago many of my respondents would deny that »true« Aborigines existed in Tasmania, whereas now some degree of public contemplation of their status appears possible.

last we don't know. The whites will eventually feel that they have paid their debt to the Aboriginal community. Middle-class liberals are anyway guilt-ridden and do not know how to deal with us. But by any standards, the situation has changed. Even six months ago that [reconciliation, Aborigines] would have been an esoteric conversation for the majority of Australians. Now everybody everywhere talks about it.

In the time that elapsed between my visits, the Hobart Museum (TMAG) had also put itself through a significant programme of renovation.<sup>21</sup> The Museum staff spent the summer of 2007 adding the last touches to their newly redesigned Indigenous gallery (opened later in December 2007).<sup>22</sup>

With the funding that came out of 30 AU\$ million TMAG redevelopment scheme, initiated by the late premier Jim Bacon, the curators, Tasmanian Aborigines Tony Brown and Zoe Rimmer, have decided not only to refurbish the old Aboriginal gallery, but to reinvent and rebuilt an Indigenous exhibition from scratch in response, they said, to the need for a new way of explaining the history of the aboriginal presence and culture of Tasmania. The Aboriginal gallery, now named *Ningeneh Tunapry* meaning »to give knowledge and understanding«, was conceived as a space that would make maximum use of interactive multi-media, with

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<sup>21</sup> A reading of the layout of the Tasmanian Museum and Art Gallery speaks volumes about Tasmanian self-representation. The Museum houses a numismatics gallery, the convict gallery, an Antarctic gallery, and shows of decorative art, colonial art, zoological and geological galleries and a display of indigenous culture.

<sup>22</sup> As part of the group of academics participating at the »Imperial Curiosity«, University of Tasmania conference, I was invited to see the exhibition before its official opening. My initial visit of the gallery in July 2007 was followed by other visits during my stay and by interviews with the curators.

arrays of touch screens linking to visual,<sup>23</sup> audio and tactile cues<sup>24</sup> enabling visitors to fully explore the »journey« of the Tasmanian Aboriginal people. As such it aims to »celebrate... all Tasmanian Aboriginal generations—past, present and future« (excerpt from the gallery panel). Moreover, it was decided that this celebration should be organised around the image of six Islands and the canoes. The most striking and indeed symbolically the most revered feature of the exhibition is a hand-built aboriginal canoe, five metres long and little less than a ton heavy. An exhibition panel informs visitors that there are three different types of traditional aboriginal canoes. The one currently on show is made out of stringy bark, collected from gum trees or eucalypti found around Hobart, Bruny Island and the mouth of the Saltwater River. In addition to the stringy bark canoe, North West coast Aborigines made paper-bark canoes, whilst those on the East coast plied the waters with vessels made out of reed.

Why organise an exhibition about Tasmanian Aborigines around a canoe and a series of island images? The imagery marks a pronounced departure from the usual visual terms—the desert, kangaroos, the bush and the beach—through which most tourists and other casual traveller construct Australia,<sup>25</sup> and are perhaps immediately appropriate in the context of the local history of the smaller Australian island. But beyond conceiving this curatorial choice in the context of Australia's geography, the canoes also bring to mind a host of cultural associations connecting

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<sup>23</sup> Images of the exhibition may be found also on the following site: <http://www.flickr.com/photos/alexandragillespie/sets/72157603735080125/>

<sup>24</sup> The sound of traditional singing by Fanny Cochrane Smith and audio commentary on contemporary Tasmanian Aboriginal culture, for example, feature heavily in this experience.

<sup>25</sup> For analyses of these themes in Australia, see Ward 1958; Ramm 1989; Whittaker 1994.

traditional fishing practices, modern-day beach culture, and the aesthetics of the coastline and coastal heaths, along with ideas of physical isolation and the country's national reluctance to open up to immigration (see also Shute 1957, Johnston 1965, Price 1974, Evans et al 1975, Hughes 1988, Hage 2000, Schech and Haggis 2000, Huntsman 2001, Rutheford 2001). Further, the epithet »islander« also captures a number of symbolic hierarchical relationships laying out the ways in which contemporary Australia itself tends to be articulated in terms of centre and periphery. If Australia is seen as an island in the world's eyes, mainland Australians in turn portray Tasmanians as their own islanders. But even Tasmania is limned as the mainland for those living on the smaller islands scattered to its north. More importantly, these small islands in the Furneaux group represent the symbolic hub of Tasmanian Aboriginal identity. Truganini was survived by a community of Aboriginal women and sealers on the islands in the eastern Bass Strait. It is well documented that around 300 indigenous Tasmanians left over from the wars of the 1830s, having survived colonial disease and alcohol abuse, were collectively and forcibly removed to reserves and protectorates in Flinders Islands in 1845 and to Oyster Cove Aboriginal Station on mainland Tasmania in 1848 (Ryan 1996, Pybus 2000). These Islanders lived on Gun Carriage Island, Woody Island, Long Island, Tin Kettle Island, Cape Barren Island, Preservation Island, Hunter Island, Kangaroo Island, Badger Island, Passage Island, and further many other island and islets around Tasmania.<sup>26</sup>

The idea of presenting aboriginal history through Island imagery thus possesses a certain logic. Six notional or thematic »islands« frame the

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<sup>26</sup> There are 240 islands that belong to the state of Tasmania.

gallery's attempt to portray »some[thing] of Aboriginal history, stories, traditions and cultural practices and to develop an awareness, appreciation and respect for who Aborigines are and what they stand for« (from the exhibition concluding panel). The first island depicts traditional, tribal Tasmania before it was discovered and populated by European settlers and convicts. The second island tells the story of the European invasion. The third describes the Aborigines leaving for Oyster Cove. Island number four portrays the moment at which the Aborigines leave Wybalenna for Bruny Island, the time of Dally Dalrymple. The fifth island represents the development of the Aboriginal community today, showing regional aboriginal cultures and events associated with the aboriginal struggle for recognition, such as the return of land and claims for the repatriation of artefacts and material. This section also insists on the continuity of certain aboriginal traditions such as mutton birding. Island number six stresses more explicitly features of traditional cultural activities that are practised by contemporaries, including basket-weaving, shell necklace stringing, the making of kelp water carriers and recently revived or re-imagined practices of Aboriginal dance. A contemplation room gives visitors the chance to sit and reflect at the end of their visit to the new gallery.

Perhaps the key way-stage in the exhibition's procession of islands is its sixth, explaining another re-invented tradition – the contemporary fashioning of Aboriginal canoes. The very canoe staged centrally in the gallery is not some old and repaired artefact but a newly made, that is laced, strung, and sewn product. The »production« of this piece was enabled by a discovery of canoe models by George Augustus Robinson, Chief Protector of Aborigines in the 1850s, who interpreted his remit under

Great Britain's Colonial Office as an outlet for an overt interest in aboriginal ways both as an observer and collector. Apart for his infamous collection of human remains and other objects, Robinson apparently amassed a few model canoes, that is, smaller versions of traditional Wybalenna aboriginal canoes made by Islander Aborigines at his request.

There are evident ironies, then, in the Museum's foregrounding and resignification of canoes as the mark of aboriginal cultural survival. Yet, one could argue for another equally ironic interpretation of this particular artefact. The display of the bark canoe includes a short video outlining its making. As Breen (2008) observes, »the video includes a scene of the canoe in use, apparently a response to the scene in the 1976 film *The Last Tasmanian* in which a canoe constructed by the archaeologist Rhys Jones sank, whereupon Jones declared the canoes used by Tasmanian Aborigines were useless and hence evidence of what he claimed the declining intelligence of Tasmanians« (Breen 2008, 46.1).

Aside from these representational tactics, though, the museum's curators found the thought of reconstructing the canoes genuinely exciting. However, because »[t]here are no surviving full-size traditional canoes, and the knowledge of making them was thought lost to the Tasmanian Aboriginal community«, those deputed to make them were doing so for the first time (Zoe Rimmer, personal conversation). It was obvious, though, that the models were too small and the weaving pattern too complex for the craftsmen chosen to make any sense of them. In order to decipher the original weaving and sowing method, they have searched for other available technologies. In the end they opted to laser scan the models, taking the patterns to the private Rush Taylor hospital in Hobart to make use of its computer axial tomography (CAT) imaging:

The hospital staff must have thought us crazy. We called in and said we wanted to slip aboriginal model canoes through the CAT scans. Sounds crazy, ha? But we knew that's a safe method, and that laser scanning would not damage the objects. You know laser-scanning technique is completely non-intrusive. It does not touch the artefacts. It is just the matter of sweeping them through the scan, nothing more. And the information gained proved invaluable.

However, even taking scores of scan images, the group could not make any progress reconstructing a 3D model. As narrated by one of the artisans, at first they were utterly disillusioned with the project as nothing ever seemed to come out of their work. But after a number of long, and what seemed futile, months of selecting, fumigating, preparing, drawing, seeking to determine the proper dimensions, staring at the CAT scans pinned up on the museum walls, and then sewing and stringing, everything fell into place in the space of one afternoon. Sarah Parry and four Tasmanian Aborigines, Brendon (Buck) Brown, Shane Hughes, Sheldon Thomas and Tony Burgess, eventually succeeded in constructing the first traditional bark canoe built by Tasmanian Aborigines in more than 170 years. The group was immensely excited and proud of their work, with the TMAG director Bill Bleathman characterising their recreation as an event that »carries great cultural retrieval significance« (Mercury, 10/11/2007).

A soft exhibition opening was organised for the Aboriginal community before the official unveiling of the new show. Members from the Aboriginal community were also invited to witness a utility test of the new watercraft. The museum staff constructed a smaller version of the canoe and launched it on the waters as a test. Five months before the official opening of the exhibition, on a cold July day, museum images captured a

perfectly buoyant canoe paddled by a museum curator in a snorkelling outfit. The canoe had passed the test, and the museum staff on the photographs, that were shown to me, appear to be heaving with pride.<sup>27</sup>

### 3. The Bark, not the Bones

The museum's attractive Canoe and Island project was welcomed by the TAC,<sup>28</sup> and has received positive coverage in Tasmanian and Australian media, besides encouraging, even excited mention, in numerous tourist

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<sup>27</sup> The building of the life-sized bark canoe and floating of the smaller model has been filmed by the ABC's Stateline program and televised on 10.VIII.2008.

<sup>28</sup> The TMAG director's Mr Bill Bleathman explained: »We have established a Tasmanian Aboriginal Advisory Council about four years ago made up of prominent Tasmanian Aboriginal people to advise the trustees of the museum and government on all aspects of Tasmanian Aboriginal culture and broader indigenous cultures within the museum. We work with them and certainly the Aboriginal community that they represent to develop that Ningenneh Tunapry exhibition. Every word was written by them and endorsed by the community and it is an exhibition that shows not only historical Tasmanian Aboriginal culture but a contemporary, vibrant Aboriginal community that is around today. There are five separate aboriginal education programs and they are booked out for the remainder of this year with school groups. But they are delivered by Tasmanian Aboriginal people, not museum workers. Museum workers support the Aboriginal people in the delivery of those programs, which have been outstandingly well received.«

Source: <http://www.kerryfinch.com/qa-speeches/estimates/20080623i.html>

Other media reported that overcoming their initial suspicion of the reconceived galleries, the Aboriginal Land Council has also embraced the project. Tasmanian Aboriginal Advisory Council representative Rodney Gibbins was reported commenting on the exhibition: »It's so valuable to show the living, vibrant Tasmanian Aboriginal community which exists now" (Mercury, 10/11/2007).

blogs. Multi-authored and ecologically oriented,<sup>29</sup> Hobart's historically linear version of the Tasmanian aboriginal story as staged in a *de novo* constructed gallery crosses a terrain hazardous with emotionally, politically and also technologically charged discourses and images. In this museum's telling, a typically monolithic, presumptively timeless version of aboriginal culture, taken from an overgeneralised model of aboriginal life (Taylor and Nadel-Klein 1991, 417; Breen 2008, 46.2) was somewhat modified, with the island imagery offering an alternative visual vocabulary for aboriginal self-presentation and an aboriginal politics of self-fashioning.<sup>30</sup>

The gloss put on the exhibit by Tony Brown, chief curator of the Indigenous Culture Gallery, presented the islands as emphasizing the continuity of aboriginal history:

Our story is one of struggle, survival and justification. But by celebrating the survival of our community and culture we move forward to a positive future... The main focus of the new gallery is the Tasmanian Aboriginal community today, highlighting what has been achieved throughout the years.

Unlike previous renderings of a Tasmanian Aboriginal population cordoned off from modernity and from Euro-Australian society, the exhibition tells a future-oriented story that repeatedly settles on metaphors of production. This present-tense presentation is stressed as contributing to the ongoing project of a Tasmanian Aboriginal politics. In

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<sup>29</sup> Some scholars of Australian and Aboriginal societies are openly critical of aborigines' recruitment of a »traditional« reverence for the environment as part of a Green or conservationist agenda (Hiatt 1989, Whittaker 1994:313, Rolls 2005b).

<sup>30</sup> It should be noted that generations of white Australian schoolchildren were taught to see Aborigines as part of the continent's wildlife. (See for example, White 1981 in Taylor and Nadel-Klein 1991, 418).

the words of the curator Tony Brown: »We can't worry about what's happened in the past any more, we want to move forward and keep going forward«

While the islands are conceived as visual and conceptual shorthands for understanding aboriginal history, the canoe, meanwhile, could be taken for a framing device for making sense of the aboriginal presence in contemporary Tasmania. Yet the rhetoric and much of the semantics of this designation remain obscure. While drawing attention to Tasmanians' ancestral heritage and its associated rights, that is, in insisting on these in the context of contemporary urban aboriginal »culture«, the exhibition appears to make a conscious move away from standard Tasmanian aboriginal representations as typically espoused by the ferocious political line of the TAC (concentrated on issues of human remains and land repatriation). The exhibition, on the contrary, portray Aboriginals not only as suffering, heroic and successful fighters for aboriginal rights, but as ordinary (if stereotypical) artisans and culture-workers, producing shell necklaces, water carriers and canoes. It is these cultural appurtenances—the bark, and not the bones and other human remains—that act as the text into which aboriginal stories of loss and future are woven and strung.

Could this exhibition then be read as a sign, or rather a gesture, towards a different, novel reconstruction of the image of Tasmanian Aborigines? Aboriginal political identity has for the past forty years taken direct inspiration from the iconic figure of Truganini, projecting Tasmania as a deeply wounded place. Although the European invasion and the massacres happened 180 years ago, the martial discourse of the TAC in evoking an »unfinished and ongoing war« (cf. Langton 2000) for sovereignty (cf. Brown 2007) has tended to set the tone for Aboriginal-

non-Aboriginal relations. This rhetoric confronts white ignorance and self-exculpation with the image of Tasmania as a conflict zone, or least some kind of postconflict site.<sup>31</sup> As imagined by indigenous activists, aboriginals' situation, whether real or not, was one where a language of struggle perhaps principally justified and directed various acts of political manoeuvring.

In this context, »the war« was waged explicitly against specific museological and scientific representations of Tasmanian aboriginality. The political identity and legacy of the TAC was effectively built on the back of this struggle. The new gallery, however, appears to point in a different ideological direction. The representation of contemporary Aboriginal Tasmania through the image of the canoes engages not only with aboriginal systems of meaning and social relations but also with museological and scientific discourses and practices. In other words, the exhibition does not relate to the museum as the colonial showcase of aboriginal curiosities, but rather appropriates and domesticates the institutional setting as a space in which the Aboriginal story can be not just legitimately but also creatively visualised and performed.

This is a novel situation for a student of Tasmanian aboriginality. As we know, almost all museological interpretations and scientific interventions into Tasmanian indigenous heritage have been the object of deep censure among Aborigines for the last forty years, with their various acts of

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<sup>31</sup> Historians of medicine have noted that after the world wars, museological and scientific interest in human skeletal remains has shifted toward the reconstruction of the nature and characteristics of past populations, often of European origin and from archaeological sites. (Fforde 1992, 2; Anderson 2000; Buklijaš 2008).

interference seen as deeply offensive or inimical to native spirituality.<sup>32</sup> It is interesting, then, to evoke the exhibition creator's assumption that the CAT scans of canoe models would not only be non-intrusive but rather facilitating in convoking and performing aboriginality. The deeply cathected canoe models are, of course, nothing like human remains. One ought not to equate the fears provoked by isotopic studies of bones, DNA extraction procedures and remains' laser scanning with the CAT scanning of templates for wooden vessels. It is different to pin up a computerised scan of a watercraft to pinning up a skeleton. However, the imagery is forceful and the canoe's production dependence of the same technologies as those execrated by Tasmanian activists cannot be simply elided. It seems that, in some sense, the Aboriginal community's attitude (or the attitude of certain members of the community) towards the scientific techniques applied to aboriginal artefacts is changing.

The exhibition shakes up further classical and self-imposed notions of aboriginal exclusivity and boundedness. The creators of the canoe and island gallery intend that their artefacts will travel and circulate in a more than symbolic sense, that is, that they will be exhibited elsewhere. The National Maritime Museums in Sydney and Canberra have shown real interest in the canoes, prompting some to think that their group could start producing canoes on demand. Anticipating further publicity for the dugouts at the annual Wooden boat festival in Hobart, a museum officer

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<sup>32</sup> Of course, this is not to claim that the Tasmanian exhibition as the first to deal with Tasmanian Aborigines ever to be curated by representatives of the Aborigines themselves (See also TMAG 1976). A number of public exhibitions organised by Aborigines have been shown in Launceston, Hobart, and elsewhere. However, it is the first time that an aboriginal exhibition has been promoted as one of the island's main tourist attractions.

commented »We would gladly make them for Europe, for anyone actually who would be willing to pay for their production.«

Further, the TMAG's Bark Canoe project was recently recognised for its excellence not only as an Aboriginal, but also as a public and tourism business project, on account of its exemplary use of information resources. The project's rekindling of the knowledge and skills needed to build traditional canoes won the exhibition a Gold Award in Knowledge Management in the Cultural Initiatives category at the ACTKM Forum and the 2008 Indigenous Tourism Award. The museum's permanent exhibition serves specific social purposes and is forging new relationships. Tasmanians and the tourists that visit Tasmania are invited not only to tolerate but to embrace the history of the island as narrated and performed in the Tasmanian Museum Aboriginal gallery.

#### 4. A Democratization of Aboriginal Knowledge?

The canoe exhibition, it appears, brings to light new modes of translating Aboriginal culture and something of the changed stakes of these translations (cf. Myers 1992 and 2002, de la Cadena and Starn 2005, De Lorenzo 2005). If aboriginality until recently was held together by a grim narrative of deprivation and dispossession, and constituted itself politically in its resistance to scientific and museological intervention, the ethnographic case I describe above flags certain changes in how the same indigeneity can now be understood and performed (see Myers 2002; Coleman and Crang 2002). The exhibition appears to mark the end of the period in which the ancestral tradition in Tasmania is exclusively negotiated through land rights and the repatriation of human remains.

While rememorizing the experience of a violent aboriginal past, the exhibit's curators have extended themselves to reimagine and re-narrate less warlike and less stressful aspects of Tasmanian aboriginal life.<sup>33</sup> Staging canoe and island artefacts' certainly evokes mythological indigenous fantasies<sup>34</sup> and fulfils certain expectations of »pristine aboriginality«, but does not claim to portray the determinative essence of indigenous society. Moreover, the show is not premised on or pitted against what was previously seen as the paternalism of museums or the contentious progressivism of scientific rationality or neutrality. Rather, it puts museological and scientific techniques and technologies to the service of aboriginal self-representation and promotion.

This redesignation signals an important shift since museums in Tasmania, as I have hoped to show, were always the conventional settings and arenas of »the political«, or scenes in which aboriginal rights issues were played out. This much remains true today. Where Truganini was once showcased and pinned down, the canoes now breast the same museum space. And putting in canoe weaving in this context certainly counts as a political act.

One can ask, though, a further question. Since the canoes are on show in a public space—in a museum—should their display also be understood as a practice of »democratizing« of ancestral knowledge? Even the posing of this question has only become possible as a result of a dramatic revision in power relations between museums and their source communities in

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<sup>33</sup> For the politics of exhibiting Tasmania as a place of human tragedy, in the context of Port Arthur 1996 killing, see Conlin Cassella 1997.

<sup>34</sup> A revived practice of canoe making has become very popular in Native America too.

general over the past decade or so, as pasts have both been recognised and rectified in their museological dimension and also as public authorities have begun to concede a bigger place to dispossessed peoples in regional and national narratives. The museum is no longer a compendium of post-Enlightenment knowledge but indeed a field site or »contact zone« (Peers and Brown 2003, 2).

The very concepts of contact zones, collaborative participation and the accountability of institutions to specific publics are all inherent in not just this phase of museum-community relations but also in the wider norms, in politico-philosophical terms, of liberalism in an era of »self-determination«. However many have expressed second thoughts about this »new« Australian era. Elizabeth Povinelli (2002) and a number of other scholars (Cowlshaw 1999, Bonnett 2000 etc.) portray contemporary Australian liberal multiculturalism as a form of governmentality that promotes a notion of Australian diversity through idealizing certain »customary« ways of being amongst Indigenous subjects. As this mode of multiculturalism has sought to invert colonial power relations, in Australian postcolonial space indigeneity has apparently become relatively privileged (Kowal 2008, 341, Brown 2003 and 2007 in other contexts). Appropriative and normalising biopolitical practices, however, have also naturalised indigeneity. Indigenous subjects in contemporary Australia, thus, the critique goes, must strive to maintain what is imagined as their unique relationship to the land and native culture, whilst showing clear signs that they are otherwise willing to conform to general Australian standards of

health, education, self-expression.<sup>35</sup> Serious doubts are cast over the identities of aboriginal subjects who appear either non- or insufficiently traditional. Just recall what my informant quoted above had to say about Tasmanian Aborigines success being dependent on them being »a tad too *white*, and thinking the way whites do«.<sup>36</sup>

In this conjuncture, then, how might we think the offered museum imagery of islands and canoes as enacting a democratization of aboriginal knowledge? Breen claims that the exhibition could be read »as a major corrective to historical ignorance and has deep political significance« (Breen 2008, 46.1). If the 19<sup>th</sup> century island of Tasmania appeared to scientific research as a Garden of Eden, could we think of the *Ningenneh Tunapry* ('to give knowledge and understanding«) islands as disseminating sources of contemporary aboriginal knowledge?

This possibility, though, is much attenuated by the ironies of the canoes' production, by the (for some) doubtful continuity of Aboriginal communities, and by the doubts over Australian and Tasmanian liberal multiculturalism (cf. Hage 2000, 2003). The museological and curatorial

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<sup>35</sup> Indigenous people, according to my ethnographic experience, are often expected to remain »unique«, »aware of their difference« and not show signs of »assimilation « to white people.

<sup>36</sup> It appears that each public performance of aboriginality in Tasmania, even this one that to some extent subverts not only general Australian but also local aboriginal stereotypes of how aboriginality should be presented, is understood as politicised and often labelled as »white« in thinking. Political and museological activism are apprehended as belonging to a logic of Occidental thought, and ultimately as choreographed or provoked by the government. Further, as Povinelli observes, one must not appear »too occidental« (2002) nor too self-orientalizing in the context of Australian indigenous politics. For further discussion see also Ginsburg 1994; Ginsburg 2006; End and Han 2003.

practices of self-presentation described in this paper continue to draw on the notion of indigenous particularity in its difference and moral weight. Even if the exhibition can come across as somewhat self-orientalising (however technologically mediated its presentation and production), it succeeds in subverting some stereotypes of aboriginality and in debunking the longstanding idea of the utter inaccessibility of the Aboriginal people. In this capacity, in one sense, the exhibition marks a change of relational register in public discourse on race in Australia. Not only do Tasmanian Aboriginal communities legitimately speak through the show in different and plural voices; at the same time, the canoes displace the previous dominant (legal) narratives of the Australian past, with their freight of guilt and paternalism, with one navigating more open-ended metaphors of production and future relationships.

In Cambridge, March 2009

## CONCLUSION

### The Fragmentariness of Human Remains

This book has examined feelings of grievance and humiliation that certain Tasmanian descendent aboriginal communities experience over the loss of their ancestors' remains. It has documented various scientific, museological and legal reactions to claims made for the compulsory surrender of aboriginal relics from British institutions. I have argued that intervention into the disposal of remains, whether through scientific procedure, governmental oversight or museological curatorship, never occurs in a value-free context, nor successfully justifies itself in a rhetoric that disavows values. Instead, those claiming familial or emotional kinship to aboriginal relics always put the ethics of intervention into question: intervention is seen either, for its advocates, as a benign, restitutive means of recovering dead bodies' value, or else, for its opponents, as an impertinent intrusion into the person or communal membership of the dead. By understanding themselves as emotionally, spiritually and biologically related to remains, many Aboriginals set themselves up in opposition to those said to have only a professional interest in their fate. In this act, they take a stand against the romantic notions of »rescue archaeology« that purportedly inspired museum collections in the first place. This stance of opposition takes exception not only to the »wrongness« of scientific ideology, but also to the form that scientific and professional intervention in general here assumes. For their local critics, biological, archaeological, museological and other professional

interventions are broadly understood to impose a further strain on human remains. They act to fragment their already weakened bodies and spirits.

To some extent, it appears that discussion over access to human remains takes place on common ground. Both sides are concerned with the meaning of human remains and over who has the right to hold onto them. Yet scientists' and activists' claims are, as I have attempted to show, often (although, not always) couched in incommensurable orders, such that it is difficult to adjudicate them through deliberation. However, in what has been correctly identified as a battle of ideas between source communities and Enlightenment institutions, communities have begun to claim the upper hand, as demands for reparation through the repatriation of human remains or other objects are increasingly endorsed as morally, ethically, and politically correct. However, access to human remnants is still often reserved for international (usually equated with scientific) institutions, in the name of the putative »world-wide value« placed on remains. In the case of Tasmania, this construes Aboriginal ancestors as a scientific resource.

In this sense, access to fragmented remains is fragmented itself, fissured in being caught up in a variety of justificatory discourses and permissive and obstructive practices. While access has been conditional on many factors over the years, the fact that it is contested in itself means that claimants' experience is represented as one of separation and almost frictional attrition.

Moreover, questions of access to remains, as measured by successful repatriations, point less to the import of bodies as such, as to the significance attributed to exclusive rights of managing human relics. Aboriginal communities claim that they had been symbolically bereft not

of bodies, skulls, ashes, or land, but of a social milieu experienced as intrinsic. Such a social and cultural milieu appears to be fully enactable only through practices that join spirits and the land. This is how Aboriginal communities would manage their remains. As we could have observed recently, in the case of the demands addressed by the TAC to the British Museum for the return of a Truganini bust (not relics, but the bust!)<sup>37</sup>, some organisations are attempting to extend their exclusive rights not only over the management of human relics but also over any kind of representation of aboriginal people.

In addition, one can observe that, in demanding compensation for the wrongs of certain colonial practices, claimants seek not to expunge all traces of wrongs i.e. the bodies in these cases, but, understandably, to make the materiality of remains the very instrument of their restitution. Those claiming emotional attachment to remains tend to insist on their respectful treatment, with remains' being only enacted or »enspirited« according to indigenous usage. However, in urging this concern, they also hope for such acts to be internationally recognised as ethical and coded as human rights practices. Claims seek to shape the »international, ethical arena« as guaranteed or regulated by the exemplary figure of indigenous practices as they themselves tend to the dead.

Moreover, Tasmanian Aborigines' efforts to bring about political and legal change regarding remains are dependent on, in fact accountable to,

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<sup>37</sup> In 2009, delegates of the TAC demanded from the British Museum the return of a Truganini bust (apparently, around 30 copies of Truganini and Woureddy busts were made by the English sculptor Benjamin Law in 1835, including this not-on-display at the British Museum). Their grounds were that the bust presented an affront to the Tasmanian Aboriginal community as an example of »racial art«.

constructions of the legal and political in precisely an international (and specifically British) context.<sup>38</sup> A corollary of this is that, in appropriating the language and practices of international law and science, activists necessarily »democratise« or »internationalise« the remains they claim, making them available to others. While disagreement over remains may continue to turn on questions of access, the discourse that manages them is raised to an international level.

It is those rival legal constructions of human remains that underwrite my argument that, in demanding artefacts' deaccession, Tasmanian Aborigines are explicitly participating in a specific »Euro-American« debate vis-à-vis the conceptualisation of human material. While acting through current legal frameworks which presuppose things, rather than bodily appurtenances, as items of property, activists also appear to substantiate (as they subvert and localise) repatriation claims in invoking the »shattered spirituality« betokened by the scattering of bones. While Aborigines do not make their arguments for repatriation hang entirely on spirituality, they have lobbied successfully for the law to take cognisance of their feelings about (and culture's way of dealing with) their ancestors' alienated bodies. They appeal to the tools, languages, codes and practices of professional expertise as they attempt to secure some value (evidentiary or consolatory) from bodily remains.

The claims that Tasmanian Aborigines post in seeking the rehabilitation of past social milieux are decisively modified by the material

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<sup>38</sup> Whilst there have been a large number of successful repatriations over the last decade, some ancestral remains cannot be returned because their traditional lands are unknown. Currently, TAC representatives are arguing for a national Aboriginal keeping place for repatriated human remains, and for their say in the issues regarding Australian heritage laws.

form taken by the fragmentation of the remains. Nevertheless, as we have observed, this fragmentation ultimately results in a re-associating act of classification. Practices of numbering detach, decouple and break down, but also suture remains, narratives, and events. Fragmentation, measured in successful repatriation, allows the reintegration of a symbolic Tasmanian body. Numerical representations of remains not only register indigenous feelings of humiliation but inscribe contemporary technologies of self-auditing, professional competence and the restoration of dignity.

Human remains, then, make possible—even seem to solicit—forms of moral and legal redress, such as their restitution to the families or communities of the deceased; and remains' regulation is increasingly conducted through processes weighing claims expressed within idioms of kinship, spiritual beliefs and science. This confluence of the technical, institutional and sociopolitical, across a range of situations, is producing novel contexts for action and thought in relation to bodily material. Different constituencies mobilise figures of human remains in such a way as to ground themselves and to articulate particular notions of loss and visions of the future. This work has described some of the discourses in which remains are accounted for, appropriated and resignified. It has shown how the agents of these processes rationalise remains in using them to assuage powerful emotions or to sustain certain ideas of progress and futurity.

In Ljubljana, September 2013

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Urednika zbirke: Nataša Gregorič Bon in Žiga Kokalj, ZRC SAZU

Zbirka je namenjena objavi krajših tematsko zaokroženih znanstvenih raziskav s področja sodobnega merjenja prostora, ki temeljijo na geografskih informacijskih sistemih in daljinskem zaznavanju, kot tudi na družbenih in kulturnih konstrukcijah prostora in časa: kako ljudje v različnih obdobjih in pokrajinah mislimo prostor in čas, kako ju živimo, čutimo, ustvarjamo, spreminjamo in uporabljamo.

## CLAIMING THE ABORIGINAL BODY IN TASMANIA

### An Anthropological Study of Repatriation and Redress

#### Maja Petrovič Šteger

*Maja Petrovič-Šteger's book does not simply examine the grievance and sense of humiliation felt by Tasmanian aboriginal communities over the loss of their ancestors' remains. It goes further, to pose, in the most informative and persuasive way, a challenge to scientific and activist conceptions alike of human remains' symbolism and authenticity. Her work is a reckoning with the burden of meaning dead bodies still carry for any living community.*

**Karmen Šterk**, University of Ljubljana

*Claiming the Aboriginal Body in Tasmania is a thoughtful and insightful analysis of Tasmanian Aboriginals' claims for the repatriation of their ancestors' remains. Petrovič-Šteger innovatively connects issues of the return of body parts from museums and scientific institutes to aboriginal stances on organ transplantation and the use of technology, such as laser scanning in the reconstruction of traditional artefacts. Surprising and self-reflexive, this is contemporary anthropology at its best."*

**Pirjo Kriistina Virtanen**, University of Helsinki

**Maja Petrovič Šteger** is a social anthropologist affiliated with the University of Cambridge. Her publications are based on her fieldwork in Serbia, Tasmania and Switzerland, where she explores various contexts in which bodies—living, dead, or in the form of medically usable remains—become the sites of political, scientific, legal and artistic attention. Her current research examines military and psychological concerns with mental hygiene and neuro-security in contemporary Serbia.

