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for international human rights standards' (Renteln 2013 [1990]: 15). Her own effort in this direction was to compile evidence of widespread acceptance of the principle of retribution in customary law. Renteln's pathbreaking volume which focuses on individual human rights (*ibid.*) does not give much emphasis either to the norms of non-discrimination or to the evolution of what are called 'third-generation human rights' – notably the collective rights of peoples to self-determination – which have become so important for indigenous peoples since her book was published. Today, much more attention needs to be paid by anthropologists to the creative tension between these three fundamental principles of human rights law – individual rights, self-determination and non-discrimination – as it is

here that scope is found for forms of universalism which give room for cultural difference and non-colonial ways of ensuring compliance.

I also think that vernacular concepts of freedom are and long have been widespread in human societies and, as we have seen, are fundamental both to the Western idea of human rights and to their acceptance by peoples from other cultures. Notions of 'free will' underpinned the doctrine of natural rights. Principles of freedom, autonomy and consent are the bases of self-determination and decolonization. What we need, therefore, is an 'anthropology of freedom' to explore how various societies understand both individual and collective freedom in their own terms (cf. Colchester 1982; Laidlaw 2002). ●

Custody and custodianship

A reflection on collection terminology through the lens of human remains

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It is not until the 1989 Vermillion Accord on Human Remains at the World Archaeological Congress that we find the development of a professional ethical code surrounding the collection of human remains. The year after, the US Congressional North American Graves Protection and Repatriation Act (NAGPRA) set out the legal issues surrounding the repatriation and disposition of Native American human remains. These two developments raised the call for treating human remains of any ancestry with dignity and respect, since when the dilemmas surrounding the collection, documentation and justification for retaining human remains have only become more fraught. Each country has its own sensibilities. Presented here are issues that scholars grapple with surrounding human remains in one of the oldest collections in the world, namely the Blumenbach Skull Collection established in the mid-18th century at the Centre of Anatomy, University of Göttingen, Germany. Ed.*

* <http://www.anatomie.uni-goettingen.de/en/blumenbach.html>.



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Fig. 1. Drawer with documentation on individual skulls in one of Göttingen's anthropological collections.

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1. Email of 22 November 2020; our translation from German.

2. Zentrale Kustodie, Göttingen University; <https://www.uni-goettingen.de/en/about+us/521333.html> (accessed 31 December 2020).

3. The problematic term 'society of origin' is often used in relation to human remains. It tends to attribute 'groupist' (Brubaker 2002) belonging and essentialist or reductive identities to old and incomplete human remains; it often conflates

'My wife learned classical languages in school', wrote our research team member and historian of human and animal remains, Holger Stoecker, following our enquiry about the use of the term custodianship in the realm of collections: 'She opined that "custodian" means "guard". That applies to both collections and prisons, just in opposite ways – collections are guarded against break-ins and prisons against breakouts'.¹ Custodians guard and protect, but they also represent and speak for their charges, weighing and responding to diverse enquiries and claims made regarding the objects/subjects in their care – scientific and museum objects and historical and spiritual subjects. Occasioned by a research project on human remains, this article queries the challenges and opportunities posed in relation to this collection-related term in its situatedness between knowledge production and politics.

Working towards new sensibilities

Our questions regarding the meaning of 'custody' and 'custodianship' arose during the initial months of an interdisciplinary research project concerned with anthropological collections at the University of Göttingen. The project 'Sensitive Provenances' was initiated by the Zentrale Kustodie (Centre for Collection Development), which from 2013, has been tasked with coordinating the research and teaching collections accumulated and housed across various faculties since the university's founding in 1736. The Zentrale Kustodie also furthers research focused on the materiality of these diverse collections and contrib-

utes to understanding what was and is entailed in making knowledge.²

Sensitive Provenances takes its point of departure from two different but intertwined bodies of knowledge: the anatomical knowledge gained from the skulls in the collections and the historical knowledge gained from the journeys made by these human remains to Göttingen. Researchers from history, anatomy, biological anthropology and human ecology, and the two of us as cultural and social anthropologists have been joined by an anthropologist specializing in repatriation from Oceania and – pandemic permitting – short-term visiting fellows from Oceania and Africa. The other scholars involved seek to illuminate through archival records and morphological and physical evidence how these skulls ended up in Göttingen's collection, where they might have come from and whether potential descendants might be identified.

Engaged in a meta-enquiry into the project's process, the two of us are participating in and documenting the interdisciplinary rapprochement between fields which do not usually work together in grappling with these 'cold cases' that are both similar and different to those we know from watching crime thrillers. Our work, in general, involves epistemological practice and positions, attendant politics and ethics of care for human remains, establishing contacts with individuals from 'societies of origin',³ reflecting on the social and political aspects relating to provenance research and restitution endeavours, as well as drawing up recommendations – jointly with everyone in the team – for how these human remains might be returned or otherwise find a place of rest acceptable to all concerned parties.⁴

During a team meeting, we were struck by the weight of the term 'custody' in relation to human remains and thus

ethnicity or nationality with 'society'; it may be abused in an orientalist fashion by some Western counterparts who assume a unity of beliefs, opinions and agendas among members of these 'societies' (or even a uniformity across such 'societies'). The quotation marks emphasize these conceptual shortcomings. Additional terms are increasingly introduced by those working in this field – e.g. community or country of origin, interlocutors and stakeholders.

4. We have no prior experience working with human remains, but the expertise needed was in the ethnography of interdisciplinarity (Bendix et al. 2017), where Regina's experience with cultural property and Jonatan's work on identity and essentialism (Kurzweily et al. 2020) are proving useful as the project unfolds.

5. Grill & Wiegand (2020) confirm that skulls were an 'appropriate' and valued gift among medical researchers at the time.

6. <https://www.blumenbach-online.de/index-englisch.php> (accessed 31 December 2020).

7. This corresponds to the few lines concerned with human remains in the 1984 code of conduct for museum curators: 'The curation of human remains and material of ritual significance is a sensitive undertaking and a curator must be aware of the possible impact of such activity on humanistic feelings or religious beliefs. He must therefore take all reasonable steps to avoid giving rise to public outrage or offence in his management of such material' (Thompson 1984: 535).

8. This is evident also in the German Wikipedia entry for curator, see [https://de.wikipedia.org/wiki/Kurator_\(Museum\)](https://de.wikipedia.org/wiki/Kurator_(Museum)) (checked 1 May 2021). The English one introduces the term 'keeper' as a synonym for the curator, semantically invoking the 'under lock and key' association: <https://en.wikipedia.org/wiki/Curator> (checked 1 May 2021).

9. Cited from CurCom. <http://ww2.aam-us.org/resources/professional-networks/curcom> (accessed 30 April 2021).

10. Future work should consider the political and legal contexts of the often imperial time of collection and the generally democratic nation states within which activism surrounding colonial theft and atrocities arise. The latter permits free speech and agency and allows actors to problematize ownership assertions. However, actors also slip into shouldering national guilt for deeds and the rationale of imperial logic.

offer this reflection on collecting, curating and caring. 'There is nothing natural about systematically collecting and studying the dead', writes historian Samuel Redman (2016: 176). Nevertheless, as he observed for the United States, and as is applicable also for Europe, 'stretching deep into the twentieth century, gathering human skeletal remains was a common intellectual, cultural, and social pursuit' (2016: 3).⁵ In the 21st century, getting involved in a project involving and handling the resulting collections raises significant ethical and political issues. These range from post-colonial reconfigurations to the nature and hierarchies of knowledge-making and their tangible and intangible 'heritage'. The Göttingen skulls originated from different parts of the world and were initially instrumental in categorizing anatomical differentiation into 'types' (feeding the discourse of race and ethnicity). Göttingen's set of anthropological collections is but one among many in the world. It is not even the largest in Germany.

Although the collections kept growing, fewer anatomists continued to work with the newly arriving skulls; the 'materials' – as they are referred to within that discipline – were accessioned and managed by the custodians, who organized the contextual information available in the accessioning process peculiar to each collection. Some scientists, such as Rudolf Virchow in Berlin, encouraged their networks to amass more skulls to develop better proof of particular hypotheses. In other cases, the dynamics of collecting surpassed the actual scientific need, as is evident in many private and public institutions, from art to natural history. Collecting human remains might appear to be a peculiar passion (Rogan 1997), yet research and teaching collections have taken a different direction from the Enlightenment's cabinets of curiosity. They were primarily affiliated with the fields of natural science and medicine, which set their gaze firmly on the remains' usefulness for the present and future of science. Overshadowed by the race to accumulate, the objects' histories were not central to such scientific knowledge.

Meanwhile, custodianship emerged as a specialist field of knowledge-making (cf. te Heesen & Spary 2001). Scientific classification and the organization involved in analyzing and protecting collected materials were focal concerns of custodial guardianship, following the (European or capitalist) logic of ownership. Care for the entanglement of these objects in human relationships and alternate conceptions of property – particularly when it came to human body parts rather than artefacts – was not part of the necessary skill set. We seek to foreground this enlarged aspect of custodianship. All collectables have biographies and social lives (Appadurai 1986) or 'necrographies' (Panagiotopoulos & Espirito Santo 2019) that require custodial attention. Human remains are a poignant case that illustrates the need for an enlarged vision of custodianship.

Custody and custodianship in practice

Objects accumulated in the hope of building up evidence that might advance scientific knowledge are located between research evidence and collection. The vocabulary used to address them draws from archival and museum practice. Hence the better-known of the two Göttingen anthropological collections, started by Johann Friedrich Blumenbach (1752-1840) and affiliated with the medical school, has a custodian. The custodian has the most comprehensive knowledge about the c. 840 skulls in the collection (Blumenbach himself was the recipient of the first 245) and cooperates with those engaged with the 'material', such as the Göttingen Academy of Science team working on the *Blumenbach Online* portal.⁶

In terms of Stoecker's email cited above, for the time being, the custodian and the few people working with him

– including members of our team – protect the detailed information about the skulls and their (potential) origin. This protective attitude is based on intellectual reasoning. Custodians and natural scientists working with skulls are concerned about potentially inaccurate information (the human remains shifted location and passed through various record-keeping systems, hence inaccuracies developed over time; see Fig. 1). More importantly, they wish to guard against premature media attention at a moment when the time-consuming, detailed archival work on but a small selection of these remains is only just beginning.⁷

As Anke te Heesen clarified, a custodian is not a curator, but the terms have come to be used interchangeably in German:⁸

Custos is drawn from Roman antiquity and is another name for Jupiter, referring to his protective role. In 18th-century printing craft language, the term also describes that which reappears, referring to the syllable or the whole word set at the end of a page in a separate line and reappeared at the upper rim of the next page. [Two 18th-century authors] called this [Custos] the 'page guardian' ... Around 1802, the page guardian turns into a treasure guardian, a 'watchman' or 'warden', particularly in public collections. (2012: 25; our translation)

In the 19th century, the term gained specificity within the museum context: 'The custodian within a museum is then someone working scientifically with museum objects who has great expertise within an academic discipline and who can be considered a connoisseur' (ibid.). As used in Germany nowadays, the term extends beyond guarding and protecting to include the representation of collectables, not least in the context of increased pressure for knowledge transfer to broader publics.

The term curating, derived from the Latin *cura* or care, has expanded enormously in its usage, as also noted by the American Alliance of Museums:

Today the words curate and curator are widely used and hotly debated. Are we all curators? What does it mean to curate a collection, an exhibition, or a website? Beyond collection work, today's curator engages the community by fostering civic, social and cultural dialogue of ideas and creativity through public examination, interaction, research, interpretation and exhibition of arts, sciences and humanities collections.⁹

Many people engage in activities they consider a form of curating, which corresponds to preserving past remnants solidified in heritage practices. However, its common use today is also situated in the increased acknowledgement of the bonds between the collectables and the people who originally collected them, which adds social and emotional dimensions to ownership issues. Cultural specialists thus became co-curators, along with individuals or groups (Appadurai 2003; Hertz 2017), and from thence the term took on its everyday currency. Against the backdrop of this more recent interpersonal and care-focused conception of curation, the custodianship of human remains represents a major challenge.

Recovering the meaning of custody

Skull collections are typically stored in identical, unassuming boxes. Looking at rows upon rows of them and realizing that each contains a skull stirs the imagination (Figs 3 & 4: cf. Grill & Bruser 2020). Their presence is testimony to the scholarship and service involved in nurturing this particular heritage, which is placed squarely in the hands of custodians. How the boxes present themselves to the eye evokes bureaucratic regimes. In the context of 'custody' and its meanings, the rows of boxes can be likened to the evidence vaults of criminal justice institutions, where the exhibits associated with a particular case are boxed and held.

Approaching these collections in the 21st century requires engaging present-day concerns of practices in

Figs 2-3. Shelves with boxes containing skulls in Göttingen's anthropological collections.

Fig. 4. Shelves with boxes containing skulls in the Blumenbach Skull Collection.

11. Fforde et al.'s handbook (2020) assesses the wealth of work now carried out globally in this realm. For Germany, e.g. see Stoecker et al. (2013) and Brandstetter & Hierholzer (2018).

12. There is often a distinction made between the different origins of human remains. Our project distinguishes between European and non-European remains and between non-colonial and colonial contexts. The focus on colonial violence in such projects emphasizes collective colonial suffering, which the individual skulls are taken to represent. Works such as Richardson's (1987) have addressed the social positionality of those whose remains entered research and collections in 'native' contexts. A strong distinction between colonial and non-colonial contexts perpetuates a binary geopolitical division that loses sight of other forms of control and exploitation within the broadly defined Global North.

13. The heritage vocabulary is not misplaced here, as the reverence held towards the initiators of collections and their work can, indeed, resemble worship (Matyssek 2001). For more about the complexities of Blumenbach's scholarship, see Michael (2017) and Ritter (2011). Conflicting values attach to the collection as either scientific 'heritage' or a shameful remnant of a violent past that ought to be acknowledged. After an enquiry by the group Berlin Postkolonial in the autumn of 2019, the dean of the Göttingen University's biological faculty met with the Department of Historical Anthropology and Human Ecology in February 2020. It was decided that teaching and research with human remains from colonial contexts would cease immediately.

14. The term *repatriation* refers to 'fatherland', often in the national sense.

15. See <https://www.tepapa.govt.nz/about/repatriation/repatriation-maori-and-mori-remains> (accessed 24 January 2021).

Appadurai, A. (ed.) 1986. *The social life of things*. Cambridge: Cambridge University Press.



the distant past when different world views pertained. As elaborated by Harris and Robb (2013), the historical contextualization of body and burial practices in time recedes when confronted with the urgency of the present and the recognition of decades of public forgetting (e.g. Tapsell 2020). While 'body worlds are always multimodal' and 'made up of multiple ways of understanding the body that contradict one another' (Harris & Robb 2013: 13), the disjuncture of remains not buried and skulls separated from their bodies poses challenges to all kinds of sensibilities.

Our project gained support due to an increasing interest in present-day Germany in understanding the complex colonial history that predates the German state's founding in 1871, which further unfolded during the German Empire's efforts to participate in the Global North's colonial competition after the 1884 Berlin Conference, whose long-lasting repercussions were not addressed until a good century later (Bechhaus-Gerst & Zeller 2018; Grill 2019).¹⁰ Increasingly, individuals and groups draw scholarly and political attention to colonial atrocities, e.g. in Namibia, and artefacts and human remains encased in museums and related collection sites.¹¹

Here, the stacked boxes pose questions that entail the 'keeping them from getting out' meaning of custodianship. What did those bodies do or represent that brought them into custody? What entitled their keepers to treat

them as property, severing heads from skeletons and further preparing them for shipment and study? No matter how accustomed one might be to watching crime series featuring severed heads and bones, witnessing thousands of skulls brought to the Global North for research and collection purposes nonetheless gives pause.¹² The acute awareness of injustice and violence entailed in that recognition opens up a range of further questions, starting with enquiring into whose custody those bodies were taken into.

Further questions ensue, potentially answerable only through the archival record: were these individuals found dead or killed before their heads were severed? If they were dead to begin with, were they discovered interred? If they were interred, who was allowed to dig them up? If they were from outside the German-speaking lands, who permitted them to be shipped or brought to those lands? What kind of agency, in other words, accompanied these human remains from their former lives and deaths, their custody in colonial settings, to their transformation into collectables in the custody of researchers? Acknowledging the problematic histories of science and colonialism, what diverse webs of relations and sets of demands do the custodians of human remains face?

When considered in relation to custodianship, human remains foreground their dual metaphysical status as

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- scientific objects and historical and spiritual subjects. Human remains challenge the role of custodians as guardians and representatives who are tasked to arbitrate conflicting claims based on varied agendas and legal and ethical concerns. Through access to a collection's history, custodians grow into brokers of information that must be weighed and shared.
- Within science, human remains are seen as objects of enquiry. In that sense, they are both related to knowledge already produced and the potential for further research and teaching (cf. Grosskopf 2020: 304). They are also associated with disciplinary and scientific identities. The Blumenbach collection illustrates this dimension well: Blumenbach is a celebrated symbol of Göttingen's Enlightenment achievements in science and parts of the collection named after him are considered scientific 'heritage'.¹³ In this context, keeping and protecting these 'materials' appears to be justified, emphasizing custodianship in its role as warden in preparation for potential future insights. However, from a history of science perspective, human remains are also part of the legacy of fallacious 'race science' (*Rassenkunde*); scientists used them to produce and legitimate erroneous and pernicious ideas. By extension, the skulls' presence within Western collections represents colonial guilt and ties to historical oppression, from which empires and their successors – generally wealthy nation states – profited.
- In present-day Germany, colonial histories have become both a scholarly and sociopolitical pursuit. From this perspective, the skulls are associated with violence, oppression, racism, exploitation and the persistence of inequality. Confronting this colonial past motivates many actors involved in provenance research and restitution. In terms of custodianship, this entails acquiring command over and an equitable sharing of knowledge of the initial appropriation and 'incarceration' of deceased colonial subjects.
- Confronting and drawing from the past also motivates political actors in 'societies of origin' to bring human remains back 'home' and thus end their extended custody, with all the questions this opens regarding a dignified closure, including spiritual, political and legal dimensions of potential restitution. Herero and Nama organizations, for example, view human remains as evidence in further claims for economic reparations for the genocide committed by imperial German colonial troops. At the same time, some Namibian politicians see them as national heroes returning to their *patria*¹⁴ (see Förster 2013, 2020). Less specifically, various governmental and ethnic or tribal representatives hope that the restitution of human remains can lead to (often vaguely defined) 'reconciliation'. In such cases, human remains represent the victimized subjects of colonial violence and are ascribed ethnic or national identities. This can be based upon and reinforce an essentialist, *calcified* understanding of identities that serves numerous agendas (to gain political leverage, reinforce an ethnic/tribal structure or national sentiments, etc.).
- Human remains are at times awarded spiritual and ancestral subjectivity. Some potential descendants see them as ancestors who need to be 'brought home' and given proper burials to find peace for them and their progeny. As scholars, journalists or official institutions have stressed, this interpretation of human remains is often prioritized in restitution processes. For example, the Te Papa Museum, which coordinates repatriations in New Zealand, emphasizes the importance of providing a ceremonial welcome for returning ancestors and offering a resting place for their *wairua* (spirit).¹⁵ Thus, guardianship yields to a religious or spiritual ethos, requiring agency from present-day representatives of an entangled set of actors, institutions and subject-objects.
- * * *
- The diverse meanings of and claims made regarding human remains sketched out here are often conflicting, mutually exclusive and based on narrow assumptions. For example, attributing subjectivity and ethnic, regional or national identities to skulls, along with the attached expectation of restitution, holds a great deal of weight. Holding human remains 'in custody' requires a capacity to respect and navigate the claims and expectations of diverse parties. The task of custodianship thereby becomes more taxing, requiring better-documented information and a sense of history.
- More projects like our Sensitive Provenances are coming on stream. In this context, examining the meaning of custodianship offers an excellent opportunity for considering the layers of actors and motivations that have brought about collections of human remains. To return to the initial quote on the guarding role of the custodian – 'collections are guarded against break-ins and prisons against breakouts' – when applied to human remains, there must be room for understanding these as being both guarded and wrongfully imprisoned (or hidden from public view and forgotten). Researching the multiple histories surrounding each skull forces us to acknowledge that these histories cannot be disentangled. There is no original point to return to for closure. Custodianship then grows into a task which exceeds the care and guardianship of collections as 'property', as the ownership of human remains in their dynamic subject-object constitution is questionable in itself. Beyond the necessity of interdisciplinary effort, some kind of ecumenical sociopolitical attention is required to navigate the clash between historical and present-day claims and aspirations. ●

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