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Nowhere Else but Home: A National Resting Place for Indigenous Australian Ancestral Remains

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Abstract This article addresses the establishment of the National Resting Place, a new Australian cultural institution designed to perform a vital role in the care of Ancestral Remains. Exploring the history of why there are, and have been, many thousands of Ancestral Remains in Australia that need to be repatriated, reburied or cared for as a community determines, this article demonstrates the physical and cultural harm caused to Indigenous people through the cultural and professional practices of scientists, anatomists, and collectors throughout the main era of collecting, highlighting how the methods and norms of collecting in this era led to a lack of provenance and other identifying information for many Ancestral Remains. The article identifies the challenges of repatriation in the Australian context and discusses the emergence of a new model, the National Resting Place, to provide an Indigenous-centred response to the care of Ancestral Remains in Australia.

INTRODUCTION

Over a period of at least 180 years, spanning first contact in 1770 to the late 1940s, Indigenous remains were collected in the name of discovery, as ‘trophy of Empire’, in the purported interest of science and anthropology, and as ‘curios’ of a supposedly ‘dying race’. Museums, universities, academic societies, medical training facilities and private collectors in Australia and across the globe held, and continue to hold, thousands of Ancestral Remains. These bodies were exhumed against the will of their descendants, without consent and often in dubious circumstances, in practices which were at odds with the contemporary laws and moral codes that related to the treatment of deceased Europeans. Today, many collecting institutions work with communities to realize the abiding commitment of Indigenous peoples to bring Ancestors home, to right a wrong, restore their dignity and

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allow the spirit of the dead to be reconciled. But not all Ancestral Remains are able to be returned home.

This article explores the possibilities created in Australia by the recently announced National Resting Place for Ancestral Remains (Prime Minister of Australia, 2022), which attempts to centre First Peoples' thinking about the past, present and future, and aims to create potentiality for truth-telling, commemoration and healing as Australia grapples with the unfinished business of this dark chapter in its history. Ancestral Remains represent a manifest expression of the undeniable existence of Indigenous peoples in Australia, raising profound issues of responsibility and accountability for their initial collection; and the resourcing, nation building and limits for communities to manage their safe repatriation to Country. The issue of unprovenanced remains has been particularly difficult to resolve; the establishment of the National Resting Place provides an important response to the unfinished business of repatriation of Ancestral Remains in Australia.

SCIENTIFIC AND SETTLER PRACTICES OF COLLECTING AND THEIR LEGACY

The collecting of Australian Indigenous bodies over a period of nearly 200 years was motivated by a number of different factors and informed by significant shifts in ideas and events over distinct time periods. The collection and repatriation of human remains falls into three key periods: discovery and imperialism from 1770 to the 1850s; scientific racism and disciplinary knowledge from the 1850s to the late 1940s; and the human rights framework from the late 1940s onwards. However, there was considerable overlap and continuity across these phases, as well as significant changes in collecting practices within them. From around the late 1980s, Aboriginal remains held in collections were defended on new grounds: that they were of enduring scientific insight of benefit to humankind in circumstances where breakthroughs in scientific research, such as dating technology and the human genome project, could yield information over longer time frames. We begin this article with an attempt to provide some account of those actions in relation to larger circulation of ideas in order to provide a framework to comprehend atrocities of the past; however, it would be remiss to characterize the collecting of Aboriginal bodies solely through the lens of ideas. No amount of intellectual framing can completely explain or justify the actions of those who either worked as motivated amateurs or in scientific or anthropological expeditions to dig up the bodies of the dead or steal bodies from morgues and massacre sites. The trade in bones occurred through established networks among elites, in many cases, where valuable collections were bought and sold in auction houses and became intrinsic to the colonial project. Our research has also identified a gap in the story of collecting Ancestral Remains from the late 1940s to the 1970s/80s.

The Age of 'Discovery'

The first moments of European contact on the shores of what was re-named Botany Bay occurred as the result of an expedition that was motivated at least in part by 'scientific discovery',

which saw the collection of plant, animals and cultural artifacts (Turnbull, 2007). The first recorded skull to reach European shores in 1793 was that of a young man killed by British settlers at Botany Bay. In the early period from contact in 1770, the collection of Aboriginal remains, along with artifacts, was informed by ideas aligned with science and 'discovery'. From the seventeenth century the classification of humans into distinct 'races' began to be seen in scientific discourse (Gillen & Ghosh, 2007, 156–7); the commitment to classification and knowledge at this point was informed by the idea of the shared descent of all humans, or monogenism. Influential Swedish biologist Carl Linnaeus is recognized as the 'father' of taxonomy, the science of classification; the association of scientific collection, codification and naming with imperialism has been widely noted (Johnston, 2019). The collection and careful classification of people, plants and animals that occurred on expeditions of scientific discovery - and ultimately empire expansion - such as that undertaken by HMB *Endeavor*, ultimately contributed to ideas of European 'superiority' (Gillen & Ghosh, 2007, 166).

Britain's colonial expansion in Australia also saw objects of Indigenous material culture collected and placed in museums and private collections (Fforde, 2002, 2009; Griffiths, 1996, Jones, 2010, Macmillan, 2009, Roginski, 2015, Turnbull, 1991a, 1991b, 2007, 2017). As European settlement expanded over territory and exploited First Peoples' resources, confrontation between the nations of Sydney and in the following decades over the grassland country beyond the dividing range intensified. In the context of frontier violence Aboriginal bodies became 'trophies of empire'. Leaders of resistance militias such as Pemulwuy (c.1750–1802), who fought in defense of the Eora and Cadigal¹ lands of Sydney, was beheaded upon his death and his head sent to London. Noongar² man Yagan, who organized resistance to British expansion in Western Australia, was also beheaded shortly after his death in 1833; his head was also sent to the United Kingdom (Fforde, 2002; Turnbull, 2017). The return of Pemulwuy's remains has long been the focus of campaign, although it is now believed that his remains were destroyed when the Royal College of Surgeons in London was bombed during WWII (Fishburn, 2017); in Perth a memorial park commemorates the repatriation and burial of Yagan in 2010.³ Where frontier violence was perpetrated by networked individuals securing land and resources, collected Aboriginal remains were often displayed; preserved mantle place displays, cranial sugar bowls and ash trays were familiar colonial family collected objects (Turnbull, 2017, 296). The possession and display of Ancestral Remains by frontier families marked a symbolic security of tenure and occupation in an unsettled landscape.

The Era of 'Racial Science'

From the 1850s the exhumation of Aboriginal bodies was undertaken for altogether different motivations. Collecting Ancestral Remains became an area of significant interest from the 1860s through to 1920s, although the practice of collecting continued well into the 1940s as part of scientific expeditions and was maintained even longer by private collectors. The intensification of collecting in this era was propelled by the rise in racial science, the science of human variation, the study of anatomy, the anthropological scientific study of society, and interest in pseudo-sciences such as phrenology. Overseas interest in Ancestral Remains stemmed largely from notions of a hierarchy of

race, which perceived Indigenous Australians to be at the bottom or near the end of a predetermined racial order (Fforde, 2002). Collectors, scientists, anthropologists, and anatomists categorized these collected remains, often marking and labelling them, and shifting them between collections over time. Human remains became 'documentary evidence' in these disciplines (O'Sullivan & Jones, 2015). The scientific market fuelled appropriation of Indigenous remains from burial places, morgues, prisons and massacre sites. The perception of these remains as 'rare' contributed to their appeal to collectors and to their market value in auction houses. Ancestral Remains were collected by individuals in Australia and sent to overseas collectors sharing alma mater networks (Turnbull, 2017).

Scientific expeditions and motivated individuals in Australia and abroad collected thousands of skeletal remains from traditional burial grounds (Turnbull, 2007, 2016, 2017) and, in smaller numbers, soft tissue specimens taken from morgues and dissection table (Jones, 2010; MacDonald, 2007; O'Sullivan & Jones, 2015; Petrow, 2011). There is evidence that body parts were collected based on particular features such as cranial structure in a deliberate approach to body harvesting (Turnbull, 2017). Many of these collected remains were sent to overseas institutions, predominantly to Europe, but also to the United States, India, Mexico and Israel as part of Australian collectors', scientists' and anatomists' efforts to be part of the broad project of intellectual exchange in these fields, seeking to understand humanity, notions of 'race', prehistory, and human origins through the study of the human body (Turnbull, 2017). The literature demonstrates the popularity of this collecting on a national and international scale, as well as how it formed deeply engrained ideas of supposed Indigenous inferiority that have continued to cause harm throughout the twentieth century and into the twenty-first.

Alongside disciplinary interest in human remains, a culture of collecting placed high value on curios, with the 'Australian Aborigine' perceived as being a 'dying race', and therefore a curiosity in the European imagination that would become 'memorials of the former races inhabiting the land' (Bennett quoted in Turnbull, 2007, 43). Collecting practices at the time prioritized the collector over the collected, and often did not record much information in the way of provenance, unless it was a notable, named person (Berryman, 2019; O'Sullivan & Jones, 2015). This was often the case in Tasmania, where violent colonialism perpetuated the fantasy of the 'last Tasmanian', and Tasmanian Ancestral Remains came to be highly valuable. When Truganini died, she was commemorated by colonial settlers as the 'last of her people'; born in 1812 over her life she witnessed enormous violence and loss of her Nuennone people, and by the end of her life the beginnings and expansion of scientifically-legitimized plundering of their burial sites. She was a 'living curiosity' on the streets of Hobart and upon her death in 1876 was well aware that the Royal Society of Tasmania were eager for her dead body; she pleaded 'Don't let them cut me, but bury me behind one of the mountains' (cited in Kühnast, 2012, 2). Her body was subsequently exhumed and her skeleton was displayed in a glass case at the Tasmanian Museum and Art Gallery from 1904–1947 bearing the inscription: 'Truganini, The Last Tasmanian Aboriginal'. Truganini's remains, including her skin and other adornments, were disbursed to several collecting institutions overseas. Kühnast argues the colonial and international discourse of extinction of the Tasmanian Aborigines led to the scientifically legitimized

appropriation and utilization of Truganini's human remains; the display of her skeleton provided a narrative of 'natural extinction' and despite her incredibly diverse roles in colonial Tasmania, her exhibited body became a symbol of 'race death' (Kühnast, 2012, 9).

There were changes in Australian laws in 1911 introducing greater regulation of the export of anthropological specimens, including Aboriginal remains; in 1913 exportation of 'all aboriginal anthropological specimens' was prohibited unless accredited by a recognized scientific institution and approved by Ministerial permit (Fforde et al., 2020). These laws meant that after 1913, those remains exported privately by individuals were done so illegally, often smuggled in cases to European institutions and private collectors unless granted an exception as a scientific expedition (Fforde et al., 2020). This was less out of concern for Indigenous peoples and more an outcome of competition between scientists and anthropologists in Australia concerned to retain Aboriginal remains for their own interests. This meant that collecting outside of Australia was drastically reduced but continued at pace within Australia. Archeologists, property owners and police led the depositing of Ancestral Remains in Australian collecting institutions after this period and this continued up until 1980 (Fforde et al., 2020). There were also distinct variations in collecting by geographic region; Guse highlights, for example, that the majority of collecting of Ancestral Remains in the Northern Territory was undertaken by police and archeologists and occurred in the past 30 years (Guse, 2006).

There is evidence that early Europeans in Australia knew about the importance of death practices and the burial traditions Aboriginal people held, and that Aboriginal people went to great lengths to protect burial grounds and Ancestors from being disturbed (Turnbull, 2004, 2007, 2017). Some Europeans noted their discomfort in disturbing Ancestral Remains, while others reveled in the notoriety of 'skeleton hunts' (see, for example, Hallgren, 2010).

Turnbull (2007) provides evidence of some late eighteenth- and early nineteenth-century Europeans acknowledging Aboriginal burial practices and the harm done by disturbing traditional burial grounds. He notes that at this time, 'disinterring human remains from any place of burial or denying burial without lawful authority were common law offences. So too was the supply or sale of body parts' (Turnbull, 2007, 97). In this period, the legal rights of the dead were disregarded as a result of the interplay of scientific ambition and the increasingly pervasive influence of racial ideology throughout the nineteenth century. However, as Turnbull emphasizes, it is 'important to see that even during the period itself, the erosion of colonial recognition of Indigenous people's rights in respect of death and burial was a contested and controversial process' and that 'numerous colonists in various walks of life condemned the practice, believing that Indigenous people were legally entitled to ensure the dead were decently buried and protected from violation' (Turnbull, 2007, 97).

We have briefly canvassed frontier violence and resistance over access to land and resources and the interlinked theft and exhumation of Aboriginal bodies as continuous with settler frontier violence, colonial resource domination and Empire. As ideas emerged that explained human difference based on biology after 1850, we see the stealing of Aboriginal remains as reflecting both indifference to the cultural values and dignity of Aboriginal lives and worlds and voracious appetite for Aboriginal

remains to prove those theories. Racial science also informed the administrative regime controlling Aboriginal and Torres Strait Islander lives as it emerged from the 1890s. Beginning as a regime of 'protection', Aboriginal Protection Boards that operated independently in most Australian states variously sought to contain and confine Aboriginal peoples to reserves and missions (Markus, 1995). A particular focus was those deemed 'full blood', an assumed 'dying race' in need of protection as they were eased from existence; people of mixed descent posed a new concern to those with particular interests in controlling populations based on race. As the former colonies combined to become the Federation in 1901, Aboriginal 'natives' were excluded from the newly formed federal government's constitution, leaving the management of Aboriginal affairs a state issue. One of the first laws of the new federal parliament was confirmation of Australia as a 'white nation', resulting in the introduction of restrictions on non-white immigration, expulsion of 'undesirable' and mostly colored population groups, and an increased focus on 'managing' Aboriginal populations (Markus, 1995, 242–3).

The ever more intruding and complex array of powers gripping Aboriginal lives in the first decade of the twentieth century were guided by ideas about race. These policies were contradictory, seeking to on one hand segregate Aboriginal people on reserves and missions, and on the other disperse populations based on race (Broome, 1982; Goodall, 1996). The measuring of crania, careful documentation of supposed 'blood quantum' on official documents and laws governing miscegenation attest to the obsessive interest in the management of Aboriginal lives (Gardiner-Garden, 2003; Turnbull, 2017). One area where ideas about 'race' were influential was Aboriginal child removal policies in Australia; removal of children was crucial to achieving the objective of 'absorption' and bore the influence of the new 'sciences' of anthropology, psychology and eugenics (Austin, 1990).

The Post-War Era

In the wake of the Second World War, the horror of atrocities committed in the name of science and eugenics came to the fore. Eugenics, a theory that had been around since the 1860s, developed as a way to define inherited characteristics (most of which were unrelated to genetics; criminality, for example), was by the 1930s gaining momentum in Nazi Germany and elsewhere. In the aftermath of the war, the horrors of the Nazi actions in the name of science came to be exposed. The Nuremberg Trials drew attention to medical experiments on concentration camp prisoners; greater oversight and ethics in the conducting of medical experiments involving human subjects were codified in 1947 research guidelines, known as the Nuremberg Code, along with consideration of consent and the protection of the welfare of subjects, now embedded in any research involving human subjects (Annas & Grodin, 1992; Weindling, 2004). The other significant development as the horrors of the Second World War came to be fully comprehended was the development of the United Nations. The General Assembly of the United Nations adopted the Universal Declaration of Human Rights in 1948; it was the first time that worldwide agreement on a comprehensive statement of inalienable human rights was reached. The development of a human rights discourse, or framework, in the post-war era challenged the earlier racial hierarchy ideas which had been in circulation from the 1850s. The United Nations Educational, Scientific and Cultural Organization (UNESCO) convened a series of

expert meetings in 1950, leading to the Declaration on Race and Racial Prejudice in 1978; the first statement published in 1950 opens with ‘Scientists have reached general agreement in recognizing that mankind is one’ (UNESCO, 1950). The UNESCO statement on race marked a shift in the prevailing thinking about race as an explanation for human difference. The Human Rights framework and later laws developed by the UN against racial discrimination (such as the *Convention on the Elimination of Racial Discrimination* 1965), drew a curtain on the credibility of ideas of eugenics and racial science, and the atrocities which had been committed in their name. The discrediting and condemnation of racial ‘science’ reverberated throughout medico-scientific and collecting institutions. Collections of Ancestral Remains that had been carefully classified were in the post-war period bundled together in crates and boxes; they became the literal ‘skeletons in the closet’. The aggregation of the Ancestral Remains in this period contributed to the further loss of provenance and records.

Despite the growing condemnation of racial ‘science’ at this time, it is important to note that collecting did continue into the post war period. George Murray Black’s collecting along the Murray River on behalf of the Australian Institute of Anatomy and, later, the University of Melbourne, is one notable example. (Faulkhead & Berg, 2010; McWilliams, 2016; Roginski, 2015). Continuing to October 1948, anthropologists pillaged mortuary sites and, in the case of the American-Australian Scientific Expedition to Arnhem Land (otherwise known as the Arnhem Land Expedition), filmed the theft of bones and then, showman style, toured the bones as exhibits accompanying the staged silent documentary (Thomas, 2014). The archeologist and Head Curator of Anthropology at the Smithsonian Institution in Washington DC, who was ‘touring’ the Ancestral Remains, declared, ‘These specimens are most important to the science of physical anthropology . . . This skull will not only be well preserved in the Smithsonian but will contribute much to the study of these primitive aborigines’ (quoted in Thomas, 2014). Like many Ancestral Remains, there is no evidence the Arnhem Land bones were ever of any scientific interest (May et al., 2005, 112). After a decade of petitioning by their family of origin and with government support, the Arnhem Land Ancestral Remains were boxed up and draped in the bright red, black and yellow of the Aboriginal flag and readied for their return home.

INDIGENOUS RESISTANCE TO THE REMOVAL OF ANCESTRAL REMAINS

While there have been longstanding Aboriginal demands for repatriation of their Ancestors from museums and scientific institutions, there are many documented examples of communities going to lengths to evade the skeleton hunt of hovering scientific expeditions and others who collected these remains in the first instance. We have already mentioned the display of Truganini’s remains against her explicit wishes. Anthropologist Claes Hallgren (2010) alerts us to the collecting of bodies by Swedish scientists in 1910 and 1911 in the Kimberley region. When the Swedish Scientific expedition of 1910–11 were in the Kimberley region, the community attempted to conceal burial sites. Zoologist Eric Mjöberg and ethnographer Yngve Laurell were leading participants in the Swedish scientific expedition; while Laurell later spoke of his discomfort about his role in collecting, Mjöberg’s diaries and novels are windows into the ideas and projections from Europe at that time that

underpinned collecting. In deceptive circumstances, against the explicit will of Aborigines including efforts to conceal burial sites, they exhumed bodies from recent burial sites. Writing of the ‘skeleton hunt’ in a book titled *Among Wild Animals and Men in Australia* published in 1915, Mjöberg wrote in ‘gothic horror’, portraying himself an adventurer able to mentally withstand the dissent into savagery which the hacking of flesh from bones required (Hallgren, 2010, 138). Hallgren highlights that their collecting practices involved gruesome acts that overrode conventional moral behavior that would have forbidden in Europe at the time, and that should have horrified any reader then, as it does today. Mjöberg’s collecting was comprised of a large number of human remains and ethnographical artifacts for the Swedish Natural History Museum; Hallgren reminds us that the remains of the Kimberley people were of zero scientific interest, were unimportant in the life of the Museum and in the later osteological institute where they were stored from the 1960s, and continued to be inconsequential with limited records until inquiries from Australia aroused a widespread search to locate them. For Hallgren, Mjöberg’s atrocities in Australia were part of a wider European obsession; any discussion of repatriation needs to carefully examine both the wrongs perpetrated by Europeans and also how such atrocities could be ‘given a guise of normality in the circumstances of the time in which they took place’ (Hallgren, 2010, 143). Hallgren highlights that for Europeans living today, to understand someone like Mjöberg is to understand an aspect of European history, and also to understand the extent to which science was implicated in the colonial oppression of Aboriginal people.

In several instances, the theft of Aboriginal remains from morgues resulted in disciplinary action against the collectors. In *Collecting the Dead* (2002), Cressida Fforde documents a number of examples where the desecration of Aboriginal corpses caused public outcry. For example, Tasmanian Aborigine William Lanne, who was labeled ‘the last full-blooded Tasmanian Man’. On his death in 1869, a dispute unfolded between a Tasmanian Royal Society and the Royal College of Surgeons in London. An appropriate burial was agreed to, but given his purported scientific import, he was later exhumed. Rumors his body had been mutilated led to the coffin being opened and the revelation that his head, feet and hands had been removed (Fforde, 2002; MacDonald, 2007; Petrow, 2011). This action led to the termination of William Crowther as medical officer at the Colonial Hospital; he was later reinstated and honored by the Royal Society of Surgeons with a medal and fellowship. The public outrage in this example, and several others that Fforde (2002) documents, is evidence that the collection of Indigenous human remains went against the grain at the time, and calls for a more nuanced understanding of the practice of ‘the fragmentation and circulation of body parts’ (Morton, 2017, 38).

European familiarity with Aboriginal funerary practices from the early-mid nineteenth century is also noted by Turnbull (2004). He documents that many Europeans were aware of the harm done by disturbing remains, and he provides evidence of Aboriginal people protecting burial grounds and Ancestors’ remains from Europeans who sought to remove them for scientific study. There are European accounts of Aboriginal funerary practices from early-mid nineteenth century, which demonstrate Europeans were aware of the idea of not ‘disturbing’ remains; they showed ‘concern and uneasiness’ over the practice (Turnbull, 2004, 69). In one example in 1838, fires were lit to prevent a party of Europeans from desecrating a burial place in the Flinders River region of Queensland, and Aboriginal people enlisted the help of sympathetic Europeans to protect traditional burial grounds (Turnbull, 2004, 71).

Turnbull also highlights that procurement of Indigenous remains was illegal in 1892 and at least one individual was fined for unearthing Aboriginal remains (Turnbull, 2004, 82). The protection of the dead from scientific grave-robbers continued long after Aboriginal people were dispossessed from ancestral lands, and this care for the dead continued up until the repatriation movement gained political momentum in the 1970s. As Turnbull notes, the kin of the dead had not vanished (Turnbull, 2004).

DECOLONIZATION AND REPATRIATION

Efforts to ‘decolonize’ museums commenced in the 1980s. Despite efforts by museums to “critically expose” their colonial roots and to act as a space for “recognition and historical reconciliation” (Bodenstein & Pagani, 2014, 39), movements to decolonize museums have raised profound issues about the extent to which Western institutions have the capacity to convey Indigenous knowledges and cultures (Smith, 2005, 425). Although relations between Indigenous peoples and museum professionals have at times been adversarial, some have highlighted the potential of repatriation to create new relationships (Atlay et al., 2017), as a form of “knowledge exchange” providing the opportunity for new insights (May et al., 2005), as a mechanism for producing “collaborative histories” (Bell et al., 2013, 4), and as an ethical framework to recognize and legitimize different understandings of the past (Loring, 2008, 185). It is important to recognize the role of Indigenous activism in achieving change in institutional and disciplinary practice (Atlay et al., 2017, 15). The rights asserted by First Peoples to be recognized as the authority on their cultural and intellectual property inevitably challenges the authority of previously recognized institutional expertise (Smith, 2005, 435–6). Consideration also needs to be given to the practical and cultural constraints impeding repatriation for some Indigenous communities; the repatriation process has largely reflected governmental and institutional imperatives rather than the needs of descendant communities (Guse, 2006, 51–2).

FROM KEEPING PLACES TO THE NATIONAL RESTING PLACE

As the repatriation movement has gained pace since the 1980s, many Australian museums have created ‘keeping places’ for provenanced remains awaiting return, and for unprovenanced remains (these are often noted in museum policies regarding the treatment of Indigenous human remains). The issue of unprovenanced remains is on the one hand a legacy of collecting methods from the era as discussed above, but also demonstrates some of the current shortfalls in repatriation legislation, policy, practice and funding.

Keeping Places is a term still used by many facilities caring for Ancestral Remains outside of museums, in recognition of the unfortunate reality that they may have to keep their contents indefinitely. The shift to the concept of a Resting Place came from the 2014 consultation report (Office for the Arts, 2016), which uncovered the need to use the term *Resting Place* to not imply ownership of the remains, and to emphasize that the cultural institution only acts as a place of rest on the long journey home, analogous to ‘migratory birds seeking rest’ along the route to their final destination.

Museums across Australia store Ancestral Remains under strict conditions of access and cultural protocols (Daley, 2014; Faulkhead & Berg, 2010; Pickering, 2015). The museums that receive funding to assist with safekeeping Ancestral Remains under the Australian Government's Indigenous Repatriation Program are the Australian Museum, Museum and Art Gallery of the Northern Territory, Museum Victoria, National Museum of Australia, Queensland Museum, South Australian Museum, Tasmanian Museum and Art Gallery and Western Australian Museum. The storage rooms in these museums are supposed to function as interim spaces between the full repatriation and reburial of remains still being held in collections (although often not accessioned as a collection item) outside Aboriginal custodianship. While museums have dedicated programs to working with communities who either make claims to remains, or are identified as having claims to Ancestral Remains, there are many cases where there is no ready solution to reburial and remains have subsequently stayed indefinitely in museum keeping places. There are also significant practical, political, and financial issues for museums to deal with in this regard (Morton, 2017; Pickering, 2011, 2015; Sullivan et al., 2003; Truscott, 2006; Turnbull, 2020). This is not unique to Australia; similar issues arise in the US, New Zealand, and Canadian contexts too concerning unprovenanced remains; they largely remain in limbo in these contexts (Tsosie, 2012; Colwell-Chanthaphonh et al., 2011). A key concern is to make these 'keeping places' separate from museums, which have been a source of ongoing harm as the institutions that once solicited the collection of Ancestral Remains and made manifest notions of Indigenous inferiority through their practices of collection and display and the ideas they presented about 'race' (Morton, 2017). Many of these 'keeping place' facilities are offsite from the main public buildings and are not purpose-built, making access and the undertaking of cultural ceremonies by Indigenous descendants difficult.

The return of Ancestral Remains is now widely enacted (although still not universal), with many repatriations negotiated with community and family of origin. The precise number of Ancestral Remains collected which remain in institutional and private collections has been difficult to determine. Writing in 2010, Cubillo estimated some 7,200 Ancestral Remains were held in Australian institutions, 5,500 of which are unprovenanced, and another 10,000 held overseas (Cubillo, 2010). At the time there was no shared inventory of Ancestral Remains. A survey undertaken by Carol Cooper in 1989 suggested hundreds await return to ancestral lands; Palawa man Rodney Dillon, then ATSIC Councillor with responsibility for Ancestral Remains, estimated at least ten thousand (Cooper, 1989). As part of the National Skeletal Provenancing Project established in 1995, archival researcher Deanne Hanchant estimated that more than 1,000 Ancestral Remains, or one fifth of the remains held by Australian museums and medical institutions, could not be provenanced (Hanchant, 2004, 312). Drawing on his work in the United Kingdom and Continental Europe, Turnbull (2010) estimated that the number of remains that left Australia between 1790 and 1930s with vague (e.g. 'Australian'; 'From Central Queensland') or no geographical descriptors was slightly higher.

Recent research commissioned by the Australian Institute of Aboriginal and Torres Strait Islander Studies suggests that between 500 and 1,400 Ancestral Remains are unprovenanced and a further 3,000 with limited provenance (pers. comm. Fforde, 2020). However, the actual number of Ancestral

Remains is likely to be much higher, particularly when considering remains such as blood samples, hair samples, casts and ash bundles. The number of Ancestral Remains in private collections could see this figure increase significantly. As National Resting Place Deputy Project Lead Johanna Parker said, “we really don’t know; we will always never know” (pers. comm. Johanna Parker, June 2020). Collections continue to be revealed, with recent information coming to light about Ancestral Remains in India and Russia, along with private collections around the world.

The return of Ancestral Remains is complicated by a number of factors. The lack of documentation for late nineteenth- and early twentieth-century collecting is a key issue, as it has not always been possible to establish provenance using archival records. Without provenance, or with only an imprecise provenance to a state/territory/general area, full repatriation and reburial has often been difficult to achieve (Pickering, 2015) due to the lack or loss of information when Ancestral Remains were collected in the first place. This might be because they were purchased through sale rooms and retailers where emphasis was placed on the collector over the collected. Some Ancestral Remains were taken in such awful circumstances that the story of their collection would reduce their appeal to some but make them more ‘authentic’ to others – in the case, for example, of Ancestral Remains billed as stolen from fresh burial or taken off a mortuary slab without full ‘approval’. Ancestral Remains held by frontier families are now uncomfortable reminders of a complicit and violent past. These processes within colonial families of ‘remembering and forgetting’ (Attwood, 1996) result in loss of provenance of those Ancestral Remains and hence their ability to be put to rest, however much this might be the current wish of the family who have held them.

Repatriation of Ancestral Remains is further complicated by dispossession and loss and becomes more a question of ‘not if ancestral remains should be returned [sic], but how, by whom and to where’ (Morton, 2017, 188). There are also key issues about what constitutes appropriate provenance, which can be compounded when remains come from sources other than museums, such as private collections, or where remains cannot be provenanced to an identifiable cultural group (McWilliams, 2016), where remains can and should be buried if traditional burial grounds are no longer accessible or appropriate, and whether or not communities can or want to claim remains for reburial (Allen, 2014; Guse, 2006; Hanchant, 2004; Morton, 2017; Wallis et al., 2008). Intra-community issues can cause tensions and prevent reburial (Lambert-Pennington, 2007; Morton, 2017; Wilson, 2009) where, for instance, an ancestor’s belonging is to several communities and the challenge of determining who can advise on what is appropriate for their ‘ancestors’ return’. Some communities may have limited resources and governance arrangements to negotiate repatriation and reburial. This is further exacerbated when they are negotiating with multiple institutions in overlapping time periods.

One example which highlights the complexities involved in bringing Ancestors home is the lengthy Ngarrindjeri negotiations for the return of 300 of their ‘Old People’ from the Edinburgh Collection. This event was the largest repatriation undertaken to date in Australia. Writing of the Ngarrindjeri repatriation, Christopher Wilson (2009) explains that the Ngarrindjeri ‘faced many complex social, cultural, political and economic issues as a result of the repatriation of the Edinburgh Collection’; these included that ‘resources had to be found to fund community meetings and

negotiations with community members to decide on locations, ceremonies and processes for reburial. Negotiations had to take place with state and local governments for land and necessary approvals for reburial sites/places. Appropriate storage facilities had to be located for the Old People until all reburials could be organized. This in turn created spiritual and emotional tensions within the community. The accuracy of associated documentation had to be cross-checked, which involved additional research' (Wilson, 2009, 39). The Ngarrindjeri Old People are now resting in a 'keeping place' and are therefore back to 'country' (Wilson, 2009, 39).

The National Resting Place provides an alternative model to that of Keeping Places, with the stated intent being to provide an Indigenous-centred approach to the ongoing challenges posed by unprovenanced and partially provenanced Ancestral Remains. The evolution of the concept in Australia dates back over several decades. In 1994, the Foundation for Aboriginal and Islander Research Action (FAIRA) identified the need for a national keeping place for unprovenanced and other Ancestral Remains, and the then national Indigenous representative body ATSIC (the Aboriginal and Torres Strait Islander Commission) consulted widely on its policy on the return of human remains, finding in 1997 that a national resting place was "wholeheartedly supported by Indigenous organisations" (Advisory Committee for Indigenous Repatriation, 2014, 4). By 2001 ATSIC had amended its policy to support "a national Indigenous repository for unprovenanced cultural property." The Advisory Committee for Indigenous Repatriation established in 2012 argued "that museums are not an appropriate location for holding poorly provenanced ancestral remains. . . museums are seen as the jailers of Aboriginal and Torres Strait Islander peoples and using museums to care for these remains long-term is a continuation of this situation" (Advisory Committee for Indigenous Repatriation, 2014, 6–10). The 2014 *National Resting Place Consultation Report* marked a shift in the public discussion about the care of Ancestral Remains, beginning to map out the character of a 'resting place', what physical form it would take, where it would be located and how it would function. The term 'resting place' was seen as preferable to a 'keeping place' to better distinguish it from a museum and to reflect its role: the aspiration was to "move the current process for care and storage of ancestral remains away from the museum sector, and vesting the future long-term care of these ancestral remains to Aboriginal and Torres Strait Islander peoples" (Advisory Committee for Indigenous Repatriation, 2014, 10). The *National Resting Place Consultation Report* recommended the nation's capital, Canberra, as the appropriate location for a variety of reasons, including bringing a national focus to injustices of the past (Morton, 2017; Office for the Arts, 2016). The Report highlighted that a National Resting Place will need to be a 'cultural institution' rather than a museum, a community space that walks the line between being a place for private mourning, public memorial, and cultural activity (Office for the Arts, 2016). The National Resting Place is intended to be a site for the care of Ancestral Remains provenanced only to 'Australia' (Advisory Committee for Indigenous Repatriation, 2014, 12).

In 2016, the Australian government *Policy on Indigenous Repatriation* was amended to reflect the Government's commitment "to addressing the injustice of Australia's shared past as it relates to the removal of ancestral remains and secret sacred objects to empower Aboriginal and Torres Strait Islander peoples to meet their cultural obligations and contribute to the wider Australian society" (Department

of Communication and the Arts, 2016). An all-Indigenous advisory committee was appointed to advise the federal government on policy and program issues related to Indigenous repatriation from both overseas and domestic collections (Department of Communication and the Arts, 2016, 8).

The commitment to establish a National Resting Place gained high-level parliamentary support from the 2018 Parliamentary Inquiry into Constitutional Recognition, which recommended establishing a National Resting Place for Aboriginal and Torres Strait Islander Ancestral Remains in the nation's capital, Canberra. The Parliamentary Inquiry saw the National Resting Place as vital to truth-telling about Australian history, commenting that it would be a “place of commemoration, healing and reflection” (Joint Select Committee on Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples, 2018, xviii). A 2019 Report into Canberra's national cultural institutions highlighted the lack of appropriate acknowledgement of Australia's Aboriginal and Torres Strait Islander history, language, heritage and culture in existing national cultural institutions, recommending that the brief of the Australian Institute for Aboriginal and Torres Strait Islander Studies (AIATSIS) be expanded. The proposed broader role for AIATSIS and its new location in the parliamentary triangle included acknowledgement of the need for “a national resting place for repatriated ancestral remains that cannot immediately return to country” (Joint Standing Committee on the National Capital and External Territories, 2019, ix).

In 2019 then Prime Minister Scott Morrison committed \$5 million to AIATSIS to undertake a scoping study and consultation for the establishment of a National Resting Place, describing the National Resting Place as an “important memorial” that “will recognise the unique contribution of Aboriginal and Torres Strait Islander cultures and history to our nation” (Liberal Party of Australia, 2019). The 2020–21 federal budget committed funding to develop a detailed business case as part of the government's Indigenous Advancement Strategy for the establishment of the National Resting Place within a broader cultural precinct in Canberra (Australian Government, 2021). Then in January 2022, the Prime Minister and Minister for Indigenous Australians Ken Wyatt jointly announced that a National Aboriginal and Torres Strait Islander Cultural Precinct would be established. The precinct will be known as “Ngurra”, a word meaning home, a place of belonging, inclusion, and will encompass a National Resting Place to care for Aboriginal and Torres Strait Islander ancestral remains (Australian Government, 2022). A national design competition is currently underway to design the AUD\$316.5 million Ngurra precinct (ArchitectureAU, 2022).

CONCLUSION

Despite the many successes of the repatriation movement that began in the 1970s, the issue of unprovenanced remains has been particularly difficult to resolve, with many thousands of Ancestral Remains held in museum storerooms in Australia indefinitely. While much of this can be attributed to poor record-keeping in the past, the literature also brings to light numerous cases in which a community cannot rebury Ancestral Remains identified as having come from a specific location for practical or other cultural reasons. Much of this literature focuses on the moral and practical issues of repatriation,

from the perspective of communities and museums. There are also some insightful, and often very emotive, accounts of members from a variety of communities who have experienced the process of repatriation, and others from community members who have visited museum storerooms that hold Ancestral Remains indefinitely. The idea of the National Resting Place emerges as a convincing resolution for the issues of the long-term care of unprovenanced and poorly provenanced remains.

Internationally, the Human Remains Vault at the US National Museum of the American Indian and the *wāhi tapu* (sacred space) incorporated into the Museum of New Zealand Te Papa Tongarewa provide models for the management of Indigenous human remains within existing institutions. However, our research has not identified the existence of any dedicated national institution with a *primary* focus on Ancestral Remains.⁴ Incorporating aspects of a memorial, a tomb, a repository, an educational facility and a research institute to provide support for community research and to continue the ongoing work on provenance to achieve the identification and repatriation of Ancestral Remains to Country wherever possible, the establishment of the proposed National Resting Place in Australia will provide a unique model; one which represents “more than just the return of an object, it is the return of authority, the return of responsibility, and the return of an important part of a group’s social, religious, and historical identity” (Pickering, 2015). END

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CONFLICT OF INTEREST

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NOTES

1. Eora is an Aboriginal word adopted by colonizers to collectively describe the Aboriginal clans of the Sydney region; Cadigal is the name of the Aboriginal clan who are the traditional owners of the land on the Southern side of Sydney Harbor (City of Sydney, 2017).

2. Noongar is the name for the original inhabitants of the south-west of Western Australia (South West Aboriginal Land and Sea Council, n.d.).
3. In 1997 the statue commemorating Yagan was beheaded within a few days of the return of his remains, and a replacement head was also later removed by vandals “in an echo of the original decapitation” (Shoemaker, 2000, 365).
4. The controversial Upopoy ‘Symbolic Space for Ethnic Harmony’ recently established to house Ainu Ancestral Remains in Japan’s National Ainu Museum and Park has not been included here as its establishment does not appear to the authors to respect the wishes of descendant Ainu communities regarding the repatriation of their Ancestors (Shimizu, 2019; Yoshida, 2020).

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