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(Un)Rest in peace : the agents of human remains repatriation and the lives of living migrants : a study of agency, process and effect in repatriating bodies from South Africa and the U.S.A.

Wheeler, Brittany Lauren

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(Un)Rest in Peace: The Agents of Human Remains Repatriation and the Lives of Living Migrants

A Study of Agency, Process and Effect in Repatriating Bodies from South Africa and the U.S.A.

Brittany Lauren Wheeler

A research report submitted to the Faculty of the Humanities, University of the Witwatersrand, Johannesburg in partial fulfilment of the requirements for the degree of Master of Arts (Forced Migration Studies).

Supervisor:
Tara Polzer

Co-Supervisor:
Lorena Núñez-Carrasco

DECLARATION

I declare that this thesis is my own work. It is being submitted for the degree of Master of Arts in Forced Migration Studies at the University of the Witwatersrand, Johannesburg, South Africa. It has not been submitted before for any degree or examination in any other university.

Candidate:
Brittany Lauren Wheeler

Signature:

Date:

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ABSTRACT

Migration, as a field of study and a phenomenon greatly impacting society, primarily concerns itself with the living. When migrants die outside their native territory or nation, the economic, social, physical and spiritual concerns that normally influence the management of death may be expanded to add an imperative that precedes even burial or other funeral arrangements: the decision of whether to return a body to its place of origin. This process can be simple and straightforward, but it can also be culturally complicated and illuminate issues and realities far beyond the breadth of the repatriation process alone. This study enters the discussion at the juncture of death and decision-making about repatriation, and does so by assessing two distinct systems of human remains repatriation and their involved agents, applying their lessons to a wider discussion of agency, repatriation and the situation of living migrants. The first system follows the repatriation of Native American bodies from museums in the United States, and the second follows the repatriation of African foreign nationals repatriating bodies from Johannesburg, South Africa. These disparate cases introduce differing concepts of who a migrant is and what migration involves, but they also provide a lens through which to consider whether more universal themes in agency, process and migrant experience can be found, linking the dead to the living through the process of repatriation.

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SECTION 1. INTRODUCTION & INITIAL RESEARCH RATIONALE

Migration, as a field of study, primarily concerns itself with the living. Migrants and the organisations that work for and with migrants experiment with practical or theoretical solutions to challenges or ways to meet the desires of these living persons, and why should they not? There are problems enough within the sphere of the living migrants. Avoiding death is an apparent goal against which community, institution or nation may work, but it is important to consider that the agents involved and the processes undertaken when death arrives in the migrant community—and after it occurs—perhaps illuminate as much about this community as more standard observations and studies.

The migrant experience can be classified by no single, certain occurrence—aside from a move from one location to another at some stage in life[1]. Thus, when migrants die, numerous things might happen. Morgues fill up with unidentifiable bodies in desert cities along national borders[2], relatives are laid to rest in the host country under headstones in a native tongue[3], cars are regularly hired to move remains home across domestic and international boundaries (Rapson, Massasanya, 2010*pc*[4]), and long-settled migrants make a determination of how home will be defined when it comes to laying a body to rest.

When migrants die outside their native territory or nation, the economic, social, physical and spiritual concerns that normally influence the management of death may be expanded to add an imperative that precedes even burial or other funeral arrangements: the decision of whether to return a body to its place of origin (repatriation). This process can be simple and

[1] There are, of course, variant definitions for "migrant". The duration of time a person is away from their primary residence, the circumstances under which they leave a former domicile, and numerous other factors may contribute to a definition that suits a particular study or makes collected data meaningful. Here, we are seeking no particular definition, but are without question drawing on two differently defined migrant communities. Native Americans were in most cases historic migrants, first displaced while living in the developing United States and then displaced again in the form of their human remains, through excavation, looting or development projects, for instance. Black African migrants to South Africa are generally recent migrants, arriving after the end of the Apartheid regime.

[2] McKinley, James Jr. *As Deaths Soar in the Desert, a Morgue Grows Crowded*. New York Times. 28 July 2010.

[3] Reimers, Eva. 1999. Death and identity: graves and funerals as cultural communication. *Mortality*. 4(2):147-166.

[4] The notation *pc* refers to "personal correspondence;" information that was gathered through personal interviews with agents involved in the repatriation process. Interviewees will be referenced this way throughout the paper.

straightforward, but it can also be culturally complicated and illuminate issues and realities far beyond the breadth of the repatriation process alone. This study enters the discussion at the juncture of death and decision-making about repatriation, and does so by assessing two distinct systems of human remains repatriation and their involved agents, applying their lessons to a wider discussion of agency, repatriation and the situation of living migrants.

The first system follows the repatriation of Native American bodies from museums in the United States, and the second follows the repatriation of African foreign nationals repatriating bodies from Johannesburg, South Africa. These disparate cases introduce differing concepts of who a migrant is and what migration involves, but they also provide a lens through which to consider whether more universal themes in agency, process and migrant experience can be found, linking the dead to the living through this process of repatriation.

1.1 Initial Research Rationale

The initial rationale behind this study must admit the relationship between the author's own physical and intellectual migrations and the subjects of comparison, even if their final selection involved further criteria.

My previous experience in the museum sector, most recently undertaken while living within the United States, informed an introductory knowledge of repatriation issues in a field not typically associated with (forced) migration. The museum institution's history of collecting objects and remains from around the world, however, speaks clearly to the phenomenon of migration and repatriation. The study of Native Americans—who can be considered doubly displaced first in life and then in death—redressing cases of ancestral bodies considered out of place when held in museum collections allows[5] for an exploration of a process and a people confronting very different factors than those facing current migrants in Africa. Displacement of both the living and the dead (often considered one and the same spiritually) may have occurred many years ago, but the ways in which those migrations continue to define the cultural identity and behaviour of

[5] It should be noted that Native Americans are not only negotiating with museums for their remains. The same law that governs museum compliance with repatriation also extends to federal agencies, though not to private land or collections. Though Indian experiences with federal agencies and with current development projects that unearth remains will be mentioned during the research, museum negotiations will remain the focus of the U.S. repatriation system.

Indian persons today remain important explorations and ones worthy of holding up alongside the repatriation of those more recently migrated.

Undertaking graduate studies at the University of the Witwatersrand in Johannesburg opened a specific research window for me to assess human remains repatriation in a migrant-dense African city. Further, it allowed for direct access to an environment in which repatriation was occurring outside of the way it was engaged with in migration literature (the literature generally pertains to the living, with an especial focus on post-conflict voluntary repatriation). Finally, the presence of the *Migration, Displacement and Health* research initiative within the Forced Migration Studies Programme (now the African Centre for Migration and Society) lead to the cementing of my decision to base human remains repatriation research in Johannesburg. Though the initiative is aimed at wider health issues in migration, it includes the aim to study "the interface between rights...and culture...in the event of a migrant's death" within the research theme *dying in a foreign country*.[6]

Beyond an academic familiarity with repatriation and an interest in bringing two disciplines into conversation around the study of the human remains repatriation process, the author's assumptions about the communities to be studied came into play. While the image of the unconnected, downtrodden migrant in South Africa, or the increasingly legislatively empowered Indian in the U.S. have some truth to them, this elementary knowledge—preceding the research—required testing. As hoped, these assumptions were at times confounded and certainly complicated by the actual data. It is the data provided *by* the agents interviewed in this study that I will offer as a barometer of current norms and an indicator of the futures of these migrant groups, aided by a look through the lens of repatriation.

[6] FMSP (now ACMS) researcher Lorena Núñez-Carrasco had addressed this subject of dying in a foreign country in several ways by the time this study was decided upon.

SECTION 2. RESEARCH QUESTION & KEY OBJECTIVES

2.1 Primary Research Question

The primary concerns of this research report can be encapsulated in the following research question, which is followed by an explanation of further research objectives:

(1) Who are the agents involved within two distinct human remains repatriation systems, (2) around which key themes do these agents and systems most meaningfully compare, and (3) what can a study of human remains repatriation illuminate about the position that living migrants (and living former migrants) hold in the nation from which the body is being repatriated?

2.2 Summary and clarification of general research objectives

This study aims firstly to identify, compare, and analyse the relationship between the agents involved in two distinct human remains repatriation systems.[7] The first system is that of black African migrants living in Johannesburg, South Africa, repatriating deceased persons to their country of origin. The second system of focus will concern Native American/American Indian[8] repatriation of remains from museums to their place of origin[9].

As an organisational tool for study, I began with the premise that the agent groups involved in making the repatriation process possible could largely be grouped into three categories: nation-states (the governments of South Africa and the United States), semi-independent institutions (the museum, the funeral parlour/burial societies) and relatives (of the deceased migrant)[10]. This

[7] I will define "systems" as the discourses, decisions, and practices that compose the repatriation process. "Human remains repatriation" can be defined as the physical return of the remains of deceased persons to their place of origin.

[8] From here, these terms will be used interchangeably to refer *generally* to various indigenous groups in what is today the United States, though the term more fully represents native peoples of the Americas (which includes countries in the Americas beyond the scope of this paper; i.e. Canada, Mexico, etc.). When identifying and discussing *particular tribal organisations*, the names of sovereign nations will be used (i.e. The Navajo Nation).

[9] As this paper will describe in great detail, determining the "place of origin" as it concerns Native Americans is complex. Nonetheless, "place of origin" remains a viable phrase to describe the location to which human remains return.

[10] I have allowed the term "relatives of the deceased" to be determined the interviewees. Those who are familiarly related or identify with the same ethnic group or nation of the deceased *by their own assessment* are considered

thesis aims to make clear the degree to which these categories hold, relate or overlap in order to satisfy both the first descriptive part of the primary research question and to inform and comment upon the more analytical second and third portions. In so doing, the aim is to elucidate the ways in which the composition, motivation and power of the agents involved in these repatriation systems reflect upon the place that the living relatives of the deceased hold in society in the country of repatriation.[11]

2.3 Further Research Objectives

The following objectives will provide an orderly organisation for the presentation of research data, as well as more in-depth explorations of the above research questions:

- Locate each repatriation system within its historical context
- Locate each repatriation system in the context of death-and-burial systems and beliefs
- Establish what a "normative" repatriation entails in both systems, to the degree possible
- Establish elements of comparison that allow for a meaningful analysis of both human remains repatriation systems and wider insights on agenthood, repatriation and the lives of the living the process may illuminate
- Establish a firm theoretical and practical rationale for the examination of human remains repatriation as a way to uniquely study the lives of the living

to be relatives. In defining the migrant, I have included both recent migrants and migrants that migrated long ago under this term, as well as those that are considered—and not considered—migrants in/by wider society.

[11] The country from which the body is being repatriated

SECTION 3. RESEARCH METHODOLOGY

3.1 Methodology Followed (General)

A single, qualitative method of inquiry was ultimately pursued for this research: semi-structured interviews with direct and indirect participants in the repatriation process. The nature of this research includes objectives that demand a multi-sectoral perspective in order to understand participants, process and more largely-writ conclusions in migration studies. The semi-structured interview was thus selected as a methodological tool so as to explore the research question and objectives with the freedom to alter and insert additional, appropriate questions during the interview process—across disciplines, amongst persons with differing occupations, and according to the interviewees' individual interests and expertise. Therefore, the research was better served by an open as opposed to closed-response interview, though many questions were similar or centred around similar themes (see following section for general characteristics of the interviews). In essence, with less "predetermining" involved, there was more chance for an understanding of agency and its insights, for a great importance was placed upon an "understanding of the world as seen by the respondents" (Patton, 1990:24).

As the previous chapter mentions, a pre-plan was made for interviews during the process of creating a research proposal. After a discussion of the nature of death and dying in Johannesburg with Lorena Núñez-Carrasco of the Forced Migration Studies Programme (FMSP), who had previously conducted interviews in the field, and a consideration of my knowledge of museum systems, three areas of agency were chosen as the focus around which to begin contacting potential interviewees. I intended to focus on conducting interviews with institutional agents, governmental agents and familial agents in order to gain a well-rounded understanding of human remains repatriation.

Original Interview Plan for Research

Native American repatriation (U.S.A)	**Black African migrant repatriation (South Africa)**
Employees/representatives of museums that have worked on repatriation or otherwise contributed to the discourse on U.S. repatriation	Funeral parlour employees
Representatives or members of repatriating groups (Native	Burial society members/Family members of the deceased

Americans)	
Governmental personnel involved in repatriation	Government personnel involved in repatriation

3.2 Characterisation of Interviews (Actual)

Interviews for this research were conducted primarily during the months of September and October 2010, though some interviews were conducted before and after this core time frame (see full interview list on page on page 87 of the appendix for details). Permission was sought in the case of each interview.[12]

The interviews undertaken for this study were meant to (1) inform a description and comparative analysis of the agents and process involved in two distinct human remains repatriation systems and (2) use this knowledge of agency to discuss the place that the living (migrants and former migrants) hold in the nations from which bodies are being repatriated. To this end, the interview style consciously followed two lines of questioning, though there was often overlap between the two. The first line of questioning was undertaken in order to understand the agent's role in repatriation and their knowledge of the repatriation process at large (as well as their knowledge of *other* agents' roles). The second line of questioning aimed to assess the interviewee's views about the conditions and concerns of the living members of these repatriating groups, whether they were related to or independent of repatriation.[13]

The nature of the interviews actually conducted differed from the original plan in the proposed methodology. Firstly, the roster of individual contacts (some established through FMSP prior to this research's beginnings, and some compiled by the author) within this plan was not firmly adhered to, as interviewees themselves formed much of the contact base by providing suitable interviewees in both South Africa and the U.S.

Interviewees in the U.S. nearly followed the original plan, with museum personnel, native persons and governmental personnel represented, with an important addition. Archaeologists

[12] The majority of interviewees signed both interview consent forms (see appendix, page100) and recording consent forms (see appendix, page 101) prior to or following their interviews. Some interviewees did not return the forms sent to them, and the remainder of interviewees for which there is no signed agreement form verbally agreed to being interviewed and recorded for this research.

[13] The appendix clarifies this questioning process by providing a set of representative questions asked during interviews (see pages 96/98).

and anthropologists affiliated with universities, research institutions, and museums played a significant role in informing the research presented here. There was less direct interviewing in the governmental sector than anticipated, as the office was small in number, if not in scope, and the government was otherwise discussed at length by all interviewees. As noted, many of these U.S. interviews were based upon recommendations by other interviewees, and most interviewees were aware of one another through what became apparent as an interconnected network of those working in the field of repatriation. The interviews spanned a wide geographic expanse, from Hawaii to Washington, D.C., which deepened the depth of information on repatriation. In all, twenty interviews were conducted.

For South African interviews, funeral parlours were focused upon as important agents as planned, but the other interviews deviated more from the original design. An important resource that went unmentioned in the research proposal came from interviewing the heads or leaders of the numerous national organisations found in Johannesburg. These individuals tended to be able to not only provide a history and characterisation of their respective migrant communities over time, but were also often familiar—directly or indirectly—with repatriation themselves. Further, they were familiar with acting as spokespeople for their communities, and aware of numerous navigable chains of contact that could be pursued to lend multiple perspectives on repatriation. Burial societies, initially listed as one of the three main agents of study, were for the most part discussed indirectly rather than directly interviewed, in part due to limited access and in part because they were discussed by other agents. Governmental interviews were in the end not conducted, as it became clear early on during the interviews that the governmental role in repatriation was largely bureaucratic and the important elements of governmental law were provided by other interviewees. South African interviews also focused on death and dying more widely than their U.S. counterparts, and included visits to faith-based organisations such as a hospice/clinic and migrant-serving NGOs, where the dynamic between sickness, death and repatriation helped elucidate the repatriation process in a way that was not anticipated in the research proposal. All South African interviews were concentrated in central Johannesburg neighbourhoods. In all, twenty interviews and two supplemental conversations were conducted.

Actual Interview Research

Native American repatriation (U.S.A) (Actual)	Black African migrant repatriation (South Africa) (Actual)
Employees/representatives of museums that work directly with repatriation (repatriation officers, curators of Native American archaeology, etc.)	Funeral parlour employees
Representatives or members of repatriating groups (Native American leaders, Tribal Historic Preservation Officers, tribal archaeologists and anthropologists)	National community leaders
NAGPRA personnel of the United States involved in repatriation (National NAGPRA Office)	Assorted interviews reflecting on repatriation (pastor, journalist, burial scheme developer, caretakers in health facilities, etc.)

3.3 Considerations and limitations of the methodology

In order to answer a question which actively considers more than one national group[14], discipline (museum and migration studies), geographic space and temporal location in the pursuit of its answer, the units of comparison must be clear and their significance and usefulness demarcated as thoroughly as possible.

This research was predicated upon the belief that a survey scope of two systems of repatriation was more appropriate than a narrow focus on a particular group conducting repatriation. In the case of South Africa, the research traces repatriation from a single location, Johannesburg, outward, in order to gain a broad understanding of African migrant relationships with destinations of repatriation. Given the researcher's residence in Johannesburg, it was fitting to invest in a focus that was accessible directly, rather than widen the lens to the whole of South Africa, which would have been beyond the time scope of this project. In the United States, the research traces repatriation from a number of locations to other numerous locations, highlighting a geographically complex migration process. The ease of electronic contact with those located in the U.S. and the nature of its relatively well-established repatriation law made a wider geographic scope feasible in this case, and allowed for a similar breadth of (sovereign Indian) nationals to be considered within the country from which remains were being repatriated. In essence, the consideration and comparison of a city and a country-wide study brought an

[14] This research considers numerous groups in its study of agency in repatriation. Many nationals of African countries have been considered, as well as many sovereign nations amongst American Indians (there are 565 federally recognized American Indian tribes in the United States (U.S. Department of the Interior, 2010)). Further, there are many ethnic groupings that link nationals of different nations to one another, as well as ethnic or other divisions between nationals. As previously mentioned, the importance of relative groups to the deceased lies in the self-definition of the relationship.

appropriate number of agents to light, and created an appropriate stage upon which to consider migrants through the lens of repatriation.

It is opportune to make mention of the writing of Henry Teune and Adam Przeworski, who believe that, "Social phenomena do not have a property of 'being comparable' or 'not comparable.' 'Comparability' depends upon the level of generality of the language that is applied to express observations" (Green, 1994:6). Such 'generality' must have sharpness of purpose, however, and for the merits of such a comparative methodology to achieve a productive fruition, they must be grounded in a clear idea of the suitable elements of comparison to be found within the study. These meaningful elements of comparison are clearly laid out in the analysis of the data, but this section addresses initial concerns with possible limitations of this particular study.

While the comparison between American Indian and black African repatriation systems have many general similarities that serve to ground the research—both occur within minority groups within a nation-state, both deal with the return or attempted return of human remains repatriation to a "non-foreign" territory or space, and both count migration as a contributing factor to the need for repatriation—there are three initial differences to note that will serve as both potential limitation and potential insight for illuminating how differing systems of repatriation are performed, can be compared, and shed light on migrants within the nations in which they live.

Firstly, there is no comparable institution on the South African side of the study to the collecting museum, where there might be an initial or long-lasting imperative to hold onto material, including remains. This has to do with different agents claiming a relationship—familial or otherwise—with remains, and these claims of affiliation differ between the two systems. Issues of this nature are addressed within the chapter *Repatriation and Cultural Affiliation.*

Secondly, while both systems of repatriation *are* being carried out contemporaneously, they maintain very different temporal qualities. Native Americans' engagement with the museum generally redresses bodies (bones) that were separated from their native location many years ago, while the black African migrants in Johannesburg I will be considering are primarily dealing with very recent deaths. Likewise, living American Indians were displaced in large part in centuries past, whereas the migrants in Johannesburg have migrated within their lifetimes. These

issues will be addressed throughout the research as well as within the *Repatriation and Temporal Issues* chapter.

Thirdly, the physical aspects of migration connected with the deceased are quite different in each case. While neither can be wholly generalised, Native Americans were indigenous persons relocated within the territory of the United States through governmental measures such as the Indian Removal Act of 1830 and other initiatives, and while some reside on reservation land today that is born of these displacements (and returns), they do not hold a contemporary "migrant" status in the United States. The migrants I will be considering in Johannesburg often *do* hold such a status, however, and do not invoke indigeneity as a relevant issue as American Indians do. Thus, the two systems of repatriation are influenced by a very different sense of migration. The chapter *Repatriation and Place* discusses such factors.

Nonetheless, there is no reason to ask for perfect compatibility in the cases. Their differences may speak to new insights that temporality, affiliation and geography can add to the study of migration, as it concerns both the living and the dead. Lastly, the study encourages an interest in processes that carry the same name (here, human remains repatriation) but have varying lessons to yield. During the interviews, it was encouraging to note that the interviewees expressed interest in repatriation cases outside of their own experience and context, including the research conducted as a part of this study.

PA: What about the Red Indians?
BW: Native Americans...they have their own systems of...sovereignty where they have reservations, on which they legislate and they have their own laws, things like that...
PA: Are you serious?...Not governed by President Obama?
BW: Well, yes and no...
Prince Adesina, Secretary of the Nigerian National Association, personal communication, 22 October 2010[15]

BW: ...it's been really great to have all these conversations, so, thank you.
MY: Well, thank you...I think it's great that you've taken a fascination and a topic that's not widely known about here and applied that to the work you're doing over there. I'm fascinated by the parallels on a different side of the world.

[15] Directly preceding this quote, the interviewee had been discussing his work with the Africa Diaspora Forum, and the need for education on migration, especially on why foreign nationals aren't treated well. He asked my nationality, and made the point that, "there is always…a movement…that would make you feel, Ok, you are not [a] true son or daughter of this soil. I think the Red Indians, they're the real Americans" (Adesina, 2010*pc*). As the conversation progressed, he tied in the concept of national languages, and asked about Native Americans, as seen above, in this capacity. My comments about Native Americans were greatly simplified.

Melinda Young, Tribal Historic Preservation Officer, Lac de Flambeau Band of Lake Superior Chippewa Indians, personal communication, 18 November 2010

3.4 Structure of Paper

This research paper will begin with the presentation of the repatriation process and its agents, and develop into an analytical discussion of the comparative findings within the process and, more widely, in migrant communities. We begin with a literature review locating human remains repatriation within the migration and museum fields, grounding the research. In order to answer the first part of the research question, *Who are the agents involved within two distinct human remains repatriation systems?*, the first two chapters present a description and beginning analysis of the agents involved in these systems and the way in which a normative repatriation unfolds, respectively. (Until this point in the paper, the two systems will be presented largely as separate entities, but from this point forward, all attempts will be made to see the systems as vehicles for making broader comments upon human remains repatriation and migration, while noting their distinctions.) With this established, the research then deals with another part of the research question, *How do these systems of repatriation most meaningfully compare?* The answer to this question will be addressed in three related but distinct chapters that explore the topics of cultural affiliation, temporal issues, and place as they relate to repatriation. Finally, the question of *What can human remains repatriation illuminate about the position that living migrants (and former living migrants) hold in the nation from which the body is being repatriated?* is addressed in its own chapter, incorporating the lessons of the previous chapters and the research collected. It should be noted that while the last chapter is the only one to address living migrants (and former migrants) in name, the issue is addressed throughout the research, reaching culmination in this final analytical chapter. The last chapter is followed by a conclusion and an appendix of relevant information.

SECTION 4. LITERATURE REVIEW

The first question that must be explored as background to this research is: What *is* repatriation? A study armed with present information concerning how repatriation is defined and conceived, and where it emerges in other studies will both supplement the study's findings and locate it as a meaningful subject amongst other related subjects. This literature review will focus on the presence of repatriation in migration and museum literature, placing it among important thematic and theoretical ideas that relate to a study of repatriation, agency, and the way in which the process and its actors reflect upon the lives of living migrants and former migrant groups.

4.1 What Repatriation is Not

Repatriation shares interesting parallels to other processes that relate to but do not share its function. Repatriation is not, for instance, deportation, the forced expulsion of persons usually considered illegal or undesirable to a nation state. Nonetheless, the two processes may overlap, not only in name with facilities like Johannesburg's Lindela Repatriation Centre, but conceptually in situations where the act of voluntary repatriation is criticised as non-voluntary. In museological literature and process, repatriation is differentiated from *de-accessioning*, a museum process which involves "culling works of art that do not pertain to their mission, are beyond repair, or are copies of existing work to raise money for future acquisitions" (Jankauskas, 2010). An interesting comparison can be drawn, however, between the way de-accessioning and repatriation are processes that ascribe value to certain components of a museum collection and not to others, and the related decision-making of who and what should stay or go. One major way in which these related processes can be differentiated from what we mean here by repatriation is in the focus this research will take, on agency. De-accessioning, for instance, is unlikely to have the same level of community agency, rather occurring as an internal process of the museum alone. Deportation, likewise, places the government in the position of power, with the migrant left without active agency.

4.2 Museum Literature

In the context of the repatriation of Native Americans within/from[16] the United States, the

[16] Some repatriation brings bodies to (sovereign) reservation land, and other cases feature repatriation to territory owned by the United States. This will be discussed in greater detail later in the research.

National Museum of the American Indian (NMAI) in Washington, D.C. defines repatriation in a very particular way[17]. Repatriation, the institution states in a publication, is:

> *...the process whereby specific kinds of American Indian cultural items in a museum collection are returned to lineal descendants and culturally affiliated Indian tribes, Alaska Native clans or villages, and/or Native Hawaiian organizations.*

Further, the museum names human remains and numerous kinds of objects (sacred, funerary, etc., all with their own definitions) as contenders for this specific brand of repatriation (NMAI, 2011:56). In such a definition, we are privy to numerous factors that tell us about the repatriation process in play: about the agents involved (the native groups mentioned and the museum), the parameters of relevant geography, and with the word "returned," a hint at the bodily displacement that underwrites the repatriation of remains. This definition, then, begins to unlock the complexity and specificity of repatriation, a discussion that extends beyond the consideration of solely human remains in museum literature.

To understand the resulting museum literature on repatriation, we must firstly take into account a brief history of museums and their collections. Museums have acted as repositories in the western world for centuries; storing, preserving and displaying objects acquired both legally and dubiously from around the world. While museums may be more typically associated with these *objects*, the museum also has a long history of collecting previously *animate* matter. Natural history museums, ethnographic museums and others have widely collected a variety of species for study and display, and this has—especially during the Victorian era's scientific push for biological racial comparisons—included human remains (Franey, 2001, Simpson, 1996, ter Keurs, 2007, UNESCO, 2006). Notes such as Paul Du Chaillu's in *A Journey to Ashango-Land* in 1867 were indicative of the prevalent collecting phenomenon:

> *Besides Thomas [a male chimpanzee], I sent by the vessel a live female chimpanzee which I had obtained, and which I christened "Mrs. Thomas." I also sent a collection of skulls of natives, about ninety in number, for the British Museum. I was obliged to pack these skulls very carefully, to prevent the negroes from knowing what it was they were carrying on board the ship (Du Chaillu, 1867:35-36 in Franey, 2001:223).*

[17] It should be noted that the NMAI is subject to its own laws concerning repatriation, not the national law. This is due to pre-existing legislation on repatriation the museum had drawn up. Nonetheless, the laws have great overall similarities and the NMAI's definition of the process serves as a fitting introduction to the specific brand of repatriation occurring in the United States.

Neither were Native Americans exempt from such colonialist views. The archaeologist T. J. Ferguson, interviewed for this research in 2010, wrote in 1996 about archaeology's colonialist nature and the way in which it was connected directly to land. Europeans' understanding of the archaeological record, to be inherited in part by the museums that would house those findings, "was inextricably linked to the political and cultural processes entailed in taking land from Native Americans for incorporation into expanding nation states" (Ferguson, 1996:64). Displacement of peoples on a large scale—discounted as "lack[ing] the initiative and capacity for development" (Ferguson, 1996:64)—accounted, at least in part, for the ease with which their remains and objects could be disregard and/or considered the property of others for many years to come.

In the U.S. context, James Pepper Henry, the Assistant Director for Community Resources and Head of Repatriation at NMAI, offers an encapsulation of how one of the largest US-based collections of indigenous material, including human remains, became part of a museum:

> *Wealthy New Yorker George Gustav Heye assembled the NMAI's [National Museum of the American Indian] original collections during the first half of the 20th century. What began as a "hobby" for Heye soon became a lifelong obsession. Heye collected for the sake of collecting...With the enlistment of a small army of collectors deployed throughout the Western Hemisphere, Heye amassed a private collection of approximately 800,000 material objects representing nearly 1,000 distinct indigenous cultures. These acquisitions included human remains, funerary materials, and religious and ceremonial objects. Many of the transactions to acquire these cultural materials were legitimate, but others were ethically challenged. In fact, in 1914 Heye himself was arrested for "grave robbing" an ancient Munsee-Delaware burial ground in Sussex County, N.J., but the charges were eventually dropped.*
>
> *The entirety of Heye's collection would become the Museum of the American Indian-Heye Foundation... (Henry, 2004:105-6)*

In more recent times, the denouncement and questioning of colonial collection policies (and their legacies) is rife, and the collecting and showcasing of culturally sensitive artefacts and the remains of indigenous cultures is on the wane, particularly if those groups have living relatives (for an overview of the history of the value of human remains from an archaeological point of view, see Walker, 2000:3-40). The display of human remains in museums is being widely reconsidered, criticized and re-negotiated, depending upon the institution and region (Boyd,

1990, Fforde, Hubert and Turnbull, 2004, James, 2008, Simpson, 1996, UNESCO, 2006). Museum literature now plies the topic of the repatriation of these motley collections to their places of origin with discussions of human remains, inanimate objects, and the spectrum that exists between them. The federal law of the United States, the Native American Graves Protection and Repatriation Act (to be introduced below) also considers development and the protection of native graves outside museum walls. Thus, while this study comes from a migration studies framework, and therefore focuses upon human remains repatriation, there are useful theoretical insights to be gained from the museum literature that extends beyond human remains issues, overlapping in the pursuit to repatriate in a manner deemed fair to history and all current involved parties.

There are three main areas in the literature that should be addressed here in order to understand repatriation and its theoretical and practical underpinnings in the United States. While they are interwoven, they also offer distinct insights into the process, and allow for a clearer picture of the way in which this research will strengthen the study of human remains repatriation as it exists. The first is literature in which repatriation is framed or discussed as a human rights issue, in the form of dignity for the deceased and the related living. The second deals with repatriation in the context of historical awareness and the potential ravages of colonial attitudes extending to repatriation in the present day. The third area of interest in the literature centres on particular debates within repatriation law in the U.S. (there are debates elsewhere, but this is most relevant to this study) that highlight theoretical issues about ownership, scientific study and compromise between agent groups involved with repatriation. Oftentimes the first area of literature relates to the third.

Many interviewees from the United States that informed this paper made it clear that human remains repatriation involved not only a weighing of human rights against those such as scientific study, but a fundamental understanding that repatriation was at its core about that very right (Haire, Teeter, 2010*pc*). Correspondence with these individuals confirmed what museum literature has been discussing for years. This is represented in particular literature concerning the U.S. system, and more widely in the documented considerations that museum organisations and other groups have put forward about the treatment of human remains. General rigors are

established by the *Code of Ethics for Museums* in the American Association of Museums or the International Council of Museums' *ICOM Code of Ethics*, for instance; signatories are fully expected to abide by these codes. Even without directly addressing repatriation therein (the AMA does not), they note a special designation given to human remains that easily corresponds to the consideration or practical implementation of repatriation—such as the fact that "collections of human remains...should only be acquired if they can be housed securely and cared for respectfully...in a manner consistent with the interests and beliefs of members of the community...from which the objects originate" (ICOM, 2.5) and "requests for removal from public display of human remains…from the originating communities must be addressed expeditiously" (ICOM, 4.4).

In the practical arena, a particular political and social climate offering human rights to Native Americans had to be in place for the Native American Graves Protection and Repatriation Act, now the guiding federal law of the United States, to pass in Congress. NAGPRA, or the Native American Graves Protection and Repatriation Act is "a Federal law passed in 1990. NAGPRA provides a process for museums and Federal agencies to return certain Native American cultural items…[including] human remains…to lineal descendants, and culturally affiliated tribes and Native Hawaiian organizations" (National Parks Service, 2011a). This is a far cry from relationships of the past, and the conceptualisation of native peoples. Suzan Shown Harjo, in an article written shortly after NAGPRA was passed, began her investigation of human rights and native peoples by looking back as far as 1492, when "the conflicting laws and legal fictions regarding Native peoples' rights in the Western hemisphere" began, with "the introduction of the European doctrine of right by discovery and might" and officially in the next century with the allowance that native people had souls that could be saved (Harjo, 1992:321). Ten years later, Angela Riley pointed out her belief, in an article "reconsidering entitlement," that "human rights and property rights are inextricably linked. The ability to hold property and wield power is essential to the exercise of other basic human rights" (Riley, 2002-3:50). NAGPRA, she wrote, was written "in order to remedy this social injustice" (Riley, 2002-3:50). Though repatriation and NAGPRA remain contested on a number of issues, this long-term sea change is worth noting, and locating the current status of these now former migrants within.

We have previously mentioned colonial attitudes concerning the collection of human remains, but what of their dispossession in repatriation? There are numerous channels a literature review could take, but two are particularly striking for this study. One follows the idea that the continued collection or display of human remains is now on the wrong side of history, and the second, directly related, is found in the criticism that retaining human remains or material leaves the injustices of the past uncorrected and unsolved.

Even in a supposedly post-colonial world, many academics and public figures accept a logic that says colonialism's effects upon the world are complete, and, further, suggest that new twists on such a worldview remain active. Professor of anthropology and historical studies Ann Laura Stoler takes such theory to task by discussing "more protracted imperial processes that saturate the subsoil of people's lives and persist, sometimes subjacently, over a longer dur'ee" (Stoler, 2008:192). The collecting museum may not escape inclusion in this discussion of long-lasting "imperial debris," which "register[s] the ongoing processes of decimation, displacement, and reclamation" (ibid, 2008). The museum, then, by owning remains, or exhibiting them in a particular way or with a particular interpretation, may continue to reinforce the memory of such ideals of conquest and collection. In this context of continued colonial effect, the keynote speech at a January 2010 conference, *Repatriation at Twenty: A Gathering on Native Self-Determination and Human Rights*, sponsored by the Sandra Day O'Conner School of Law at Arizona State University in the United States does not seem out of place. The director of the Smithsonian's National Museum of the American Indian gave a lecture entitled *"Will the White Man's Indian Ever Die?"* We can also overlay a small amount of African literature concerning museums and repatriation here, such as pieces that addressed the well-known repatriation cases of Sarah Baartman to South Africa from a museum in France, and "El Negro" to Botswana from a museum in Spain. The latter case was sparked when in 1992 a man by the name of Alphonse Arcelin heard about a taxidermied African man ("El Negro") on display in the Darder Museum and expressed his outrage that such an exhibit could be offered to the public in the 20th century to the Spanish newspaper *El Pais* (Davies, 2003, Parsons, 2002).

With this in mind, it is not surprising that many call for repatriation, or that they do so on particular grounds. One criticism of retaining material—as with persons—outside of its place of

origin is that it may condone or leave unhealed the situation that first resulted in the displacement. When David Rudenstine, a professor of law, considers the Greek Parthenon Marbles held in the British Museum, he concludes with a logic that can apply to human remains repatriation in either museum or migration studies. Repatriation "may be the right thing to do in that it responds to an historical episode that, in the opinion of many, should not have occurred," (Rudenstine, 2001:70)[18] he contends, a sentiment that could cover situations as broad as recent civil war or economic migrancy or as fraught as collection and repatriation practices. In human terms, we can again return to eventual repatriation of "El Negro" to Botswana. Some took the decision-making surrounding his repatriation to task for not properly closing the book on the injustices suffered by the man displayed. This was not only because he was repatriated to a country that was established to be geographically inaccurate as a place of origin, but also because Botswana was condemned as an unsuitable place of return due to the disparity between the treatment of this (presumed) San repatriated body and the living, indigenous people of Botswana, suffering from noted human rights abuses (Davies, 2003, Good, 2002).

Lastly, we can locate this research within specific literature on existing U.S. law, which runs the gamut in terms of topic and point of view (and some of which harks back to the discussion of a human rights framework). Some literature is forward-looking and optimistic about NAGPRA's possibilities for scientists and native people alike, such as an article penned by osteologists in 1996, who asked themselves whether NAGPRA would signal the end of their research. They concluded that it would not, because, among other things, forcing the hand of museums to survey their inventories in preparation for repatriation would provide *more* information than previously available (Rose, Green, and Green, 1996). Others, such as Professor Tim White, wrote to the NAGPRA Review Committee in 1999 to discuss important issues surrounding "culturally unidentifiable remains;" namely those that have more tenuous evidences of ties to living communities. He took issue, as others do, with proposed changes to a term that NAGPRA has always relied on to determine the legal relationship between ancestral remains and living tribes: *cultural affiliation*. His concerns were apt, as just prior to the research period of this paper, new

[18] It should be noted that Rudenstine is referring to "selective repatriation" of cultural patrimony (key artefacts or objects that are central to a nation's identity) when he suggests that repatriation could heal rifts between the countries holding on to such cultural patrimony (receiving nations) and those from whom it was bought or taken (source countries).

regulations concerning CUIs (culturally unidentifiable items) were passed, allowing tribes currently living in the area where the remains were originally found to claim them, whether they can provide a more specific cultural affiliation with the remains or not. This will greatly affect the status of the remaining non-culturally affiliated remains in museums. Continued ruminations on this subject will be extremely timely, then, for there is as of yet no literature addressing the implications of this new regulation that may affect the return migration of more than 100,000 individuals still in museums in the United States (see map of the arrangement of these remains throughout the U.S. on page 71).[19]

For all this discussion of repatriation in museum literature, however, there is little wide-lens application of agenthood as it is pertinent to issues in repatriation. An assessment of agenthood, this study purports, will connect all these discussions through speaking to those currently engaged in the process. There is also little engagement with the idea of "re-integration" of remains, as mentioned. While this is a private affair in a practical sense, intended as such because remains are being transferred in ownership, this research report will comment upon this return in a theoretical way by giving a unique look at the lives of living Native Americans in the United States, beyond their repatriation efforts alone.

4.3 Migration Literature

U.S. museum literature, like its repatriation system, assumes a direct linkage between death and repatriation. In the African context, this is not so. While migration literature does certainly deal with repatriation, it is not drawn along the same lines: death-and-dying and repatriation are much less directly connected (if at all). Thus, a comparison of the two systems, and the investigation of the Johannesburg system in its own right, will bring together two fairly disjoined areas of study. In the African system of repatriation, human remains repatriation can be defined as a return of newly deceased human remains to family or community members in a non-local or international location. Such a relatively narrow definition of repatriation at once reveals a focus on a smaller piece of repatriation study (those dealing only with human remains) and evidences the way it differs from repatriation as it has generally been represented in literature in the field of

[19] As this topic will be discussed at many points in the coming research, in the context of new information from interviews, this section will be kept brief.

migration. In this portion of the literature review, we will likewise cover three areas of interest in migration literature that relate to the topic of research: literature that deals with repatriation of the living, literature addressing specialised repatriation, and literature addressing death and dying in Africa.

In migration literature, repatriation concerns itself with the living. This is witnessed in literature that carries a human rights framework even in older work such as Harrell-Bond's on repatriation as a desirable solution for refugees, where she clearly notes that, "Every refugee should have the right to return voluntarily to his homeland" (Harrell-Bond, 1989:42). Nonetheless, her article mostly deals with the roadblocks and difficulties *preventing* the right to repatriation, which she believes becomes increasingly hard to do "the longer the refugee remains in exile" (ibid, 1989). If this "exile" extends to the point of death, a complication literature is largely silent on, a new version of repatriation should be introduced, and the rules of its entitled rights laid out. Instead, we are largely left with literature that skirts the issue.

We know that a formal understanding of repatriation in the migration sector must, like literature on the U.S. system of repatriation, take into account the history of bodies of the "other." Under international law, the cornerstone for defining the treatment of refugees and asylum seekers is the principle of non-refoulement, which ultimately rests on the necessity of avoiding bodily harm of a returned person to a place in which they face a great, recognized danger (UNHCR, 1997). If we draw allusions from merely this, and other migration literature that deals with the vagaries of failed or successful post-conflict voluntary repatriation programmes in Africa (and its prioritization as the best of three "durable solutions"), should we solely take from them the lesson that the process must be safe and voluntary? Safety concerns are, of course, fundamentally altered by the fact that the person to be repatriated is already deceased, and the voluntary nature of the process is complicated by a number of factors, including the fact that many seek repatriation voluntarily but do not succeed. In Oliver Bakewell's redressing of voluntary repatriation in 2002, he makes note that even if many migrants do want to be repatriated (as living persons), there is already a stark lack of investigation into the nuances of what home is to living returnees, and how it might have changed in their absence:

> *The separation of people from their place forms one aspect of the refugee problem and the restoration of a person to their place through repatriation is often presented as the optimum solution. This simplistic narrative of refugees being able to go 'home' is too often employed without a critical analysis of what they conceive to be home and how it has changed since they were forced to leave* (Bakewell, 2002:42).

He suggests that a simple acceptance of repatriation as restoration is not enough to understand what may happen to migrants when they return, recognising that home is not a static concept, nor one that is uncontested. This study, which deals exclusively with the agents that administer the repatriation process after death, then, might explore what literature does not; the complexity of human return for migrants *and* migrant relatives outside of the surface, guiding policies of living repatriation.

In an arena in which the discussion is not about violent conflict (even if the particular death may have been) or persons with refugee status (many if not more of the migrants considering repatriation from Johannesburg are economic migrants or others without refugee status), we know far less about the system of repatriation, especially after death. It is much more common to come across fleeting references to human remains repatriation at the edges of papers dealing with living refugees, for instance in Hovil's description of meeting a group of Sudanese refugees who were in the process of repatriating a body from a camp in Uganda, where there were no graveyards, to Sudan, by bicycle (Hovil, 2007:615). Groups that one might expect to have published or publicly commented on the phenomenon of death and the possibilities for repatriation of bodies in foreign countries—namely, what the process might be like in a refugee camp or in other displacement situations—is largely absent. Though it cannot be called a thorough investigation on the subject, Medicins Sans Frontieres' Johannesburg office, when contacted, seemed unsure of who might have general knowledge on the subject (though their downtown medical clinic did have a process, which formed the content of one of the interviews of this research). Likewise, the International Organization for Migration (IOM) in Mesina, near the border of Zimbabwe, was unable to produce much detail on the subject when contacted, and gave the impression that they primarily assisted the living (an in-person investigation of the same may have yielded different results, as keeping in touch with contact points proved the most difficult barrier to information). In Johannesburg, two groups that one interviewee suggested

were involved in the repatriation of the deceased, Jesuit Refugee Services and the Refugee Aid Organisation, could not, in the end, provide a systematic understanding of what the process might look like; the information they provided suggests an investigation of this sort would need to include research within the United Nations.[20]

This is not to say that death and migration in Africa are not contemplated in literature. Dying, if not death, is considered alongside living repatriation in some literature. During the April 2010 *Managing Uncertainty: Death and Loss in Africa* conference held at the University of the Witwatersrand, Johannesburg, Reason Beremauro presented a draft paper detailing portions of the funeral of a young Zimbabwean woman at Central Methodist Church in Johannesburg. The funeral was only taking place in South Africa because sufficient funds could not be raised to repatriate her body home, Beremauro reported. Instead, the woman was laid to rest in Soweto, with some of her relatives visiting from her home country (Beremauro, 2010). Such an illustration highlights the heavy role of finances in repatriation, a theme that will be discussed throughout this paper, and gives yet another reason to consider both a review and in-depth study of the agents of repatriation, and the way in which they (whether they are a burial society, church, or individual) provide financial and other support for the process.

Related to but also distinct from the cost of the journey home is the belief that death should take place in the home country (which, of course, would remove the need for a repatriation home). The grandmother in the aforementioned funeral issued the following imperative to the mourners in attendance: "If you're sick, go home! *Ndapota yangu*, go home (I implore you, please!!). Don't die here!" (Beremauro, 2010). In Lee and Vaughan's *Death and Dying in the History of Africa since 1800*, they make note of similar concerns held by migrant mine workers in South Africa:

> *While the establishment of cemeteries at the mines acknowledged that mines themselves had become spaces of (accidental) death, it was the fact that they could now be spaces of burial which further troubled African labourers and their families. How would the dead be ensured safe passage into the afterlife, if not buried at 'home' under the watchful eyes of the living? …*

[20] David, the Regional Director of JRS notes that as of last year they do not assist with repatriation, as it was too expensive, though they undertook the process once with the UN. He said that they now refer Zimbabweans that come to them to the Refugee Aid Organisation. The Refugee Aid Organisation refers them to the UN when there is a suitable case for repatriation, according to Pamela, a Protection Officer in Pretoria.

> *Throughout southern Africa, the migrant labour system imposed a necessary mathematics of distance upon the delicate calibrations of social and kinship relations* (Lee and Vaughan, 2008:355).

If the dying do return home to die, as Clark et al's article *Returning Home to Die* hypothesizes, the dying's health factors may also affect the lives of those to whom they return home. Their study, framed within the context of circular labour migration specific to South Africa's history, concludes that "the former 'homeland' populations are now supporting a major and growing burden of sickness and death comprised of their members who formerly worked in the metropolitan, mining, and formal agricultural areas, and who are now returning to their rural families when they are sick and dying" (Clark et al, 2007:43). This literature, however, still falls short of a true examination of the repatriation of the deceased.

In migration literature, repatriation of the *dead* has generally focused on the special case scenario where nations and the international community have rallied around significant persons of interest in whom they have a vested interest. Historical cases such as Sarah Baartman's eventual return to South Africa, or the decision to return El Negro to Botswana from museums in Europe both speak to international contestations over the return of the dead to their place of origin, but are unique in many ways from the repatriation this study focuses upon. Further, there are few articles on either of these particular cases (those that are will be referenced within the research report), and the most in-depth treatment of the cases are found in purportedly accurate books that clearly wind speculation around fact. Unlike the large-scale repatriation of "normal" bodies occurring daily in Johannesburg, both the El Negro and Sarah Baartman cases featured governmental declarations that these cases would be the exception rather than the rule, and became possible on account of an agreement that "Africa" would not seek all the bodies that "Europe" held (Crais and Scully, 2009:154-5). Nonetheless, these cases did confront issues such as the idea of past injustice being healed or undone symbolically by aid of repatriation. Contemporary repatriation flurries such as these *can* align with the realities that face a more regular and everyday repatriation: contestation of cultural affiliation, the importance of home and place, and the high cost of making a repatriation happen. Still yet, there seems to be a lack of connection between considering repatriation as a single case and drawing larger inferences from such processes.

This literature review covered theoretical ground, and the more practical background to this research comes embedded within the presentation of the data and its analysis. There are a number of other worthy directions this literature review could have taken or subjects it could have explored—memorialisation or migrant/community/minority mobilization, for instance—but for the scope of this research, the themes that arose within repatriation literature were those that were most closely examined.

SECTION 5. REPATRIATION AND AGENCY

5.1 Chapter Description

The importance of agency runs throughout this research report; it is a descriptive imperative that sets the tone of the research in the stated objectives and informs the analysis of further chapters. This chapter will serve as an overview of the basic dynamics of agency in human remains repatriation within and across the two explored systems. With a focus on the identification and basic description of the agents of repatriation, the chapter will also briefly address uninvolved agents, the way in which relationships between agents function and overlap, and provide some insight into the reasons these agents became involved in the process of repatriation. From here, further chapters will weave the issue of agency into larger questions such as what constitutes a normative repatriation, what are the meaningful elements of comparison for these systems of human remains repatriation, and what these agencies and systems say about the place that migrants and former migrants hold in the countries from which they repatriate. Throughout this consideration, the study of agency is informed primarily by the agents themselves.

The Agents of Repatriation

5. 2 Repatriation of Native Americans from the United States

Four main agent groups contribute to the human remains repatriation system that involves the return of American Indian bodies from museums in the United States to various chosen locations. They are given a general characterisation by group, as well as depicted in a simple relational chart below.

The museum

"The museum," in this study, more literally means "federally funded museum"; a museum that has at some point been supported or subsidised by the federal government of the United States (the entirety of agents interviewed worked within museums that fell into this category). These federally funded museums are subject to the twenty year-old piece of national legislation that covers the repatriation of American Indian remains—the Native American Graves Protection and

Repatriation Act (NAGPRA) [21]—and therefore constitute the museum agent role within this repatriation system. (See the forthcoming section *Uninvolved Agents* for a brief clarification of human remains repatriation falling outside these legal parameters.) The "museum agent" is also characterised as an institution that contains human remains within their collection (those that have other non-remain indigenous material are also subject to NAGPRA, but fall outside the focus of this study, though most museums with one have the other).

Under the law, a museum should provide an inventory list and summary of all the material in their collection that is subject to NAGPRA to all culturally affiliated tribes, as well as respond to all queries and claims made by those federally recognised American Indian tribes *to* them, from which the process will begin. Thus, while the museum can be considered the initiator of the repatriation process, it also plays the role of responder if and when the tribe initiates a response to an inventory list sent long ago, to an online posting of the inventory (this is increasingly common), or requests one if they have never received a list or are not aware if they were sent one in the past. The museum remains involved in the process until the remains have been legally transferred to native representatives, at which point they have no remaining legal agency in the process.

Though the museum must conduct their responsibilities in repatriation through force of law, the degree of participation and attitude during involvement are often the product of both institutional decision-making and individual will. Those who make the final decision on whether remains are "suitable" for repatriation, for instance, may be the museum's board of directors or a curator within the archaeology department, each of which have a different relationship with the collection and perhaps native communities. A vast spectrum of financial, staff and other resources are available in museums, directly affecting both attitude and ambition on repatriation (just as with other agents). Some museums act individually; while others, like the constituent museums of the University of California system, are connected to a larger system of decision-making once individual museum decisions have been made (Teeter, 2010*pc*). Not surprisingly,

[21] This is true of all the museums featured in this study, aside from the National Museum of Natural History, which is a Smithsonian Institution. Smithsonian Institutions, though federally funded, have their own guiding legislation for repatriation, the National Museum of the American Indian Act (1989), and "the National Museum of Natural History has adopted a repatriation policy modeled on the NAGPRA regulations" (Smithsonian National Museum of Natural History Repatriation Office Frequently Asked Questions, 2010).

the museum, as a repatriating institution, has a varied reputation as a compliant agent (Atalay, Downer, Begay and Joe, Halealoha, Hemenway, Johnson, all 2010*pc*); some have never created and disseminated inventory lists (decreasingly so), some are considered very open to a healthy relationship with tribes in both matters of repatriation and continued interpretation of their collections, while still others are considered by other museums and tribal people to have the strictest of interpretations on which materials are culturally affiliated and therefore subject to NAGPRA.

The Tribe/Representative of the Tribe

The Indian groups featured in this study, living within what is today considered the United States, involve themselves in the repatriation process because their ancestral remains have been displaced from their original location and placed in a museum (in most cases against the will or without the knowledge of the group). However, like the museum, Indian persons are, in the context of repatriation, defined in a legal sense. They are either federally recognised or non-federally recognised within tribes by the United States government, and those that are recognised are able to repatriate under the current legal process. Under this arrangement, repatriation is seen as one that is occurring between sovereign governments; the U.S. is one, and each recognised tribe, who will already carry sovereign status through this recognition, is the other (see the forthcoming section *Uninvolved Agents* for brief clarification of human remains repatriation falling outside these legal parameters). The National NAGPRA website makes note that "an Indian tribe is any tribe, band, nation or other organized group or community of Indians that is recognized for the special programs and services provided by the United States to Indians because of their status as Indians" (National Parks Service, 2010). A tribe, then, is made a potential agent by nature of its recognition by the U.S. government[22] and becomes an agent proper when they make a claim for repatriation, or join a coalition of other tribes that are seeking the same. On the other hand, a tribe can decline this agency by not prioritising repatriation as a tribal concern, by remaining wary of the spiritual or economic preparations or consequences of dealing with the deceased, or, may simply object to or abstain from the U.S. government's classification system for recognition of Indian persons.

[22] While tribal status is recognised at the federal government level, tribes themselves expect varying requirements, such as a documented amount of native ancestry, to be fulfilled in order for an Indian to gain membership within their tribe.

Tribal recognition is usually a bedrock requirement for repatriation, but just as important is the representative of the tribe involved in the process itself. This person, group, or chain of command may be established by the tribe's private hierarchy or leadership beliefs, and is not likely to be subject to outside interference. Elders or those that are considered able to handle the dead, for instance, might make final decisions concerning the priority of repatriation as a tribal pursuit, the resting place of the remains or the blessing or burial rituals to be performed, and the general repatriation process might be navigated on a more practical level by a Tribal Historic Preservation Officer (THPO), a government-funded position some tribes have created to aid focus on repatriation and other projects (neither of these parties, if used, is likely to perform duties solely in the field of repatriation). Tribes may also work as a coalition of numerous tribes that share history or culture in a geographic area, with one tribe acting as the agreed upon receiver of remains that might pertain to numerous groups (including, at times, non-federally recognised tribes).

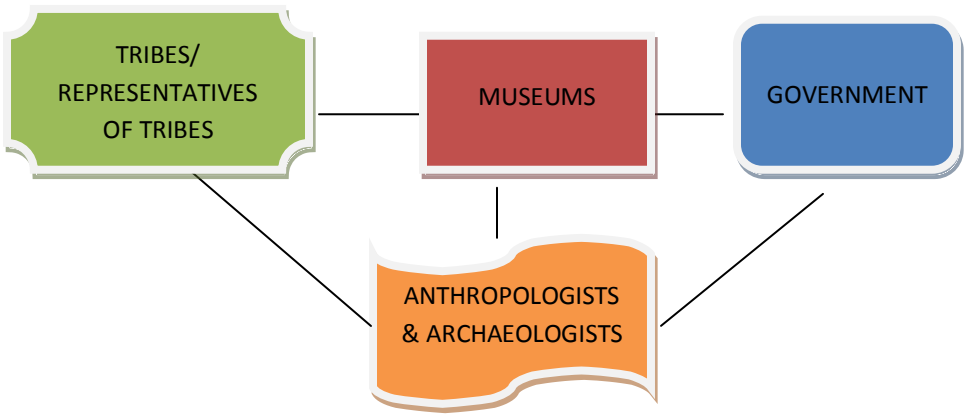
The Government

David Tarler, a Federal Officer and the Enforcement and Training Coordinator with the National NAGPRA Program, contextualises repatriation legislation within the government of the United States thusly: within a tri-partite government (judicial, legislative, executive), the NAGPRA office is the executer of the repatriation law passed by Congress (a Congress which "generally does not specify the process for doing so"), with "less than seven" employees to do so (Tarler, 2010*pc*). In this regulatory capacity, the office is neutral, with the exception of looking into cases where non-compliance of museums or federal agencies has been reported and coordinating the distribution of grants to tribes and museums based upon submitted proposals (Tarler, 2010*pc*). Thus, the governmental role can be seen as an umbrella agent which has defined American Indian-ness and that stands as the face of complicated legislation, but also as a neutral agency performing a ministerial service in the repatriation process. A perusal of their website gives a relatively clear picture of the duties they perform and information they deliver; a review of pertinent laws is featured, as well as necessary practical resources for tribes, museums, and federal agencies, databases holding information on contacting Native Americans for consultations, notices of intent to repatriate, and information on how to contact the office with

questions and concerns that arise during the process. Further, the Native American Graves Protection and Repatriation Review Committee, from which several interviewees were drawn, is a part of governmental agency, established to "monitor and review the implementation of the inventory and identification process and repatriation activities...request[ing] information on compliance with the law and...mak[ing] annual reports to Congress" (National Parks Service, 2010). Though this committee is selected by the Secretary of the Interior, the constituents come from across the board of agency: museums, American Indians (and Native Hawaiians) and scientists are all represented.

Archaeologists and Anthropologists

These natural and social scientists—who as noted were initially overlooked but soon discovered to play an important role nearly as soon as research began—are an agent group that interact with all the aforementioned agents. Scientist, here, generally means persons trained as archaeologists or anthropologists (archaeology generally being considered a sub-group of the field of anthropology). Given that the establishment of cultural affiliation is of primary concern during repatriation cases, these agents' particular scientific knowledge about the historical record and remains is at times supportive and at other times crucial to declaring or denying affiliation. As mentioned in the previous section, they are included as members of review committees ascertaining whether repatriation cases have unfolded fairly, but they can be aligned with museums and tribes as well. The nature of collection within museums means that the two fields have long been associated with museums—archaeologists and anthropologists have been employed within them as researchers or curators, or as part of external or museum-connected excavation teams that have supplied material related to or consisting of human remains and their history. There are a limited number of *native* archaeologists, but, nonetheless, the connection between tribes and scientists is extremely present, sometimes in the form of tribal archaeologists. These individuals, native or otherwise, may be hired to work in the capacity of caring for and studying sites that may be considered "archaeological" to the discipline and "sacred" to natives; extending a cultural imperative already present in native belief through such an arrangement (Two Bears, 2006:381). For a full list of anthropologist/archaeologist interviewees and their institutional associations, please see page 107 of the appendix.



The above diagram depicts the general agencies involved in the repatriation of Native American human remains from museums in the United States. The Tribes/Representative of Tribes, Museums, and Government are shown as the three main agents, all of which may work with Anthropologists and Archaeologists. The order of the three agents that form the top line of the diagram are not in a particular order, nor do they suggest that one agent hands agency over to the next without further involvement. For instance, the Tribes/Representative of Tribes may both be the first instigator in the repatriation process but also the last agent, as they retain ownership of the repatriated remains.

5. 3 Repatriation of African Migrants from (Johannesburg) South Africa

A slightly more complex system of agencies are involved in the repatriation of black Africans from South Africa.[23] They are likewise given a general characterisation by group as well as being depicted in a relational chart following those descriptions.

Pre-Players

Unlike the indigenous repatriations from museums in the United States, the featured African repatriations do not all begin their return journey in one place. A body, whether it is to be repatriated or not, must be collected from the place of death. Whether this is a hospital, hospice, home or even public place (for instance, downtown Johannesburg's Central Methodist Church), these places and the agents associated with them may determine the way in which the body was treated and prepared before death, influencing the organisation following death (including connection to community or financial preparedness). For instance, a hospice, such as Nazareth

[23] It should be noted that in some cases the study will allude to the repatriation of African migrants from "South Africa," rather than only Johannesburg, within South Africa. Several interviewees explained that Johannesburg is often part of a larger network, and remains from another region of the country would be likely to pass through en route to their foreign destination (Gbaffou, Massasanya, 2010*pc*). Johannesburg is not only a central point of organisation for a number of national groups, but also a rational geographic place of departure for remains that are travelling locally, such as to Zimbabwe.

House in the Yeoville neighbourhood, might suggest a funeral parlour they have a trusted relationship with to the family of a patient. While these "pre-players" are not the primary focus in this research, their presence in the early process should be noted, and their knowledge of the motivations behind repatriation and the avenues for doing so should be respected.

Families of the Deceased/Community of the Deceased, Burial Schemes/Societies

Though their agencies differ and interrelate, there are a group of agents that together precede the funeral parlour's agency in repatriation. These agents largely act as the arbiters for what is possible for the body –especially in social and economic terms of organising —and for this reason, they are grouped together. The first are the *family and community of the deceased*. These include direct family members seeking action on behalf of their relative, churches that may provide financial and organisational support, and national organisations to which the deceased belonged to or were affiliated with. An overall assessment of these agents reveals that while the imperative for a respectful burial was implicit or explicit among all (often including a desire for repatriation), participation in the repatriation process itself was a role that individual migrants or migrant groups had grown into as it became possible to further organise over time. The approach to repatriation, then, might range from a long-settled family that acts independently and directly with a funeral parlour that assists them with their needs, to an isolated foreign national for whom the larger national group takes responsibility, to a well-known figure that has financial and social support from the home country and the local neighbourhood of church and community members, making funding a repatriation an easy operation. Another plan of action is to use the assistance of a *burial society or burial scheme*, wherein a person normally pays a monthly fee as a living member for a set return to be used towards a burial and/or a repatriation upon their or a member of their family's decease. Though they may represent a more purely financial support, burial schemes and burial societies can also be grouped within this agent block, whether they are internationally-serving South African burial insurance plans or burial societies tied by ethnic group, language and nationality. Burial societies can also be thought of as pre-players, in that participation in one may affect the possibility of repatriation (alternatively, some community members clearly noted that organisation for a death occurred only after the death had come to pass (Adesina, Veyidiaki, 2010*pc*)). Further, burial societies (and in some cases churches and national organisations as well) may be bound contractually to a certain funeral parlour with

whom they have drawn up an agreement of terms. Of note is the fact that many of these agents are the same whether the body is to be repatriated or not; the destination, cost and (some additional) paperwork might be different, but the process of preparation is similar, in part because of the generally reported streamlined nature of the funeral parlour's business.

The Funeral Parlour

The funeral parlours in this study were repatriating parlours (both domestic and international), though they also performed local burials. The parlours held different places in society, just as migrants in Johannesburg do: some were long-established South African parlours or chains of parlours, others catered predominantly to migrants and were either smaller in scope or newer in form, catering to less financially prosperous clientele. In all cases, representatives of the parlours were very clear on who their clientele were, whether it was primarily Zimbabweans (Massasanya, Mpofu, Nare, 2010*pc*), South Africans or another composition of clients that they could report from most common to least (Kight, Petunia, 2010*pc*). Some parlours expressed great sympathy for the migrant community, going so far as to arrange special financial deals at particular times, while others foregrounded the fact that they were a business, albeit a sympathetic one. The funeral parlour is an agent that brings together the actions and desires of other agents for fruition. Many community leaders expressed that they had relationships with certain parlours that had been established through the years, as did churches and burial societies, a fact which was echoed by the funeral parlours themselves. Relatedly, funeral parlours in this study noted that they either did not advertise their services or did so lightly; word of mouth primarily spread word of their services as agents (Massasanya, Mpofu, Nare, Petunia, 2010*pc*). The funeral parlour enters as an agent when the family and/or burial society come for consultation after a death; funeral parlours made clear that desires should be clear by the time they are contacted, rather than when the person is ill or soon to die (Massasanya, Mpofu, 2010*pc*).

The funeral parlour's practical function is to collect the body from its place of death, prepare the body (all had morgues or, in one case, a shared morgue), complete all necessary paperwork tied to bureaucratic regulations (see chapter on normative repatriations and the following section on governmental agency), and to either deliver the body to a particular place at a particular time or

release the body to the family.

Government

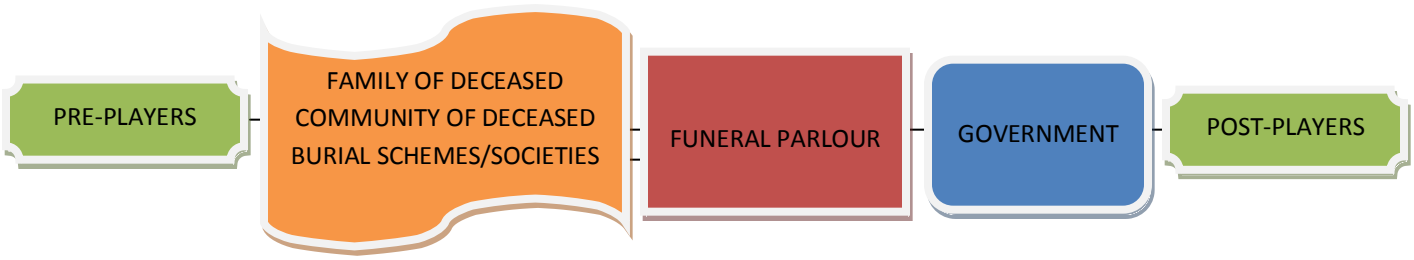
The role of the government in South African repatriation essentially consists of an agency in the form of an ordered set of paperwork that must be completed for the process to take place[24]. This paperwork includes material from the Department of Home Affairs (which provides a death certificate upon completion of a Notice of Death/Still Birth form and a Burial Order) and the Department of Health (which issues the repatriation permit), along with a Non-Infectious/Infectious Disease Certificate from a doctor. This agency continues outward to include the consulates of the nation of which the person is a citizen for authorisation to repatriate. The next chapter provides a further rendition of this governmental process during a normative repatriation, and the appendix (page 122) contains samples of the paperwork necessary for repatriation, as provided by a funeral parlour manager in Johannesburg.

The governmental role, in repatriations from South Africa, may involve more agencies than that of the U.S. system, but in general it shares the same somewhat removed agency. This influenced the research in terms of both methodology and findings; government agents were not interviewed (though an attempt at contact was made), as their role became sufficiently clear for the purposes of this research through interviewing other agents. While it was made clear, in interviewing these other agents, that governmental agents could independently affect the speed or possibility of repatriation with bureaucratic delays (Rapson, Mpofu, 2010*pc*), the group can be characterised as a mainly bureaucratic force with regulations concerning the dead in general. While these regulations exist and must be fulfilled, the agent responsible for arranging the physical necessities of the repatriation (most often the funeral parlour) will be the party moving from agency to agency collecting the necessary forms and permissions, which interviewees noted would take only a few days under normal circumstances (Gbaffou, 2010*pc*).

Post-Players

[24] This is the way in which interviewees generally represented the governmental role in repatriation, but there may be further avenues of complication that went unmentioned in interviews. At the very least, the Department of Home Affairs *Notice of Death/Still Birth* form indicates there is such a thing as an "authorised funeral undertaker or informant" (DHA-1663 A:3), which could contribute to the makeup of agencies involved in the repatriation process.

In some cases, arrangements must be made once the body leaves the arranging funeral parlour. This might mean that similar preparations as those that occurred in South Africa would happen in the foreign national's home country; the decisions of family members, the involvement of a funeral parlour (Gbaffou, 2010*pc*), and the particulars of conducting the burial. Due to the fact that interviews were not carried out outside of South Africa, however, and that the area of focus was the human remains repatriation system of Johannesburg, these were not considered primary actors. This focus also aligns with the objective of using the research to comment upon the lives of living migrants in South Africa, rather than in their home countries.



The above diagram depicts the general agencies involved in the repatriation of black African human remains from South Africa. The layout is such that the agents are generally in the order in which they are involved, but two lines exist between the family/community/burial groups and the funeral parlour because the funeral parlour may relinquish the remains to the family after they have completed their duties.

Further Agency Issues

While it is important to note the agencies involved in these two human remains repatriation systems separately for initial clarity, as attempted above, it is also important to address the relationships between them and the themes that resonate in agenthood in general at an early stage. This section will briefly explore uninvolved agents in the repatriation process, and ruminate upon the meaningful similarities and differences the two systems offer to a discussion of repatriation and migrant lives.

5.4 Uninvolved Agents

Uninvolved agents can be imagined as those that have not formed the focus of this study, as well as those that are unable or unwilling to take part in the repatriation process for various reasons. In some cases, these two ways of defining uninvolved agents overlap.

There are cases that fall outside the realm of NAGPRA, though all the interviewees of this study found themselves within its jurisdiction. Repatriation did exist before NAGPRA, and some interviewees in the United States noted their involvement in repatriation before the passing of national legislation (Ferguson, Johnson, 2010*pc*). These cases, though interesting, were less important to this study than the agent's incorporated point of view, which in all cases now included the contemporary legislation. Relatedly, as NAGPRA legislation applies only to U.S. territory, international repatriations are only subject to individual institutional desires, along with any relevant national laws on human remains or human rights—not unlike the cases that preceded the legislation, or those that involve non-federally recognised groups.[25] Unrecognised groups, which this study also omits as agents, may be involved agents nonetheless when they are represented in coalitions or by another tribe (such as those that span the US-Canada border, or the US-Mexico border). Uninvolved agents may also include groups or individuals within the active agents, such as the Indian populace at large or museum employees that are either not aware of the process, not authorised to participate, or are not interested in the task.

In the South African context, there is no formal "uninvolved" agency to point to as exclusively disengaged; even extra-legal migrants may have recourse to repatriation, depending on the circumstances. To note uninvolved agents is more a case of making note of research choices. Access to certain groups—for instance, funeral parlours—was more easily accomplished than individual burial societies. There is no evidence that burial societies in this arena are any less important to study—especially because literature on South African burial societies tends to trace the organisation historically, economically and demographically without focus on foreign nationals (DGRV, 2003, Schneider, 2008)—but rather that burial societies are built into a number of informal and formal structures that take time to understand and access. Therefore, burial societies here were referenced generally from the perspective of funeral parlours (more formal businesses) or national community leaders (familiar with communicating on their compatriots behalves), who could note who might be involved in burial societies and what their general organisational structure was. Another underrepresented group were the families of the

[25] While the repatriations studied here are domestic in one sense, in that they are applicable to law, they are international in the sense that they are repatriations happening between sovereign Indian nations and the U.S.

deceased, who were again discussed by other agents, though they were characterised as primary decision makers. Reaching actual clients of a funeral parlour or members of a community that had repatriated a family member proved difficult; contacts were willing to arrange such a meeting (Chiwa, Mpfou, Nare, 2010*pc*), but they did not ultimately materialise. Nonetheless, these access issues during the determination of agents underlined the interconnectedness of agency; a community leader might also be considered a family member that had repatriated a person or had intentions for their *own* repatriation.

In neither system does this study consider "unsuccessful" agents to not be agents. The repatriation process concerns those that successfully repatriate and those that do not. The systems of repatriation are as much revealed by an African migrant unable to repatriate due to financial concerns or an Indian group not considered culturally affiliated with remains as those who succeed. Both "success" and "failure" elucidate useful aspects of possibility and non-possibility in the repatriation processes, and ultimately add to the conversation about agenthood, comparative systems, and the lives of the living.

5.5 Initial Comparisons of Agency

The general set of agents involved in repatriation became clear early on during the interview process. This information was then used in other interviews to gain insight or confirm previously offered perspectives, but it was not until the analysis phase that these agents began to be understood as larger related groups of function and meaning. This was most clear when trying to visually represent the agents of each system. This section briefly outlines some initial comparisons that can be made concerning agency across the two systems, on both a practical/organisational and theoretical level.

Both systems of agency share qualities, including each system having three primary agent groups of varying power and involvement that, for the most part, must be present for repatriation to occur. It is clear that each system has at least one agent that performs a legal function, a physical preparation function, a social support function and a financial function; these both overlap in utility and contribute unique functions to the process in both practical and theoretical ways. It is the overlap therein that differs.

U.S. repatriations, like South African repatriations from Johannesburg, require a governmental agency that is both arguably neutral and non-negotiable through their respective nation states. Though the manifestation of this agency may require little more than paperwork to be filed in a particular order (as both do), not doing so—or not knowing which agent should arrange such requirements—would make repatriation difficult or impossible to undertake. In both cases, agents were asked about and commented upon the role of government. Perhaps unsurprisingly, the system which not only has a bureaucratic set of obligations to it, but also a federal law behind it, left more room for complaint, suggestions of misuse, or praise of the relationship the law encourages amongst agents (these will be discussed later in the paper). In South African cases, most interviewees mentioned the ease with which the community presently could repatriate *if funds were available*, with little mention of governmental assistance through foreign embassies nor South African governmental negligence,[26] implying that it was the other agents interacting with the requirements for removing a body that had managed the process. Though a full investigation of the impact of governmental agency is beyond the scope of this study, it is not unlikely that both of these governmental involvements suggest something about the nature of the respective countries and their shifting political priorities; in the case of the U.S., a willingness to address American Indians and their rights through particular legislation, and in South Africa, what could be considered an expected outcome of the country opening up to foreign nations in a new way after 1994. Some related issues concerning the nation state and its governance as they affect repatriation and the lives of the living will be discussed in the section *Repatriation and Place*.

While the author initially thought that the museum was an agent that had no corresponding party in the Johannesburg repatriation system, we now see that there are parallels to be found in the role the physical handler of remains plays. Even within the U.S. system, it is not the museum that does this alone (though they were presumably doing so before the repatriation process began), but also the native group themselves when they retrieve their remains or teach the museum how to handle them during the repatriation process, complicating and in part undermining the above

[26] In one case, an interviewee mentioned that the government might slow the process down by rejecting or questioning identification papers of the deceased (Mpofu, 2010*pc*), and another mentioned the difficulty in registering a death in the proper country for the purposes of national death statistics amongst those with migration patterns linking Zimbabwe and South Africa (Guduza, 2010*pc*).

visual representation of the agents as distinct in function. Neither is it that the agents working in museums and funeral parlours hold fundamentally opposite ideologies, one holding onto remains and the other expediently assisting the movement of remains to their home location. Much of the data shows that many museums are keen to be compliant with NAGPRA[27] and expedient in their role as a public servant, a sentiment that was shared by all funeral parlour employees interviewed in Johannesburg. So, while these two agents differ in their business plans, so to speak—the museum is generally a non-profit entity—both are in the business of knowing how to physically prepare a body or remains, and adjusting to the varied demands made by the relatives that are requesting their assistance with this preparation. Lastly, both agents have *expanded* into a place where they are dealing with repatriation in the first place; museums have only recently been required to repatriate any material they did not wish to (though some did), and funeral parlours, in earlier periods of South African history, did not have the influx of foreign nationals to serve.

The most important players in the capacity of social support and financial assistance are those that are related and are a part of the community of the deceased. Certain things are implied by being members of these groups in both systems; your identity comes with rights or a denial of rights, and with an association to another sovereign nation and territory of land. Along with this comes the imperative of taking care of the living and deceased of the group, which in terms of repatriation reflects upon their ability and will to push through the barriers to enact a process that is unlikely to begin or find completion without them. If they do not arrange the funds through grant applications or night vigils, they are unlikely to be assisted by outside agents. That is, they are also closest to the financial issues that affect repatriation systems as well. Whether they are Africans that have paid into a burial society or scheme or are simply tribal members without a knowledge of the repatriation movement, they are either metaphorically or literally paying into a group that acts as insurance against the future unknown in locations where they are minorities facing a set of realities that may differ from the citizens of the country in which they reside.

[27] NAGPRA, however, does not require that *all* remains are returned, a contention that will be returned to later in the paper.

5.6 Agents on Becoming Agents

South Africa

"...I worked at the Chris Hani Hospital in 1952. I went there working after a shop that belonged to the WCA. At a later stage, then those shops were taken over by the hospital. I was then forced to work for the hospital. I worked as a clerk for 8 years, doing hospital inquiries. After, they asked me to work as a person that registers at the mortuary within Chris Hani. At that time, my response to the request was perhaps they think perhaps I'm not adequate to work in the hospital, they're feeling that I must work at the mortuary; it would be much better if they told me, "Take your jacket and go!" They explained to me the reason they required someone who could be very sympathetic to people who lost relatives, who would not, at least, harass them, but always assist in whatever they want...I worked there for 8 years again, and then I decided to open this. That was 23 September 1973. I had served the funeral undertakers, I was known to them, they were willing to help me because I'd been helping them. I never had any problem building a client base because the community was used to saying, if they had a death at the hospital, so-and-so is no more here but doing the same line of assistance you require. Then what I did, I looked at the competitive side of the business. I realised there were companies like Doves, Saffas—Willmort was not there—Custers. I decided in order for me not to require a lot of capital, it is better I take the people who are not resident of Johannesburg. People that come from Pietermaritzberg, KZN, Botswana, Mozambique, Zimbabwe, then my focus will only be on the sale of the coffin and transferring the deceased to the place of burial, and I won't need to compete in the market that is already established...From there I found it very easy going. In 1979, I took the first funeral into Zimbabwe."
MK Massasanya, MK Massasanya and Associates

"Well, when I was coming from Ivory Coast originally…I was politically involved, because the former government was arresting leaders of different opposition parties, the Youth League especially...so I had to leave Ivory Coast, because I was organising the youth league at the University of Adjamé...Many went to UK, many to Germany, France. I asked a visa to go to France; it was refused...Ivory Coast didn't have any visa with South Africa so I was advised by my uncle to come to South Africa, which I did. Came here and many of the members of the community who actually knew me from Ivory Coast … asked me, they didn't have a strong Ivorian association, so they asked me to organize the Ivorians here, in South Africa. So in '99, I created the Association of the Ivorian in Johannesburg, and then I was approached in 2003 by the Embassy of Ivory Coast to create the Ivorian Community of South Africa in order to assist the whole Ivorians in South Africa..."
Marc Gbaffou, Chair of Ivorian Community

"It started about 2004. I wasn't here...I just started last year, but it started in 2004, with how many people? Close to 10 guys who were coming from the same area in Zimbabwe. Some are still working. But they decided to form a funeral parlour specifically to serve those outside this country: Zimbabwe, Botswana, Lesotho and so on, but we do serve those from South Africa as well...the main purpose is to serve those from Zimbabwe...Probably, maybe from a business perspective [they] look at it this way: [there are] so many Zimbabweans in South Africa in the past 10 years more, or else [a] business opportunity. People always die; this is a business opportunity, and we try to help those people...just to make sure the process is not cumbersome, because before that it was really stressful, it would take a week or two for a body to go."
Busani Mpofu, Bookkeeper at Kings & Queens Real Funeral Services

"The thing is, when we started in 1989--that's when we started to help—we did have burial societies but [were] just burying local...we just started, we saw the local South Africans who were in Joburg; people who were coming from...Natal, Limpopo started to have their societies ...bury in their home, so that's when we started to say, 'Ok, we have the burial society there, let's follow the procedures of what is happening with the locals and...take our kids or parents—the person who's dead—back home'...taking people outside the countries. It was Mozambique, Zimbabwe, Lesotho, Swaziland, and Botswana...before, we didn't have people like Nigerians, Congos; it was local. So, then that's how we started and we decided then, 'Ok how do we go and bury, because if you are carrying a dead person, there are procedures that are followed.' Then we sat down with Mr. Massasanya..."

Rev. Louis Guduza, Mzilikazi Burial Society

"I started in [the] year 2007. I started by transporting corpse[s] from Massasanya Associated Funerals internationally myself to Malawi, Zimbabwe, Maputo etc., and from there I started my own...I was working for myself because they called me for transportation and driving each time there is business...I was having my own transport, e.g. taxis and private cars...I am a Zimbabwean...I came to South African in 1997."
Rapson, Rapson Funeral

The United States

"I first got involved in repatriation in the 1970s when I was employed by the Pueblo Zuni as a tribal archaeologist and tribal council, to assist religious leaders recover religious artefacts. At the same time, there was a case dealing with the remains of an ancient woman that had been offered for sale at an art auction, and the Zuni tribe found that reprehensible and asked me to work with the tribe's attorney to invoke the state dead body law to see that the woman was buried, which I did. This was the in the late 1970s, twelve years before NAGPRA was passed..."
TJ Ferguson, Professor of Practice, Department of Anthropology, University of Arizona, Member of The Smithsonian Institution's Native American Repatriation Review Committee

"Beginning in 1992, repatriation work entered my life through my job in responsibilities and delegated duties. Our Tribe, the Cheyenne and Arapaho Tribes, were inundated with NAGPRA Summaries (listing of museum artefact's and ethnology collections) and Inventories of human remains, and funerary objects. The Chairman of the Business Committee (Tribal Government Elected official) delegated me as the "First officially appointed" NAGPRA Representative for our Tribal Government. Therefore, I began the task of inquiring, accessing and acknowledging receipt of all of these letters and documents being sent to our tribe. Since 1992 I have been conducting repatriation work which is a highly emotional, physical, and spiritual task; it takes special people to conduct this work effectively."
Gordon Yellowman, Member of The Smithsonian Institution's Native American Repatriation Review Committee and Language Coordinator, Cheyenne and Arapaho Tribes

"Well, I came when there was a part-time opening. At the time I was backpacking extensively all over the world, [would] call home to let mom know I was ok. One day she told me the department was looking for someone for this position, and if I was interested, and immediately it clicked: Yeah, that would be great department to work with. I didn't know anything about repatriation or NAGPRA at the time, but I knew what the department did, so I rushed home and immediately contacted the director who I knew my whole life and went to high school with. I got the part time position and that's when I learned about NAGPRA and what it entails, and what my tribe had been doing previously, because we had an active repatriation department the last 10-12 years....And when the position became full time, and luckily I got it, and that's when I was able to dive head first and full time into this. It means to me personally quite a bit; it's a job that I liken it to other jobs like policemen and teacher, because you're working with people. You're working with people who have passed on, but they're still people. And...I'm very mindful that when you bring up with museums that we are working with people first and foremost, not skeletal material, and in doing this it you want to help these people as much as possible...Sometimes I work late or take trips on weekends to retrieve remains and it becomes a priority to have it returned respectfully. So at the end of the day, 4:30, 5, I'm done, I go home, but sometimes I'm not and that's just the way it is, and you have to accept it, if you want to get it done and have real progress. Everybody is operating with limited resources."
Eric Hemenway, NAGPRA/Living Museum Specialist, Gijigowi Bipskaabiimi Department, Little Traverse Bay Bands of Odawa Indians

"I want to start way back at the beginning in graduate school when NAGPRA passed...and I remember a sort of general—for lack of a better term—freak out...something radical was happening...it was clear that it was going to change the discipline in ways that no one could anticipate...My first practical experience with NAGPRA was when I got to the Field Museum in Chicago in 1997 for a post-doc, cataloguing an important collection that had been sitting on the shelves for up to seven decades...The human remains had been catalogued earlier but some of the

funerary objects were never declared as funerary objects, some not even catalogued...I really let NAGRA remain the purview of the curator of Native American anthropology...I didn't agree without how it was being done...mine has always being more liberal, so the joy of coming to a place like the Denver Museum is that I've actually got the freedom to be more involved in NAGPRA...how can you call yourself a self-respecting museum if you don't know what's in your collections? So I don't want to have any uncategorised collections in the building...so [in] the aspiration statement we made, we decided we were going to be out of the human remains business in five years..."
Steve Nash, Department Chair and Curator of Archaeology, Denver Museum of Nature and Science

"...well it was kind of interesting in the sense of why I wasn't into it earlier. Most of the colleagues that I know, native archaeologists...had been interested in issues of repatriation from the beginning, that's how some people got into archaeology...I stayed away from all these issues as long as I could....I went to ASU [Arizona State University] thinking that..I could stay out of repatriation issues a little bit longer, and in fact Jeff Large is at ASU and is very adamant, anti-NAGPRA and repatriation. I didn't realise that until I got there and didn't realise how it would affect me until I got into the classroom, and he would say these things, like, 'NAGPRA is just a political tool for Indians to get back at white people'...that was very difficult for me. It started making me realise, you know what, I can't stay out of this, if there are these kind of voices. All the students in the class would look at me, like I was the only one who could respond to such things, being a native person...And then as I went to graduate school and as I started working on these issues in Turkey where I did my dissertation, I just started realising looking at local community...how they were being engaged or not at all at what's going on in their own backyards and it reminded me of what was going on in native communities. So through that I just realised*, I don't know what I'm thinking, I can't escape this*. I have this passion for it, and I have some insights I think I can offer because of my position and standing...And from there, I actually just went up to work with one of the Ojibwe communities in Michigan... because I have some family who's there and...working at the tribal museum, and I said, *What can I do?*...The first thing they brought up was repatriation. We want to work on this repatriation case against the University of Michigan, who's had our ancestors all this time...They had 1000 of our ancestors in the museum."
Sonya Atalay, Assistant Professor of Anthropology, Indiana University and Member of the NAGPRA Review Committee

SECTION 6. A NORMATIVE REPATRIATION

6.1 Chapter Description

After an understanding of the basic agents behind repatriation has been established, it is helpful to consider what a normative repatriation might look like. For, the research has made it clear: repatriation is often a priority across the two systems, and the process has taken on a character that is important to recognise. While there are families that do not want their members returned due to personal breaches (Gbaffou, 2010*pc*), bodies that may lay unclaimed in morgues for months at a time (Mpofu, Chiwa, 2010*pc*), or tribes that do not want to be in contact with human remains due to spiritual beliefs (Hemenway, 2010*pc*), these are more generally outliers in the repatriation experience. While there is also great variance in the repatriation process—this paper will stress those instances where and when they are appropriate—there are a worthy set of motivations, procedural elements and barriers present in repatriation that allow for a discussion of patterns and occurrences that can be considered normative. This chapter will address four basic questions in describing a normative repatriation: *Who is being repatriated? Who are bodies for? Where do bodies go?* and *What is the general process of repatriation?*

6.2 Who is being repatriated?

To answer the question of who is being repatriated in a single sentence, we could describe them as the deceased who are 1) represented by those that prioritise the repatriation process and 2) possess the resources to undertake it. This is true of both systems we are examining here, but the details within such a declarative statement are much more complex.

It is firstly useful to look at the answer to the question: *What is the normative response of the living to the* possibility *of repatriation of the deceased*? We know that relative groups can in large part legally repatriate in both systems; that museums and funeral parlours are bound by law and good business to assist, and that particular historical settings have contributed to the necessity or desire for repatriation. Further, we can look to statistics and facts to answer this question, wherein funeral parlours can generally account for the number and composition of repatriations they complete (Kight, Massasanya, Mpofu, Nare, Petunia, 2010*pc*) or the National NAGPRA office can report the number of human remains repatriated since the law's passing: 38,

671 (National Park Service, 2011a). Neither the general structure of the repatriation process as it exists today nor the "final" statistics on whether or not repatriation has occurred, however, can provide full insight into its prioritisation by agents.

Black Africans and Native American alike expressed[28] a deep spiritual connection between the human body and the land from which it originated. This was offered as a pan-African and pan-Native American belief, though one clearly tempered by the specific beliefs of nationality and tribe, to the extent that this was a near-given in the repatriation prioritisation question among relatives of the deceased.[29] In a number of cases, this belief extended to museum employees, funeral parlour workers and archaeologists and anthropologists as well, echoing the theoretical explorations of another anthropologist, Liisa Malkki, who discusses ideological rules concerning the right and "wrong soil" one should live on in life, be returned to or remain on in death, and the language in which we speak of both (Malkki, 1993). Though a spiritual connection to homeland may be a theoretical imperative motivating these groups, it is equally important to cover the respective set of realities that alter what becomes normative.

Various migrant groups in Johannesburg made it clear that there was a firm relationship between the strength and connectivity of their respective communities (in the city and around the country) and the care provided for the dead. This was true whether the bodies would be buried in South Africa or at home, despite any preference for the latter. Several noted that it would be nearly impossible for the national community to be unaware of an individual either as a living person or as a deceased person (Gbaffou, Habib, Nteumagne, 2010*pc*). Further, Flavien Nteumagne of the Cameroonian community chose the very word "impossible" to describe the likelihood that the family or community of a deceased person would not make a repatriation happen (Nteumagne, 2010*pc*). Whether his statement was one that illustrated prioritisation over actual fact, it is clear that communities rally around the organisation of the deceased's burial, and that the question of repatriation is addressed, if not undertaken, for its members. Even among groups that do not repatriate directly, such as the Migrant Help Desk in Johannesburg, the first question a person representing a deceased foreign national might be asked is, "Do you want to bury here?"

[28] The exception of differing beliefs among Muslim Africans stands out here, however.
[29] This topic will be more fully explored in the chapter *Place and Repatriation.*

(Lukamba, 2010*pc*). In addition, groups one might not think would be repatriating due to their beliefs, such African Muslim communities[30], did acknowledge that bodies were repatriated, if on a faster track, especially if there was family in the home country that wished it (Adesina, Habib, 2010*pc*).

Native Americans have a very real set of concerns—varying among group, but overall of similar composition—that affect where and whether groups can focus on repatriation, and who the subject of their repatriation effort might be. These concerns can generally be conceived of as financial and/or resource-based, and spiritual. Both affect the prioritisation of repatriation, and the realities of its possible implementation. Prioritising a painful process can be an obstacle to who is repatriated, for oftentimes in native cases

> *it's not even an issue of a person that you are re-interring; it's more of sometimes a box of a lot of arms, or a lot of legs, or a lot of heads mixed together. They aren't even the same body in the box, which is a real sad thing for tribal people because they had specific ways they treated these individuals. The thought of mass burial is not palatable to them but oftentimes we have no choice*...(Haire, 2010*pc*)

This explains in part why some native people do not wish to repatriate anyone, whether they are culturally affiliated or not (though it may not be normative, it was normatively known that some groups feel this way). Further, as mentioned previously, the prioritisation of human remains repatriation from museums must compete with the priorities of care surrounding both native burial sites disturbed during development projects in the United States[31] and other museum-held objects of great importance, some such as grave goods which may be considered equal to remains (Atalay, 2010*pc*). Even further, the way in which a museum might understand their collection may clash with native beliefs and tribal knowledge of the history of migration patterns, making the repatriation of certain remains more difficult when it comes to agreeing on affiliation. All this affects who can actually be repatriated, though it is generally true—in the case of the informants of this research—that tribes are prioritising human remains before other

[30] Nigerian and Moroccan groups, in this research

[31] These burials are under protection if they are on federal and Indian land through NAGPRA as well, and are of concern to tribal groups. Some interviewees have indicated that this is or may become a larger issue for native peoples than repatriation of bodies from museums.

repatriation choices (Billeck, 2010*pc*). An instance of this directness of purpose can be found in the native Hawaiian organisation, *Hui Malama Ina Kupuna O Hawai'i Nei* (or, *Group Caring For the Ancestors of Hawai`i*), which was primarily created to repatriate remains, burial objects, sacred objects and cultural patrimony (all of which have a life force in their culture) in 1988, and have nearly completed doing so (Halealoha, McKeown, 2010*pc*).

The primary practical reason that repatriation is most difficult in both systems is a lack of finances, which takes many forms. For Native American groups, it may well be that the travel costs of reaching the sometimes far-flung museums at which remains are located, both for consultations or retrieving remains once they have been repatriated, is too difficult (Nash, Young, 2010*pc*). A cost not found in the U.S.—direct financial costs associated with the remains *remaining* at the museum—is, however, one that is paramount for those organising a repatriation from Johannesburg. In most cases, Africans must consider that the speed at which they gather funding to repatriate will correspond directly to the cost of a body remaining in a morgue. As would be expected, some groups have more resources or more experience than others, which affects who is repatriated (and when). Several interviewees named the Navajo Nation among American Indians, for instance, as a group that repatriates often; their repatriation abilities are certainly related to the fact that the Navajo Nation has a good deal of tourism revenue, and a physical resource of great value, the largest landholding of any U.S. tribe. In Johannesburg, groups' abilities—and needs—to repatriate vary, and the national groups with fewer members in South Africa may simply not have a tried-and-true repatriation plan to study because they have not regularly been through the process (Gbaffou, 2010*pc*). For those that have, it matters when the repatriation happens and for whom. Pastor Veyi, part of a predominantly Congolese church in Parktown, Johannesburg, noted that even the time of month the deceased person passes away can affect the generosity of church members contributing to a fund (Veyidiaki, 2010*pc*).

6.3 Who are the bodies for?

It is important to ask who a body is *for*. What are the typical explanations for the right to human remains? The debate that ensues depends upon the group we look at, but there are certain normative ways of conceptualising who should retain human remains.

In Johannesburg, interviews revealed a belief that the body belonged to the family of the deceased. Within the family, there might be tension over whether the body should stay or go, for instance if a spouse in South Africa has different wishes than the family in the home country, but, regardless, it is the family whom the larger community, the funeral parlour and any burial plans serve. Though the aforementioned sense of community was paramount in numerous narratives, there were also instances in which migrants were fractured in their desire to help each other due to the nature of their sheer community size, transplanted political divisions at home (such as the Congolese community) (Lukamba, Ingila, 2010*pc*) or their legal status and contested place in Johannesburg (Guduza, 2010*pc*). In U.S. cases, the normative response is a much more splintered one; scientists have long claimed that remains are incredibly useful for study, whereas native persons are adamant that the body belongs to no one but ancestral people for any purpose they do not dignify. With changes in society, however (not to mention the law), the normative view tends to stress a balance between native and scientific desires, which some described as the spirit of the NAGPRA itself when it was written (Kintigh, 2010*pc*). The most straightforward repatriation cases in both systems are those where familial claims are strong, creating an expediency in the process that may manifest itself in both the materialisation of funding and a lack of contention over rights. The following chapter examines this issue more deeply.

6.4 Where do bodies go?

The normative answer in both repatriation systems is that human remains will return to the place that is closest to their place of origin as possible (Atalay, Nteumagne, 2010*pc*). 'Place of origin,' however, may carry a different meaning in the two systems.

For African migrants, this designation is not one of international borders, but a definition of home. From the information provided in interviews, contestation of where home was was generally only a choice between South Africa and a home country that was not elaborated upon (this may have been due to the nature of questioning, which did not, so to speak, follow people home). Flashes of the particularities behind the definition of home did nonetheless come up, such as Flavien Nteumagne of Cameroon's extrapolation on whether home might be considered the place where one was born and maintained a home for an impending return, or the home, if one had moved within Cameroon, where one had spent the most time living one's life. In either case,

he shared that a ritual of bringing some of the actual earth from that home place to the place of burial might occur. It is worthy of mention that quite a few interviewees were casual about the reality of repatriation not occurring in many cases, generally because of finances, but also by choice; home could eventually become South Africa, and one could be buried in available cemeteries with no designation to differentiate their foreign birth from South Africans buried there. For NK of NK Funeral Homes, there might be a digital way to close the gap between home and burial place: he hopes to create online celebration pages for his clients, where pictures and messages could be left about the deceased (Nare, 2010*pc*).

Native Americans share this duality of choice between where the remains presently *are* and where they *could be*, but the choices for burial are more complicated. In addition, for Native Americans, the normative definition for 'place of origin' is less the place of birth (as this is unlikely to be known) and more nearly the place of excavation (as these remains were already buried without the intention of being disturbed). Repatriated bodies have several options that do not pertain to the contemporary cases in Johannesburg; some are repatriated to the sovereign territory of Indians and buried on reservations, and others are being buried on U.S. land when it is deemed the better option, usually for security reasons (to avoid them being disturbed again). What is perhaps most normative for Native Americans, however, is for the place of burial to be kept private, an understandable necessity given their history in the territory.

6.5 The Process

The process of repatriation has thus far been alluded to in various indirect and compartmentalised ways. We have established that despite the fact that the two systems work with a normative desire to restore the dead to a place of origin they are neither repatriating the same type of bodies nor repatriating under the same circumstances. In general, South African repatriations concern an intact, recently-deceased person whose final migration destination in life is clear. Native American repatriation, instead, may often involve another reality, where bodies are piecemeal, long-deceased and their migratory history has often been fractured by displacement. This has resulted in different barriers to repatriation, different relationships between agents before, during and after repatriation and a different processes overall. This section will look most closely at a normative version of this process in both systems in order to

clarify them for future discussion, where overarching lessons in cultural affiliation, time and place will take precedence over the noted differences of the systems.

For Native American repatriation, the normative human remains repatriation process involves the following basic steps:

- *Information gathering/"Identifying who has what"* (Hemenway, 2010*pc*[32])
  The Smithsonian Institution notes that "Federal agencies and museums must identify cultural items in their collections that are subject to NAGPRA, and prepare inventories and summaries of the items," in their summarization of this initial repatriation step (National Parks Service, 2011a). It may also be the case that, despite lawful requests for museums to start this process and send this information to affiliated tribes, that *tribes* will begin the process by requesting these inventories to determine which of their remains might be present (Hemenway, 2010*pc*), or seeking known remains or objects directly. The search by native peoples for their remains may include a focus, such a particular museum, a region, a state, or may sweep wider in breadth. The museum provides information in this stage, the tribes both seek information from the museum and provide to the museum in order to flesh out their repatriation requests, and the National NAGPRA Office can provide current contact points and legal assistance to either party. This step can branch into many smaller steps during the phases of research and contact, but can be summarized as "information seeking and request." From here, a dialogue either continues, or halts and re-starts when the tribe is ready to proceed with the claim.

- *Consultation*
  This step can take the form of museum personnel and tribal representatives meeting in person if resources allow, or via email or other technology if they do not. Here, the tribal representative will make clear that the group wants to take the claim for repatriation forward, and may introduce supporting evidence for the claim, such as historical

[32] Interviewee Eric Hemenway is used as the primary reference in this section. Many others interviewees commented on the process in part, and general readings and the online resources of the National NAGPRA Office and the Smithsonian Institutions informed a knowledge of the process as well.

research, timelines and documentation of the tribe in an area, and elements of oral history (Hemenway, 2010*pc*).

- *Official request for repatriation of remains (letter)*
  Supplied by the National NAGPRA Office, this formal request letter will be signed by the appropriate NAGPRA representative, and the museum will have 90 days to give an affirmative or negative answer in return to the request (Hemenway, 2010*pc*).

- *Publication of claim as a federal registrar notice*
  When a museum concurs with a tribal claim, it is published in the national register as a federal registrar notice, which the museum will write to provide a background on the repatriation (the tribe may aid this process with the aforementioned information). The National NAGPRA office will edit this and return it to the museum (a process that may take months). This ad runs for thirty days and it is a notice to "the whole United States, the whole world, that this is happening, and that if you have a problem with it or you contest it, this is your time to speak up" (Hemenway, 2010*pc*). Of course, this is also one place in which a repatriation can break down over ownership disagreements, and then the normative situation may shift into another process that might bring in new evidence, new consultations and even discussion before the repatriation committee.

- *Pick Up*
  If no one has contested the claim, on the 31st day of the notice, remains can be picked up by whomever the tribe has designated. The process from here is a dance between the museum and the tribe that is unlikely to have a normative plan of action. Interviewees noted both that Native Americans have been brought in through the back door, signalling their displeasure with the repatriation (Haire, 2010*pc*), while other museums have gone out of their way to provide a private space in which Indians can perform necessary rituals before removing the remains. The remains are at this point the legal custody of the tribe and the museum has no remaining legal rights to them.

- *Burial*
  The burial is meant to happen as quickly, and in most cases, as quietly as possible. This is generally a private matter, and one in which the museum or any other entity outside the

tribe has no jurisdiction or rights (apart from negotiations that involve burying remains on non-Indian land). Nonetheless, some museum employees and scientists had been invited to participate in burial ceremonies or related functions, though this was generally due more to the personal connection established than any compulsory obligation (Nash, Teeter, 2010*pc*).

The South African system in Johannesburg, unlike that of the Native Americans, is less publicised, but extracting a normative picture of the process was no more difficult (see appendix, page 122, for copies of the documents necessary to undertake the repatriation of a foreign national from South Africa). The following stages were paramount in the process of human remains repatriation in Johannesburg:

- *Death and body collection*

  The location of death (hospital, hospice, or home, in general) is not a location for the body to await its burial, and so the first step of repatriation concentrates on the movement of the body to the place it can reside for the days or weeks during which arrangements for its ultimate departure are being undertaken. (As noted in previous sections, "Pre-Players" would be enacting some of these measures.)

- *Community/family organisation of finances*

  The way the process proceeds depends upon the actors involved. Depending upon the associations of the deceased person, numerous agents may be involved at this point to ascertain what is possible for the body. Generally, this includes the assessment of what will happen to the body (Was there a will? What is the family financial capable of? Do they wish to repatriate?), followed by either the simple arrangement of available funds, or "fundraising" through such avenues as night vigils or community ads placed around town asking for assistance (Veyidiaki, 2010*pc*). This might also be the time that a family consults with their burial plan, if they have one, and arranges for the cash payout to be processed. If they do not, the community is likely to organise according to their normative practices. This is generally the stage wherein it is known whether repatriation is possible or not.

- *Gathering of documents/preparation of the body*

  The family and/or representative of the burial society or community group visit a funeral parlour, many of which have been chosen long before a death occurs. These visits could be happening simultaneously with fundraising in some cases, but as mentioned previously, the funeral parlour generally asserts a desire for arrangements to be clear before their assistance is sought. Here, the funeral parlour has its morgue perform the appropriate and necessary preservation of the body (generally, the body is required to be embalmed if it is going a good distance) and the collection of bureaucratic paperwork (a death certificate, burial order, and others) begins. This procedure will have different paperwork depending upon whether a repatriation or local burial is being undertaken. This process generally takes no more than a few days.

- *Travel to location of burial*

  The body will be taken, by road if it is a local or lower-cost repatriation (such as to Zimbabwe), and by air if the body is going a greater distance or finances are not of great concern. Paperwork will have already been prepared that allows the body to travel; for airlines bodies are simply paid for at cargo rates, and those travelling by land are generally arranged through the associated vehicles funeral parlour own or operate. Bodies may at times be transported together in land repatriations.

- *Burial*

  This stage is mentioned throughout the interviews, but was not focused on in nature. Some funeral parlours would have their employees stay for the funeral, in order to transport families back as well as report on the undertakings, but most relinquish the body to the family either at the border or further within the country at the location of the burial. Some are then taken over by local funeral professionals.

SECTION 7. REPATRIATION AND CULTURAL AFFILIATION

7.1 Chapter Description

Throughout this research the question, *How can two systems be most meaningfully compared?* has been put forward as an important one. Once an understanding of the agents themselves and the process in which they engaged has been gained, we can compare and contrast them along lines of investigation that are relevant to both. Perhaps the most evident facet of agency underwriting the nature of repatriation—in both systems—is the importance of family (both the contemporary and ancestral relationship between the deceased and the living). This relationship factors into theories and beliefs surrounding spiritual connectivity, motivation for repatriation, and expression of ownership, all of which are interrelated and all of which were voiced as themes of concern in interviews. While "the family" or relatives of the deceased have thus far been associated with being a particular agent group (the one which will lead proceedings and that has the most to gain—and lose—during the process), this section will consider this relationship as an important theme that more widely informs an understanding of *all* agents and the human remains repatriation process at large, and will use the term *cultural affiliation* to do so. The section will largely centre on how cultural affiliation is established and contested by agents. In conjunction with other sections, an examination of cultural affiliation will make clear the way in which affiliation as an agency relates to affiliation as a concept, further displaying the consequences of such agenthood in the migrant and former migrant communities I aim to discuss.

The term *cultural affiliation* is one we can use to characterise the actual and direct blood relationship between those that are being repatriated and those that are involved on their behalf, but, as noted, it is also one that can be adopted beyond such a direct relationship. The term, in fact, is one that I have adopted from the legal language of Native American repatriation, under which claims can be made by to repatriate. The term can easily be used as an encapsulation of the relationship between black African migrants and deceased bodies in their communities as well, for this relationship is also one that is more encompassing than direct bloodlines can predict, expanding into the realm of cultural duty and African morality, for instance. For these reasons, we will use this term as a placeholder for several types of claimed affiliation that exist in this study, and explore its nuances and effects on repatriation and the living.

7.2 Examining Cultural Affiliation

In Native American repatriation, under NAGPRA, there is easy access to a legal definition of cultural affiliation; in fact, it is available in downloadable form online. Within this system, having cultural affiliation with the deceased to be repatriated means

> *...that there is a relationship of shared group identity which can be reasonably traced historically or prehistorically between members of a present-day Indian tribe or native Hawaiian organization and an identifiable earlier group. Cultural affiliation is established when the preponderance of evidence—based on geographical, kinship, biological, archaeological, linguistic, folklore, oral tradition, historical evidence, or other information or expert opinion—reasonably leads to such a conclusion* (National Park Service, 2011b).

Even without offering an example of a particular repatriation case that applies under this definition we can clearly see the long shadow of history in the specificity of this statement. Not only does this passage define what cultural affiliation is, it informs the reader of *how* it is established, by nature of a number of avenues of research that add up to a "preponderance of evidence." The seemingly straightforward nature of this statement reveals many possible areas of complication in the strands of its composition and, already, a sense of legal cultural affiliation as a compromise between them. In the relative immediacy of repatriations happening from Johannesburg, paperwork bearing the evidence of the deceased's country of origin and point of departure is present (see page 122 for certificates from the DRC and South Africa approving a repatriation from both ends); a legal representation of what is to occur. This is also, however, like the above definition, merely the bureaucratic lid on the kettle of the determination of affiliation necessary for the repatriation process to commence and be completed. As previously noted, this way of looking at cultural affiliation—bureaucratically—is necessary, but only a partial exploration of the topic of repatriation. Thus, the remainder of this chapter will largely explore the variety of characterisations of and decisionmaking surrounding cultural affiliation behind the bureaucractic sense of finality. These characterisations and determinations are sometimes rigid and sometimes malleable, and should show that cultural affiliation is both worth examining along "agency lines" and that enough agreement as to who is culturally affiliated is the lynchpin of progress in the repatriation process of both systems.

In Native American repatriation cases, the lines of evidence considered when configuring it hinge upon an amorphous-sounding concept: reasonableness. What is reasonableness? The use

of the word in the legal language of repatriation in the United States is interesting in and of itself. Though it is certainly a word used to describe an accumulation of information yielding the most likely conclusion—the "preponderance of evidence" approaching definition or fact—it is also conceptual in the sense that it is now *reasonable* for such cultural affiliation to be an actionable claim for return of the dead (something completely unnecessary in the African context here). An obvious case that is factually uncontested by either the tribal representative or the museum (even if the museum might wish to retain remains) will go forward on account of the designated reasonableness of Native Americans claiming bodies through cultural affiliation.

Nonetheless, establishing cultural affiliation is not necessarily easily done, and is a concept that differs among agents. (In something of an opposite fashion, African repatriations have little contestation over the cultural affiliation of remains, but no national legal support aiding the affiliated financially or otherwise, aside from the process itself being legal.) Archaeologists, for instance, are trained to trust scientific certainty (Atalay, 2010*pc*), which may lead them to taking less stock in a definition that also considers, for instance, oral history as a worthy tool for determining the relationship between bones and living tribal members. Native Americans, for their part, may feel the opposite; that certain ways of defining affiliation that *they* respect are overlooked or not given the same weight as others (Begay, Downer, Joe, 2010*pc*). Most native persons I spoke with felt an obligation to ancestors to repatriate, while working within the realities of the state, land rights, financial and time contraints and the general context of repatriation today, much like Africans acting in the present tense without the same type of weighted history. This obligation sometimes even extended beyond what was recognized legally as cultural affiliation, with some native people believing that *all* native remains are better returned to native persons (Robbins, 2010*pc*), even if a strong affiliation does not exist.

This is a potent issue at the present moment, as the agents of repatriation discuss new regulations on CUIs, or culturally unidentified items, that remain in museums. Some believe that the dispossession of further remains (and objects) utterly changes what NAGPRA set out to do originally in establishing a definition for cultural affiliation that balanced native and scientific views and did not repatriate when the definition of cultural affiliation was not met. Others believe that there is largely enough sufficient information on affiliation to pursue even these

returns with a fair degree of certainty (Atalay, 2010*pc*).

Within this, there are certainly intractable issues, such as disagreement over the archaeological record, which means certain remains might never be repatriated to groups that believe they are affiliated (Begay, Downer, and Joe, 2010*pc*). There might also be inter-tribal conflict over affiliation that ultimately constrains repatriation, one in part borne of "affiliations" made by the federal government when they established reservation land for native peoples:

> *...there are instances of tribes that are historically at odds—to say the least—longstanding enemies; in some parts of the country the government, I think, deliberately placed them in the same reservation. You know, so you get these tribes that are affiliated for reservation purposes they have historically despised one another...it's real and that has affected repatriation efforts...the Hopi objected to repatriation and reburial of human remains simply because the Park Service was acknowledging that the Navajo were affiliated [among other tribes making the claim]. The Navajo weren't the repatriating tribe, but they fought that for years* (Begay, Downer, and Joe, 2010*pc*).

Despite these disagreements, however, the majority of native persons, museum employees and scientists felt that, while imperfect, the law that governed repatriation took into account the complexity of history and even spurred new relationships between native and non-native people. In these cases, cultural affiliation might even be considered to be passed from native peoples to others, as they instruct museum personnel on proper handling techniques for objects or come together to plan public programming that contextualises both material in the museum and the living culture that enfolds it. Further, it is interesting to note that while there *are* examples of one group denying the claim of another to the exclusion of repatriation occurring (see above), much of the dialogue in the conversations undertaken during this research illustrated that contestation is not generally about the outright refutation of another agent's claim. Rather, there is a concession to the difficulty of the process and the complicated interests of the parties involved. Even within one agent group, like a Native American tribe, only certain individuals are deemed able to handle such matters due to its difficulty and sensitive nature. Across agent lines, interviewees like Sonya Atalay, a native archaeologist, were able to commiserate with the viewpoints of other agents.

> *It's difficult and challenging for non native people too, for archaeologists too, who aren't making up how they feel. They feel this way, that they are losing their livelihood. That's scary when your identity is about being a scientist...I know that's got to be incredibly frightening and infuriating in many cases* (Atalay, 2010*pc*).

Reasonableness in repatriations from Johannesburg presents a simpler face, and one in which obligation to family or kin is paramount and much less contested. In African groups, there is no need for such a thorough, historical interpretation of relationships, as affiliation contestation does not span centuries. The "relationship of shared group identity," however, is of course just as apt in this system. Dhanisa Khamalo of the Ministry to the Zimbabwean Immigrants offers an entryway into an ideology that might guide repatriation in an African community:

> *Because we are an organisation, we have seen a lot of suffering left for relatives when they have to make efforts to repatriate that person. And many would go around asking [for] anyone who can donate money; it becomes a big issue, just to get a person to be repatriated and taken home. Even if when that person was still alive, which did not maybe make that expression, "When I die I want to go home," others feel that responsibility"* (Khamalo, 2010*pc*).

This passage nicely highlights the way in which cultural affiliation is converted from a conceptual obligation to an agency. It is implied here, and many African interviewees concurred, that it was unusual for a person to create a will for their deceased body, leaving the family and/or community's sense of obligation to fill that gap. In this way, another similarity between African and North American repatriations rises; despite the temporal differences in length of decease, remains are often spoken for through the community's will and ability by default (a default sometimes well developed by various actions related to cultural affiliation beliefs). As we see above, this obligation may extend over the body of a person that did not even express the desire for repatriation (again shared by Native Americans who did not know they would be displaced after burial). A shared concept, like the belief that the body should return home, can even be widened beyond what is technically repatriation, bringing us back to the earlier designation of "pre-players" as agents. The Minisitry to the Zimbabwean Immigrants, which is certainly one of these, encourages and provides support for those that are ill to retun home while they are still alive, knowing the later necessity for repatriation that may well adamantly arise.

Much like one of the theoretical underpinnings of repatriation from museums—that leaving

repatriation undone might in essence continue injustice—black Africans may have both a cultural sense of commitment to repatriation, and a cultural set of fears that accompany what *not* doing so might yield in the future. As two interviewees describe:

> *I don't know, they put like a morality, because when someone is passed away overseas, the community, they are expecting that family to welcome the body, they are expecting them to do all the ceremonies, and then when you fail, Ah! Some of them will mock you. Those kinds of things, it is true. It is happening. It's not only Ivorian, it's a black African mentality. Yeah, they are thinking that if you got someone outside, it means financially you are able. When he was alive he was able to support you, when he dies, you support him. If you fail you find that those kinds of things and the families are more affected than if they receive the body. Yes, they will be sad because the family is dead but for them it's going to be, like, at least we can see the last time but if you miss that, it's like crying twice, it's really affecting* (Ingila, 2010*pc*).

> *The concept is like that you're talking about a culture, the culture effect. The culture says that you cannot be lost. If you are buried in a different country, you cannot go and show to a family member...this is your tombstone…this is the grave of this family member. If you cannot do it for a particular individual who is a member of the family, it means that the family is in a very bad position –Why? Because people, even in public, used to insult the family, that, We remember you lost one member in, let's say, South Africa, and you couldn't even repatriate the body back home here. It becomes an insult. So the family had to find ways to receive your body home. So it's a culture...it's a culture and that is in each and everyone's mind that the person passed away, this particular country, but we are preparing to receive. We must be able one day to show his grave to whoever wants to see it* (Gbaffou, 2010*pc*).

The above narratives cover a range of issues concerning the cultural affiliation black Africans might feel when they consider repatriation, mostly surrounding cultural obligations that, if left unfulfilled, will reflect negatively on a family in the home country. There are, however, personal and emotional aspects tucked into the statements of Marc Gbaffou and Bienvenu Ingila above. These were also present in other interviews, including those of George Chiwa of Medicins Sans Frontieres and Nkosinathi Nare of NK Funerals, who both expressed that they felt haunted when they were unable to perform a repatriation (Chiwa, Nare, 2010*pc*).

The *degree* to which certain persons are affiliated is at play in this system of repatriation as well, in both family and the wider community. As funeral parlour employees have noted, the family is best served by having a cohesive idea of what they want for their relative, including, for instance, having settled whether a South African-born spouse or a foreign-born family will have their affiliation recognised through the decision for repatriation or local burial. For immigrants entering South Africa that become ill or remain relatively unconnected to the local population,

hospices such as as Nazareth House or medical facilities such as Medicins San Frontieres's clinic (adjacent to the Central Methodist Church) stress that recoding the next of kin upon an immigrant's arrival—even from recalcitrant persons that wish to obscure their identity—is an important duty and one that acts in the deceased's favour (Chiwa, Moyo, 2010*pc*). A sense of cultural affiliation can also extend much wider, or fall off at a certain point, depending on both the community and the resources surrounding the deceased. Like Native Americans, black Africans are unlikely to receive financial assistance outside of their national organisations, communities and churches, and even institutions that represent citizens, such as embassies, are generally uninvolved in securing repatriation for their citizens (Adesina, Ingila, 2010*pc*), though there have been cases of this in the past. Therefore, having several outlets, such as a fund from one's church and a payout from one's burial society, make the possibility of repatriation greater, while at the same time potentially indicating the level of involvement a person has in their community. Not unlike the more well-known African repatriations this research has alluded to (Sarah Baartman and El Negro), cultural affiliation may be influenced by the momentum a death gathers in a community; a more popular individual with an active presence in the community is less likely to fall short of the finances required for repatriation. Those that are unknown in the community begin the process toward possible repatriation much more slowly, as Marc Gbaffou recalls:

> *"...some, when they come, they isolate themselves, they're not communicating with the community. We don't know them, and it's happened many times—maybe more than 5 bodies that we repatriated to Ivory Coast—...you come across to know that he's an Ivorian after he passed away. Maybe his passport, maybe through his passport, and see,* Oh we have a body in this particular hospital, Oh he's an Ivorian because he has an Ivorian passport, Can you come and identify him?...*this person, this name, where does he come from, who is he? Do we have family members around? and so on and we do all this research through the embassy and it takes time* (Gbaffou, 2010*pc*).

7.2 Conclusions

Cultural affiliation is a logical place to begin an analysis of the meaningfulness in the exploration of agents of repatriation. Firstly, cultural affiliation is necessary to beginning (and therefore concluding) a repatriation, and secondly, it is a concept that varies both across and within systems and therefore helps clarify important themes among agents and processes.

The idea that cultural affiliation is necessary can be noted legally, culturally and practically in both systems. The present bureaucracy of each system informs the observer of both how cultural affiliation is legally defined (i.e. what paperwork must be completed by the reasonably related) and, largely, which agents are involved (through witnessing their involvement in this legal work). As we have noted, this is a useful way to learn something of cultural affiliation's history and scope in each repatriation system, but not enough entirely. The cultural aspect of cultural affiliation, seemingly its guiding force in name as well as function, includes both blood relations and the more liberally related; those in the same communities, from the same country, or from the same region or group historically who believe they can speak in the best interests of human remains (most of whom are left without burial instructions, but are connected to a community that has a culture of burial behavior and burial beliefs). Here, we find comments from agents in both systems having to do with a morality and duty to ancestors or relatives, as well as discussions of who is considered a relation and how certain communities might represent a lost soul after their death and displacement (to prevent an unacceptable future). Lastly, an amalgamation of legality and culture—the resulting practicality—melds possibility and desire into the realistic consideration of potential outcomes. It is certainly practical for the affiliated to take care of these human remains, for the unaffiliated are unlikely to take on the time or the cost, and each system has displayed how a clear or acknowledged cultural affiliation may contribute to a more favourable outcome when practical matters are considered. In addition, each system seems to use cultural affiliation as an organisational tool, or at the very least a way in which to view how cultural affiliation dictates the practical procession of the repatriation process. For each, there must be what is considered a single entity claiming a body or group of bodies, and in each system there are serveral other entities which will duly accept this claim. This includes the authority that creates the theoretical possibility for repatriation (the government) and those that provide a physical acceptance of this claim (the funeral parlour or the museum who will prepare the body for its final migration) before the body is turned over to the affiliated. Whether or not one case of cultural affiliation is easier to establish than another, there are some similar boxes to be ticked and persons and authorities to be satisfied which a clear sense of cultural affiliation effectively puts in motion as these sytems and involved agents currently stand.

In these systems the ways cultural affiliation is constructed and used vary, but these systems also

share many thematic elements illustrated by cultural affiliation. Both systems have their version of what a "straightforward" repatriation looks like; an uncontested claim where there is a clearly affiliated group or person not in conflict with another, the resources to repatriate and bury are present, and legal documents are procured and completed. (Native American cases have more variance when it comes to "straightforward" repatriations because of historical factors that have played out over time, because of the resulting legal language and its implications, and because of the agents more often involved in compromise.) Both systems also struggle with the individual strands of the process becoming problematic, however; a repatriation might be uncontested when it comes to cultural affiliation, for instance, but the struggle for financial resources to bring a body out of the morgue or the museum may mean cultural affiliation is not in this case enough, despite its determination being imperative. Cultural affiliation itself can be difficult to establish in both systems even if it is not contested, through obscured blood lines, whether recent or prolonged, calculated or naturally diminished. In both cases, a wider circle of cultural affiliation may be involved if a direct descendent is not identified, and this is an obligation in some cases just as strong. Community relationships are definitely within the bounds of cultural affiliation, though there are greater and lesser degrees to which this can be true. In African communities living social connections vary according to group density or organisation, for instance, and with Native Americans, communities must either meet the definition of cultural affiliation or adhere to new regulations that allow non-affiliated but native persons living on the land on which the body was found to repatriate it (or they may reject these and use beliefs surrounding cultural affiliation and repatriation that are not legally recognised).

Lastly, perhaps we can see the greatest thematic overlap between these two repatriation systems when we consider cultural affiliation alongside temporal issues, the focus of the next chapter. While the systems have different histories, lengths of displacement, and sometimes even type of remains (bones or full bodies), cultural affiliation demands repatriation in part because of temporal concerns. In a way, it could be summarised that for Native American bodies, the past demands repatriation, and the future demands it for Africans. For, African bodies could become like Native American bodies in an unfortunate future, displaced over a length of time, separated from home by the great difficulties of return from what is often a more prosperous country than their own, or displaced without the family being aware of its location (possibly arranging

exhumations to face the problem). Native Americans, on the other hand, may be in a position such that their deceased bodies become more aligned with the repatriation systems guiding African bodies. This shift, one could speculate, began with a cultural shift rooted in cultural affiliation as it existed in Native American communities and among those that supported their rights before there was law, and expanded more fully to the point that even those outside of the affiliated have begun to find it no more acceptable for a body to be in a museum than displaced in a morgue outside a home country (increasing the ease of repatriation with time, as the regulations on CUIs may do).

SECTION 8. REPATRIATION AND TEMPORAL ISSUES

8.1 Chapter Description:

Time is a difficult concept to pin down, and by nature overlays other factors and events that together contribute to change, the status quo, and everything between. In order to address the various impacts that time may have upon repatriation systems and those involved in them, this section investigates temporal issues in a short-term sense, a long-term sense, and the way in which these time frames relate to one another. The discussion of the short-term will for the most part focus on the desire for expediency in repatriation, and the discussion of long-term temporal issues will include a look at the way in which time has changed the composition, mindset and agencies of repatriating groups.

8.2 Repatriation in the Short-Term

Repatriation is many weighty things—a process, a symbol, an ideal—and it is often characterised by agents as an emotional and dutiful task that many would like to complete as quickly as possible (without compromising the dignity of return and burial). Procedurally, this means that many wish for an expedient process, and it is therefore considered positive when systems move quickly, and flawed when they are unnecessarily delayed. Ideologically, this means that the particular situations that time has fettered the process with (an arrival at special legislation, the creation of an environment in which migrants have shaky status), whether positive or negative, may at times seem sidelined in the immediateness of the process itself. Therefore, while speed of process is a useful paradigm within which to explore, and one which carries some truth, it is also problematic to assign a *the-faster-the-better* label to repatriation as a whole or to agents collectively.

In both systems, interviewees expressed that the body in limbo—deceased but not buried—was a body interrupted on its spiritual path to closure. Restoring that person to a place that the culture, family, or individual might expect it to rest is of the utmost importance, and a slow-moving or unsuccessful process is, in principle, an act of disrespect. The Muslim faith, discussed by a number of African interviewees, instructs followers to bury as soon as possible, and while it does not preclude repatriation (Adesina, Habib, 2010*pc*), it does mean that the funeral parlours that serve these communities must understand their beliefs and send bodies home very rapidly. This

belief is a religious one, but religious practices are often influenced by practical notions. After all, bodies begin to decompose and smell badly, and having them enter such a state would be no sign of respect, added Ahmed Habib, Chairperson of the Moroccan Society, to his narrative of repatriation theory (Habib, 2010*pc*).

In addition, repatriation is shouldered with the financial burden of the process itself, and this also exerts its influence on a desire for expedient repatriation. Agents, for instance, might have to balance the desire to hold continued fundraising vigils for an individual without the funds to repatriate with the realisation that fees are likely to continue accruing in the morgue where the body lies as they organise; a situation that plays honouring the body with repatriation *later* against suspending the body in a morgue *now*. Even when bodies are resting safely (in a manner of speaking) and cost-free in their current environs (museums), the impetus for the repatriation process to pick up its feet is expressed both spiritually (as numerous narratives mentioned thus far have illustrated) and practically. Eric Hemenway, a tribal repatriation specialist, underlines the insistence one might need to adopt when requesting the initial inventories and summaries of museum collections to begin the repatriation process:

> *…you have to be very persistent…Let them know you mean business and you know what's going on…send an email, make a phone call, send an email, make a phone call…because this is something they should have done years ago" (Hemenway, 2010*pc*).*

On the other hand, agents also believe that repatriation can happen too quickly, and this may result in the same or similar disrespect as a prolonged process. In South Africa, the most unwanted reality for burials is a pauper burial, a three-person coffin-less burial performed for free by government officials (Nunez-Carrasco, 2010), for those entirely disconnected from either family or funding to prevent it (Chiwa, 2010*pc*). Some expressed the possibility that corrupt officials would contract with undertakers with whom they had relationships, and would carry one out before the family had been reasonably sought for an alternative (Nare, 2010*pc*). This is not a new fear, or one that is necessarily unique to cross-border migrants, for we see an instance of such a case in a 2002 article on repatriation found in *The South African Archaeological Bulletin*. A Xhosa woman, respected as a prophetess by some and considered mentally unstable by others, was buried in 1935 before the arrival of a notifying telegram reached her family. The coordinated effort to exhume her body and re-locate it from Pretoria to the Eastern Cape was not successful

until 1998 (Nienaber and Steyn, 2002:80), illustrating both a "special case" repatriation scenario as discussed in the literature review, and the temporal vagaries of quick burial and prolonged displacement of the dead.

In a North American context, the aforementioned issue of CUIs (culturally unidentified items) and the new plans for the dispossession of them pose a related temporal problem for some tribes and scientists. Some are concerned that if the process of repatriation is accelerated in this manner, bodies may be repatriated too expediently from museums to tribes that are unaffiliated under the former law but live on the land where bodies were displaced and are willing to take up the claim (Robbins, 2010*pc*). Fears that mistakes will be made when further information comes to light about the remains' origins, or when tribes who might not presently have the resources to take the lead in such a process find their feet in repatriation, are countered by those that say this process is guided by the fact that very few remains at this point are devoid of information that could place them appropriately, and that the new regulation for dispossession is more or less expediting a process that has already been occurring, with the only difference being that a stop before the NAGPRA Review Committee was necessary to continue such claims (Atalay, 2010*pc*).

Lastly, taking a slightly wider perspective on what may be termed the short-term, another issue emerges. Despite the complicated long-term legacies involved in repatriation in the United States, both systems have been developing repatriation solutions in the relatively short-term period of roughly twenty years. Despite all that was necessary to arrive at national legislation in 1990 in the United States, the law itself is only twenty years old, and took time to gain momentum (it was at first an "unfunded mandate" (Nash, 2010*pc*)). New technical developments (such as video conferencing) as well as new procedural changes lodge elements of the process squarely in the present. The existence of Tribal Historic Preservation Officers (THPOs), for instance, might suggest a long-term organisation and prioritisation of repatriation, but this government-funded position is a recent creation, and one that is questionably sustainable, for all THPOs share the same funding regardless of how many are established in tribes across the nation. For Africans, despite long-term migration patterns within and across the border into South Africa that preceded the end of the Apartheid era (such as those that supported the mining

industry), new repatriation realities and solutions have predominantly been worked out over the course of only one or two decades (previous to which many countries did not even have representation in the form of an embassy in South Africa (Nteumagne, 2010*pc*)). The emergence of national support systems is often key to tracing this evolution of repatriation methods. Some are still being organised in the present day[33], and many are being strengthened[34] in much the same way that those that are well-organised today were; by prioritising the most imperative needs of the community first, through which the importance of repatriation may or may not emerge. From here, situations in which 1,500 to 2,000 sms messages can go out to all the Moroccans of South Africa when a death occurs (Habib, 2010*pc*) or a Congolese church can know the funeral parlour they need to call to have a body repatriated (Veyidiaka, 2010*pc*) are contextualised in a more meaningful spectrum of history.

8.3 Repatriation and the Long-Term

It is generally true that for many short-term issues found in repatriation, there is an underlying, long-term issue that has influenced it. Disrespect for the dead in the short term, for example, is unacceptable to agents in its own right, but for Native Americans, as we have explored, the repatriation push is amplified by displacement of a longer duration as well. While such a factor does not play the same role in the repatriation of those that were recently living in South Africa, there are numerous other temporal issues that affect the African and American alike, beginning with the changing nature of migration itself.

We can say, 'time changes who migrants are,' and mean it in two important ways. One, it may change the actual composition of migrants, which will ultimately affect who is repatriated, and two, it may alter the mindset of agents (as well as those that consider their rights from outside these groups). Changes in this composition of migrants could be seen in South African

[33] Talla Niang, a Senegalese man who was contacted in relation to this research, and was also a contact during the author's work with the *Hotel Yeoville Project*, posted an online ad on the *Hotel Yeoville* website noting that there was currently no Senegalese Association, but that he was interested in beginning one: http://www.hotelyeoville.co.za/services/community-directory/National-Associations/Senegalese-Association/details (Accessed 13 February 2011).

[34] For more information on some of these organisations, their principles and aims for the future, see the African Diaspora Forum website (http://www.adf.org.za/useful_contacts.htm) and the national association listings that were collected as a part of the Hotel Yeoville Project in 2010 (http://www.hotelyeoville.co.za/services/community-directory/National-Associations).

interviews, as several informants characterised the ways in which their communities within South Africa had changed over time, for instance from one in which fewer persons were claiming refugee status than seeking better economic opportunities in business or education (several noted that with the change in politics at home, education became prohibitively expensive (Nteumagne, 2010*pc*)). For Native Americans, who in most cases had ancestors that became forced migrants by government edict, these compositional changes have come in waves and unfolded over time, including displacement, the establishment of reservations, and much besides. Now, many generations later, the identity of many native persons is one that often necessitates having a foot in both the United States and their own particular native culture, sometimes represented physically in moving off a reservation, for instance, to find work. These different arrangements of people contribute directly to both who needs repatriating and who does the repatriating. With these changed conditions of space, born in part of changes over time, a changed mindset for migrants, former migrants and relatives of migrants relating to new and changing concepts of home and thus repatriation after death may occur, especially through changes in their available resource bases.

It should come as no surprise that time brings both limitations to return and reduces obstacles to repatriation, and many of these have been alluded to or discussed previously. The passing of time *can* weaken the desire or ability to repatriate (as time passes, a disengagement with a home or the lessening of evidence of one's life there can occur; time may also increase the number of agents that feel entitled to remains, perhaps weakening all claims in the case to some degree). The passing of time, however, can also strengthen the possibility of repatriation (more agents may understand the human rights imperative of return, and more resources can accrue to do so). Changes can happen on an individual level amongst agents, as Sonya Atalay recalled in her narrative on how she began to involve herself with native issues after having tried to avoid them, or with MK Massasanya as he began to recognise the special relationship he had begun to develop working with Zimbabweans, but for the most part, systematic changes were most present in the interviews and most worthy of illustrating the relationship between time and repatriation.

In terms of agency, it is true that cultural affiliation at times has a wide arc of inclusion, one

often widened with time. In the museum world, institutions may claim a deep cultural affiliation for their collections that they believe rivals those of living relatives, given their duration. In an extreme case, residents in Banyoles, Spain, during the nearly 10-year controversy over the return of the taxidermied African man from the Darder Museum, printed t-shirts announcing their affection, and created chocolate images of him (Davies, 2003). A new location exerts an influence on affiliation as well over time, as African migrants marry South Africans in their adopted or host country, have children, and build communities that tie them to multiple African identities. The national and local politics of a place can also influence who joins the cause of repatriation with time, as noted by Gordon Yellowman, a member of the Smithsonian Institution's Native American Repatriation Review Committee, who said that when repatriation first came onto his radar, he was "not fully paying attention to the matter...the political and social climate was pretty much focused on other priority issues; education, social services and health" (Yellowman, 2010*pc*).

Whether or not a group is contextualising the changes in their own migration patterns or resource base as they go about repatriation, they may well be evidencing the importance of long-term factors in their decision-making concerning it. This is perhaps most evident in the overlaying of long-term belief systems over a short-term process; agents often consider the importance of repatriation to be timeless. This may be revealed in as simple a fashion as the seemingly inconsequential choice of words used to discuss why bodies are repatriated, as those that NK Nare of NK Funeral Homes offered: "we *always* believe if someone dies [he] has to be buried in his forefather's land" (Nare, 2010b, italics mine).[35] It is also revealed as an ongoing priority, even among communities with many vital concerns. It is not a disregard for the injustices of the past or disconnection from other pressing matters that make repatriation a timeless concern, but rather a hint at the prioritisation of the present as it connects to other important functions and beliefs in the big picture. What is the big picture? According to Catawba Tribal Historic Preservation Officer Wenonah Haire, the theoretical impetus behind repatriation is a timeless consideration of human rights and respect for the connections between the deceased and living:

[35] NK, a Zimbabwean, is speaking on behalf of Zimbabweans, in terms of repatriation, and himself, in terms of why he finds funeral work fulfilling.

> *...and what they can't seem to get through their heads is: It doesn't matter if they believe the Land Bridge Theory, it doesn't matter if they belive if they thought this continent had nobody and then people started showing up, it really doesn't matter whether they thought we came in with spaceships. The fact is they are human remains, and Indians don't look at time associated with them. We have no less respect for someone that died yesterday than someone we'll never meet; they are still very much in need of respect because somebody loved them. We're keepers of that, and that's the thing I think the narratives forget...The fifth generation would not be here today if not for the generation before, that's the point native people wish other people would understand* (Haire, 2010*pc*).

8.3 Conclusions

At the close of the last chapter, I noted the way in which these two repatriation systems are or might come to resemble each other over time, with cultural affiliation guiding Africans to work against an uncertain future for their remains that Native Americans already face, and allowing Native Americans to engage with a process that makes it increasingly difficult to justify human remains being seen as anything but remains belonging to ancestors, as most Africans experience (despite many continued complications in both systems). The point to be made there was that there was more similarity than might seem present on the surface. In further discussing issues of temporality, this overarching point can be made again. Temporal issues affecting each of these systems could be expressed as vastly different in that even the human remains rendered for repatriation differ due to time (recently deceased bodies as opposed to portions of bodies and bones), but using a comparison of short-term and long-term temporal issues as I have has perhaps raised more thematic similarities than differences. Therefore, this conclusion will focus upon parallels to be drawn between repatriation systems, as affected by temporal issues.

Time brings a number of factors into the discussion of agents and repatriation in both systems by increasing their prevalence. With time comes an increased chance for group organisation, of which we found parallels here in the way in which much of the development of structures such as parlours serving migrants or tribal members specifically handling repatriation (among other duties) occurred over a relatively short time in the last twenty years (and oftentimes more recently), despite the different temporal scales of the bodies' displacement or living migration. Further, time is likely to bring a widened arc of agents into the repatriation process, which in some cases may be related to organisation, but in other cases can have to do with a change in the need for repatriation in a community or the way in which people feel with prolonged exposure to the living or the deceased from another origin.

Time and its corresponding effects are conceptualised in similar ways across repatriation systems as well. Both systems illustrate the importance of balancing the desire for expediency of process necessary to respect the dead and repeal negative associations with displacement with the very real complications of seeking financial assistance or completing bureaucratically necessary work. Likewise, there is an element of timelessness in both cases here, whether repatriation is both an unending priority until a body is properly buried, or symbolic of beliefs that guide the varied spiritual relationships between the living and the dead in communities.

Lastly, this section has outlined the way in which time may both aid and bring obstacles to repatriating a body, from the way in which it may change the very composition of migrants that later may need to be repatriated to creating new cultural affiliations that might not have existed for the recently deceased. This mixture of potentialities, like those involved in the previous chapter on cultural affiliation, help create the systems and the agents involved in them that we aim to analyse. The next chapter will bring a third element, the land itself, into the discussion, and once again determine the way in which these systems offer interesting insights independently and as parallel versions of process.

SECTION 9. REPATRIATION AND PLACE

There is no place like home. Even if we are making our life here (Ingila, 2010*pc*).

...if all the tribes that were here in antiquity and during the early contact period with Europeans were located today in those same places, the NAGPRA process might be easier. But, that's not the case. So it's a little more complex (Tarler, 2010*pc*).

9.1 Chapter Description

In the two previous chapters, we focused on the sense of relation between the repatriat*ed* and the repatriat*ing*, and then on the way that temporal factors influence repatriation and its agents. In this section, we will focus on an analysis of the physical element that 'grounds' repatriation: land itself. A focus on geography or place as a comparative theme in both systems of repatriation is imperative when answering a question I posed to numerous interviewees, *Is repatriation really about migration?* We could answer 'yes' because we have already established that previous migrations, forced or voluntary, have led to the physical imperative of repatriation of displaced or migrated bodies in each culturally-specific system. There is more to explore, however, than a history of displacement or migration alone. This section will address themes that arose in interviews and tied a particular location to the process and meaning of repatriation; this includes a background on geographically displaced remains, but also the impact of living groups' and the deceased body's location on repatriation and the geographical, land-based compromises made surrounding the burial of the dead.

9.2 Geographically Displaced Remains

Both regions of focus in this study are land areas that have been traversed for a great length of time by numerous bands of people, long before the United States and South Africa were nation states with borders. That is, neither country is elderly in comparison to the indigenous arrangements that preceded them. The Americas and Africa, and the United States and South Africa specifically, as geographically re-constructed by Europeans, in many cases resulted in groups with acrimonious relationships being placed in the same new country or region, and separated others from their ancestral land or one another. Thus, we must note the 'place' of the nation state in the creation of much later migration, resulting in the need and desire for repatriation either over borders or from state ownership. Nonetheless, some of the African

migration we are addressing also has voluntary or semi-voluntary aspects, and some Native Americans were only displaced as individuals after death (for instance, groups in the non-contiguous United States). These cases mean that repatriation does not necessary reflect widespread and continuing displacement itself, though it might; it may instead take the pulse of the resolutions sought for a variety of migration cases, inclusive of everything from cross-border labour migration in South Africa to the double displacement of Native Americans (in life and then in death).

If we look theoretically at land, borders and migration, we find initial differences between the two systems in the way in which bodies to be repatriated and agents assisting repatriation relate to land. The territory of South Africa is arguably more defined, as a nation, than that of the autonomous tribal nations that spread throughout the United States, independent but often assumed incorporated and largely unknown on the world stage[36]. Agents in Johannesburg's repatriation system are largely dealing with a relatively simple transfer of the body from one nation to the other, tempered for the most part by the financial difficulties of transfer over a physical distance. This transfer has little discernable direct effect on the state politically or socially compared to that of living migrants on or moving onto South African soil, which much literature can attest is an important issue on the national, continental and possibly world stage.

Physical location, in its exactitude, is expressly important and often clearer than in the American system, as definitions of home are easier to assess through simpler networks of cultural affiliation and may avoid more contestation due to reduced long-term temporal issues. In the United States, while land is the cornerstone of rights and regulations determined during repatriation—for bodies have been removed from this land—a body as well as the agents repatriating it may be more divorced from the land itself. More time has passed since the displacement in these cases, land may have shifted hands, and affiliation may have expanded. All this creates an environment in which not only is repatriation more of a legal negotiation representative of long-term political and social problems between the government and Indian

[36] However, it is true that border identities found in persons such as circular migrants to South Africa, for instance, might have more complicated definitions born of their group or individual histories that more resemble American Indians'. It is also possible that many native persons around the world may have a distinctly different awareness about native persons and territories around the world.

population, but one in which the precise location of return may be unknown, unclear or even not sought in perfect accuracy (this last possibility will be discussed in the next section of this chapter). Further, this has cultural implications; while Africans interviewees all expressed planning methods for burial, which was expected for all living persons whether migrated or sedentary, agents of the Native American repatriation process repeatedly alluded to the fact that there was no cultural ceremony or protocol for the re-burial of the displaced, no matter where they re-enter the land (Ferguson, Kintigh, Robbins, 2010*pc*). It was never meant to have happened, and therefore re-burial asks these living repatriation agents to re-consider their relationship with the land once again.

It is useful to look into the geographical specifics that *are* known about groups that are now seeking repatriation, however. Native Americans like Chugach Indian John Johnson in Alaska—who said in conversation that "land's the most important aspect of our cultural identity"—have had numerous blows dealt to their people and their desire to maintain the integrity of their land, from the first contact of Russians in 1741 (Johnson, 2010*pc*), even though none led to the large-scale displacements more common in the continental United States. Nevertheless, Johnson has had dealings with Denmark, Russia, and numerous institutions across the United States while repatriating bodies that have been removed from their resting places; some removals were as recent as 1989, when Johnson says that clean-up crews for the 11 million gallon Exxon Valdez oil spill disturbed burial caves. In another non-contiguous part of the United States, Hawaii, the invasion of what was a sovereign nation led to widespread death in the population by disease and uprooting from homelands, if not from the general territory today collectively known as Hawaii. This has led both to particular ways of repatriating and particular needs in repatriation, some of which can be represented by looking at the numbers behind repatriation.

Edward Halealoha, the executive director of *Hui Malama Ina Kupuna O Hawai'i Nei,* supplied me with the document *Repatriation Efforts Successfully Undertaken and Supported by Hui Malama Ina Kupuna O Hawai'i Nei 1990-2010.* The below excerpt—a truncated list of only the first few years of repatriation efforts by this organisation—illustrates the great geographic breadth of displacement of remains:

01. Smithsonian Museum Natural History (Oʻahu Hawaiʻi Lānaʻi)		July 1990	80

[Washington, District of Columbia][37]		
02. American Museum Natural History (Molokai, Lāna'i, O'ahu)	Jun 1991	32
[New York City, New York]		
03. Field Museum of Natural History (O'ahu)	Jun 1991	28
[Chicago, Illinois]		
04. Univ Pennsylvania Museum Archaeology (Hanapēpē, Kaua'i)	Aug 1991	1
[Philadelphia, Pennsylvania]		
05. Smithsonian National Museum of Natural History (Kaua'i)*	Aug 1991	129
[Washington, District of Columbia]		
06. Brigham Young Museum People & Cultures (Kailua O'ahu)	Aug 1991	1
[Provo, Utah]		
07. Bernice Pauahi Bishop Museum (Waimānalo, O'ahu)	Dec 1991	54 & moepū
[Honolulu, Hawaii]		
08. Milwaukee Public Museum (Kapūkakī, O'ahu)	Feb 1992	1
[Milwaukee, Wisconsin]		
09. San Diego Museum of Man (Sand Dune, O'ahu)	Feb 1992	2
[San Diego, California]		
10. Sacramento Science Center (Burial Cave, O'ahu)	Feb 1992	1
[Sacramento, California]		
---- Princeton University	Feb 1992	'a'ohe
[Princeton, New Jersey]		
11. University Zurich, Dept of Anthropology (Never Buried)	Mar 1992	1
[Zurich, Switzerland]		
12. Bernice Pauahi Bishop Museum (Mo'omomi Kawela Molokai) Apr 1992		47 & moepū
[Honolulu, Hawaii]		
13. Bernice Pauahi Bishop Museum (Kaho'olawe)€	July 1992	19 & 5 moepū
[Honolulu, Hawaii]		
14. Bernice Pauahi Bishop Museum (Waimānalo, O'ahu)	Aug 1992	46 & moepū
[Honolulu, Hawaii]		
15. South Australian Museum (Nu'alolo Kai, Kaua'i)	Aug 1992	2
[Adelaide, Australia]		
16. Royal Ontario Museum Canada (Wai'anae, O'ahu)	Aug 1992	1
[Toronto, Canada]		
17. Phoebe Hearst Museum Univ Calif (O'ahu & Polihale Kaua'i) Sep 1992		2
[Berkeley, California]		
18. University Oregon Museum of Natural History (O'ahu)	Nov 1992	2
[Eugene, Oregon]		
19. U.S. Air Force (Waimānalo, O'ahu)	Dec 1992	1 jaw bone

We can see from such data that Native Americans have done much repatriation work (and the image at the close of this chapter shows there is still much to do). Groups do not have to be contending with a long history of displacement to have records such as these, however. Numbers could likely be arrived at in much the same way for a particular funeral parlour, burial society or national group, though the time to compile such lists was beyond the timeframe give to this research report. Interviewees in Johannesburg, however, were able to give information that

[37] The author has added the location of these institutions beneath the name of the institution in parentheses.

could be collated, on a general level. For instance, the employee of a funeral parlour could often easily tell you that a majority of burials and repatriation considerations concerned a certain country (Zimbabwe was, overall, the most common international location, though this varied from institution to institution and included some stress on domestic repatriations). They could also indicate roughly how many bodies they handled in a typical week and what percentage of their work involved the desire for or the successful carrying out of repatriation (and accessing their paperwork could provide a more definitive answer). When MK Massasanya offered me the paperwork necessary for repatriation, now found in the appendix of this paper, from stacks of paper around his desk, the two persons the paperwork concerned happened to be from Cameroon and the DRC (Massasanya, 2010*pc*). A white erase board near the head of Neil Kight's desk showed a grid of details for upcoming burials, including a wide array of home locations (Kight, 2010*pc*). Accompanying data also exists in museum collections[38], as well as in the informal knowledge other agents have about the general numbers of repatriations that have been carried out in their communities.

These numbers and details that can be easily sought, however, to some degree belie the lack of clarity that exists when migration meets repatriation. It would be difficult in both systems to compare both the desire for repatriation and the number of successfully completed repatriations to overall numbers of immigrants passing away in South Africa or displaced Native Americans laying in soil far from their homeland. Each group requires the deceased to be represented, and numbers such as the total figure for Zimbabweans in South Africa remains unsettled, as do the myriad displaced that have not been removed to museums and have been disconnected from ancestors by the ravages of time and its land politics. Displacement limits certain information, and this study deals with two systems installed to repatriate from particular locations. Those that might not reach these systems by nature of widespread migration over large expanses of land may be the truly displaced persons in a study of repatriation.

9.3 Group Location and Land Compromise in Repatriation

Not every body is repatriated, and for those that are, certain factors tied to the realities of place

[38] See the University of Pennsylvania Museum of Archaeology and Anthropology's online repatriation list, for instance, at http://penn.museum/nagpra/871-repatriations.html.

and location are hugely important in the determination of whether a body will be returned to its place of origin. We have noted that resources vary, and among the contributing factors that make repatriation possible are both the location of the deceased body and the location of its repatriating agents—that is, there is a resource base grounded in geographical possibilities.

Throughout the interview process, such geographical influences were present. We know that an influx of Zimbabweans are now a part of the composition of the city of Johannesburg, for example. Is the country's geographical nearness also a factor in the number of repatriations that are carried out successfully? Interviews with persons such as MK Massasanya indicate that this might be so, at least in organisational terms. During our conversation he laid out the way in which he was able to incorporate older Zimbabwean contacts to act as transport people for his business, for both reasons of cultural appropriateness and in order to provide jobs within a community already familiar with the routes home from transporting the living back and forth (Massasanya, 2010*pc*). Nearness of the living to the deceased may well be a practical convenience that helps in many cases for a repatriation to run smoothly, decreasing the petrol costs of a car headed to Zimbabwe instead of the DRC or from Arizona to Colorado instead of to Washington, D.C. Repatriation to Zimbabwe is clearly cheaper than more distant locations (Mbiba, 2010) and also requires at least one less step in preparation; one funeral parlour employee shared that only for air repatriations to Zimbabwe did they need to seek permission from the embassy (Mpofu, 2010*pc*). Other local countries, however, have long migration histories with South Africa, and this may result in their repatriation stories beginning to be a subject of inquiry beyond surface investigations into pragmatic transportation issues. Willie Venter is a part of the Lowveld Media Group, which publishes a paper in both Nelspruit and Maputo on business and items of interest for those engaged in cross-border travel between Mozambique and South Africa. At the time of this research, he was attempting to research what happened to unregistered Mozambicans who had died in South Africa. When I interviewed him, he was finding very few people willing to speak with him such that he could map out a known process for such a query (Venter, 2010*pc*). Thus, geographic nearness may only be part of the picture.

In the Native American context, a question that emerged during interviews that concerned land

was *Do those with more land make more repatriation claims?* Interviewees found the possibility interesting and worthy of further speculation, if unanswerable with certainty during the space of an interview. For, unlike African migrants, where the focus tended to be on process, finances and community preparation, instead of the land that one would be re-interred in at home[39], discussions around a successful repatriation for agents in the Native American repatriation process involved commenting upon the land available to or owned by the tribe and the way in which it influenced the process and outcome. This land's availability could be the determinant of who stepped forward as the repatriating tribe amongst several affiliated groups, when an agreement about caretaking and stewardship was arranged. Interviewees *could* confirm a discrepancy between tribal landholdings in the East and West in the United States; western reservations are much larger, and their populations saw less displacement than those in the East with whom Europeans had earlier contact. Patricia Capone of Harvard's Peabody Essex Museum, when asked, suggested that she could see a connection between the increased frequency with which landholding tribes might *conclude* a repatriation, but not a connection between land and frequency of initiating repatriation (Capone, 2010*pc*). Several suggested that piecing together the reports published by NAGPRA online of repatriations to particular tribes could yield a more definitive answer on an association between landholdings and the successful pursuit of repatriation. Eric Hemenway expresses how having land might come into play in the repatriation process from his perspective:

> *...some tribes, for one, they just don't have the manpower or resource—or the group as the whole—and all ... all these [NAGPRA] delegates have formed a coalition. This coalition meets every 3 or 4 months and we discuss repatriation issues. Some of the delegates, they don't have the money to pursue repatriation as much as they would like, they don't have staff and, a big thing, some just don't have the land to rebury. Not every tribe has land, thousands of acres, it's just not that way. So...we have to decide amongst ourselves who has the land to rebury and who will get the remains and pick them up because some of these remains are hundreds of miles away, and we decide amongst ourselves and some tribes aren't comfortable having reburials on their land. But they're still supportive of what we do on the whole; they aren't going to hold up the process* (Hemenway, 2010*pc*).

[39] The reason such discussions did not occur more could have been a direct effect of my line of questioning, which focused on process and agents. However, the question of how one knew a repatriation was concluded was an opening to have discussed this more. In any case, a very recent publication has asked some relevant questions regarding the burial situation at "home" in Zimbabwe. The chapter "Burial at Home? Dealing with Death in the Diaspora and Harare" in the book *Zimbabwe's New Diaspora* reads, "But when Zimbabweans talk of burial at home, what do they mean? Do they choose to be buried within often overcrowded urban cemeteries in Zimbabwe, or do they want to be buried in rural homes? How has the recent crisis affected decisions? What might such decisions reveal about rural/urban connections or the tensions between local/ethnic attachments and national sentiment within Zimbabwe and in the diaspora?" (Mbiba, 2010:144).

Place is important in another intriguing way amongst Native Americans, who may repatriate to a place that they know is not a point of origin for the body. To understand this, it helps to look beyond repatriation into the wider field of grave protection (the 'P' of NAGPRA), where bodies may be relocated to a safer space when contemporary construction or development is imminent and unavoidable and disturbs native graves. The concept is the same with repatriation: Remains should be where they are considered safest by native people, and NAGPRA can give them the legal authority to assert this right. Whether that means that a tribe abstains from involvement in the movement of bodies competely or goes so far as to compromise on an accurate location for the sake of security of location, this pragmatic attitude is present. In this way, we see an example of how often being on the wrong side of geographic safety throughout history has provided Indians a lesson they can use during repatriation. Wenonah Haire contextualises the compromise on the final migration of bones in her tribe:

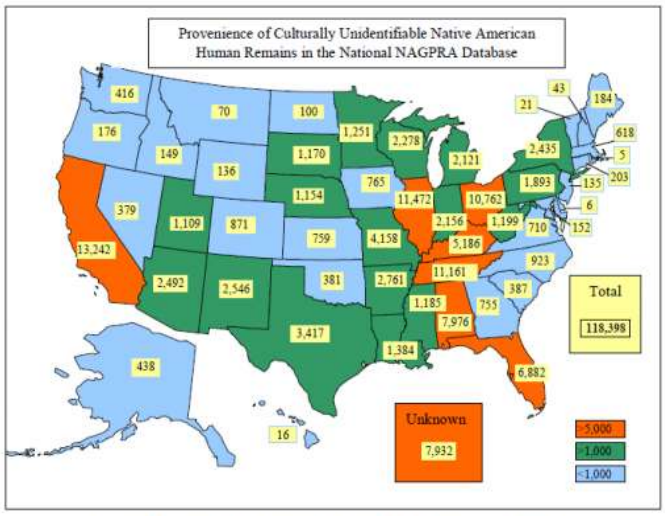
> *...what we did was kind of an unusual thing. We all got together and decided that we would have the remains moved. We had them removed in a quiet ceremony, but where we had them moved was right in the middle of a military cemetery...*Oh my gosh, Why would Indians want anything to do with the military? *Well, many tribes fought in the wars...but we knew that...in a military cemetery, we knew they were safe because they really guard military cemeteries. And someone would have to be a complete idiot to go and try to dig in a military cemetery without suffering a huge federal felony... Sometimes you learn to use the laws, when you look at them as straight sanity... many tribes have learned, especially those on the East coast. We've been exposed to European settlements a lot longer than western tribes...so we had to learn ...not always is it good to just stand on a principle. Sometimes we've had to learn what way can we use the laws...that weren't made for Indian people, but what ways can we use those laws so that it protects Indian people and the cemetery was an excellent one* (Haire, 2010*pc*).

This will not work in all scenarios, of course, for Haire and others note that geographical nearness to the place of origin is a first choice. Wendy Teeter expresses this view succinctly when she notes that,

> *...there are some people who are native who, with all good intention, don't get it...will be like,* We'll give you this plot of land, you should take it willingly, and put ancestors there. No, we're water people, we want people to visit them, shipping them 300 miles away isn't cool *(Teeter, 2010*pc*)*.

Land continues to be an important factor to people, whether they are repatriating the newly deceased or the long-deceased, the complicated or straightforward case. It was, of course,

theoretically easier to ask those interviewed in South Africa about how they themselves felt about repatriation and perhaps their own body, for we were discussing the repatriations of modern persons, among whom they could count themselves. Those Native Americans who did field a similar question felt unsure of how such repatriation priorities would fare in the coming generation. Halealoha, for instance, noted that the nature of Hawaii's isolated land meant that Hawaiians were either well off or very poor, whether or not they had good work. Those that did not were likely to leave in search of work off the island, rendering them candidates for repatriation if they should remain away from Hawaii and wish to return in death. He was unsure of whether modern Hawaiians would prioritise this; he feared Hawaiians have forgotten their roots. The younger generations living in South Africa, too, may take a different view of the importance of or their connection to land. When I participated in a research poster display hosted by the University of the Witwatersrand in late 2010, I presented my work but also left up a paper with an attached pen that asked those that passed through if they would want to be repatriated after their death. Though it could hardly be considered rich evidence, most of these anonymous passerbys said no. One added that if you knew their family, you would understand why they didn't care for the idea. The priority for repatriation may well change direction or speed, but many interviewees gave the impression that the priority will remain. This section closes with a look at a map of the United States which features the remaining culturally unidentifiable remains that are now the focus of new regulations for their dispossession from museums. Whatever the speed or priority of these future cases in the next generation's hands, the new rule holds modern geography in different esteem. This new rule will allow local tribes in the area where remains were found, rather than where they originated, to claim them. It is issues like this that will concern the lives of the living in the future.



* Please note that the figures on this map do not reflect the data which is used in this report, the above map was created using data before February 2, 2007.

A new mass migration*? The known culturally unidentifiable Native American human remains in the United States are likely to leave museum repositories in the coming years; a mass migration of sorts (Taken from: Who are the Culturally Unidentifiable? http://www.nps.gov/nagpra/REVIEW/Who%20are%20the%20Culturally%20Unidentifiable.pdf)*

9.4 Conclusions

In this chapter, we have taken a closer look at the relationships between agents and repatriation systems in relation to place and land. As we had established earlier in the paper that land was of great importance to migrants and former migrants, this section primarily dug deeper into theoretical ideas and the analysis of certain realites of the repatriation process that were based on relationships with land. This was done primarily by considering how 'geographically displaced remains' could be defined and conceptualised in both systems, as well by as analysing agent and deceased body location as influences on outcome and compromise in repatriation.

I began to examine the concept of 'geographically displaced remains' with a short consideration of how both the nations of the United States and South Africa (and Africa more widely) are recent constructions with a long migration history that precedes current borders and boundaries. The intersection of these two points—geographic reconstructions and particular, respective migration histories—are shared between the two systems, and in fact contribute to the geographic need for repatriation. However, their more particular, non-shared histories and resulting current realities (including social and political tensions over movement of the deceased

as compared to movement of the living) have created a difference in the need for and ability to proceed with specificity in burial. For black Africans repatriating from Johannesburg, there appears to be less difficulty in constructing such specificity of location if we base this upon the degree to which it went unmentioned during interviews. This also makes sense when considered alongside reasons for relative clarity established in earlier chapters, where cultural affiliation and temporal issues particular to African migrants have meant easier identifications of bodies and those affiliated. For Native Americans, we find a different result; there is less specificity to proceed with. Again, we know from earlier chapters that agenthood can shift or grow and that time has altered many things for native persons. This includes what is most pertinent in this chapter, that land may have changed hands or given birth to national legislation such as NAGPRA or tribal coalitions that now manage complicated ownership laws and the legacy of migration on these lands. From here, I looked at the geographical breadth of displacement and the numerical representations of repatriated persons each system offers. In the Native American system, there was often a wide geographic breadth of dealings issuing out from a particular tribe or museum across the nation and the world, whereas for funeral parlours or communities in Joahnnesburg, more often there was a concentration of nations being served, with the agents in both systems well versed in the knowledge of who they most often dealt with. I ended on a note that repatriation surely overlooks many migrants and formerly migrated persons, and that a consideration of all of these persons may be the only truly representative way to gain a full understanding of the priority behind and reality involved in migration meeting repatriation.

The next section explored geographical influences on process more fully. Following the final note of the last section, this section reinforced that not every body is repatriated and that certain resources determine in part whether it will be. When looking at what each system offered in the way of geography-based resources, there was less to compare. The question that came up more often in African cases was whether the closeness of the living group to the deceased might make repatriation more feasible, whereas the better question in the Native American system (though the aforementioned one was relvant) was whether tribes with more land made more repatriation claims. Both were speculative questions that offered examples of discussion from the interviews rather than definitive answers. The neighbouring country of Zimbabwe was shown to have limited associated costs and western reservations in the United States were known to be larger

and less decimated than eastern tribes, which begins but does not conclude these subjects. Lastly, I explored a situation that appeared to be unique to Native Americans, whose history necessitated a particular geographic compromise. Native Americans, certain interviewees explained, were at times purposely burying their repatriated ancestors in locations that were not their homelands, though like Africans they expressed that a home location was best. The rationale behind such actions was security and guarding against future displacement, something that went unmentioned in the Johannesburg system when interviewees discussed home burials. The last note of the chapter was again speculative, broaching the subject of how proceeding generations may prioritise repatriation and understand their relationship with land, a concern which leads into the final chapter on the lives of living migrants.

SECTION 10. THE LIVES OF THE LIVING

> They are still dealing with the same issues. They're Indian in the United States...They are discriminated against because, *Oh, now you're a rich Indian*, you know? *What are you going to give back to our society, then?*...It never ends. It will never end (Young, 2010*pc*).

> I think it has changed a bit because now they can...their fears are not like before where wherever they go they fear of being attacked because of being foreigners. But now I think they feel more comfortable. They're not discriminated like before. Like, go to hospital or just—"If you don't have a South African ID, please don't come in"—but now because they know they have to, there's kind of like they're remembering…
> (Moyo, 2010*pc*).

10.1 Chapter Description

This chapter is entitled, "The Lives of the Living," but as with other sections, this subject of focus has not been limited (nor could it be) to one strict space of discussion in this research paper. We have already addressed the lives of the living in many capacities; the living migrant and former migrant have, to begin with, provided their input over the course of the last three sections. If there is a blind spot (or limited focus) in migration literature concerning the re-integration of living persons after repatriation, this section of the research can be considered an investigation of the continuing lives of a sector of migrants and former migrants that have played a role in the repatriation of the deceased. When this research was being defined, the motivation behind the study was the hope that it would generate material that would allow for comment beyond what repatriation and the agents behind it are and do, holding up this unique lens to migrant lives. Therefore, this section presents a final consideration of the way in which repatriation defines the living migrant, provides an opportunity for a wider discussion of prioritised migrant concerns, and places both migrants and non-migrants in the social and legal spectrum of their respective societies. These themes will be re-addressed in the final chapter, Conclusions, which immediately follows this one.

10.2 Repatriation and General Definition of the Living Migrant

What does repatriation tell us about the way migrants are defined in their respective societies? Living migrants often bear the legacy of what has come before them, and in so doing, reflect the definitions that have been placed upon them, and the laws that govern their movement and rights as people. In the United States, repatriation acts with the mandate of a federal law, but amongst all the work that it entails, and all the history that, at its best, it seeks to redress, Alyce Sadongei

made what is perhaps an even larger point during the interview process; she held the existence of the law itself up to a penetrating light. Sadongei, the Assistant Curator for Native American Relations at the Arizona State Museum, pointed out that "as a native person,"

> *We have to deal with: This is a federal law, there are dictates to follow. It's not helpful to identity, the federally recognized versus not, and I just take that further back to...the history of tribes being the only ones that have to have this federal i.d., something that we didn't make up...just some sort of construct put on us, but that's my own political opinion...In terms of us having to, it just reminds me that we have this relationship with federal government with its own constraints* (Sadongei, 2010*pc*).

Her comments are quite similar in theme to those that Oliver Bakewell made in his review of voluntary repatriation programmes in Africa, when he spoke of rights conferred through definitions that are meant to protect or provide:

> *The state response of defining refugees and enshrining their status in law fulfilled the double role of enhancing their protection and access to aid resources, but at the same time denied them any chance of changing that status* (Bakewell 2002:64).

In other words, refugees may well always be considered refugees, and American Indians always American Indians with the existence of these special laws concerning them, and without the possibility of breaking free from an accepted relationship between state and group, be that group refugees, economic migrants, or the descendants of a population in part defined by their (and their bones') displacement. In South Africa, we find different but related issues in the definition of migrants under the law, such as the implications of the information found in a recent report by the FMSP, indicating that an overworked asylum system leaves little outlet for the applications of economic migrants (CoRMSA, 2010); many of whom become candidates for repatriation. Though we cannot make a connection between this report and repatriation beyond that which was directly noted in the interviews—such as that refugee status affords a reduced burial fee (Ingila, 2010*pc*)—we can clearly see how a lack of rights, or rights allowed to only one classification of migrants, could be a problem migrants either take to the grave or see played out when matters of burial arise.

Definition, however, is not always static, even if it is seemingly codified, and is not a category

created solely by governments or those that do not migrate. Living migrants can define themselves through repatriation as well, and persons in both systems displayed versions of this self-definition, by both revealing who they believed they were, and who they were not. There were practical displays of these definitive beliefs regarding migranthood, such as the decisions made in Dhanisa Khamalo's line of work, where he decided who was a migrant that was ill or truly in need of a living repatriation to Zimbabwe, as opposed to a migrant that he believed would simply use the arranged transport as a travel service, returning to South Africa soon after. Likewise, the Reverend Guduza, affiliated with the Mzilikazi Burial Society and himself a Zimbabwean, had harsh words for some Zimbabweans, such as those housed in the Central Methodist Church, who he believes are "opportunists" that reflect poorly on Zimbabwe, rather than those who have come "in the right time;" perhaps migrants more like himself (Guduza, 2010*pc*). Others took a more theoretical approach to explaining who they were and who they were not. Some interviewees made a point of placing their belief system concerning repatriation in contrast to other systems, which had the effect of speaking beyond the repatriation process itself. Edward Halealoha, for example, made it clear that he did not believe that the Christian religion, a faith which many Hawaiians converted to when the islands were annexed by the United States, offered sufficient spiritual preparation for the daunting and heartbreaking work of recovering ancestors who had been badly abused; the ancestral faith was needed to persevere (Halealoha, 2010*pc*).

The latter example of self-definition (and even those of Africans stressing a pan-African belief) recalls of the fictional speech of Chief Seattle speech in 1854,[40] which turned the general subjugation of Indians and their traditions on their head when he questioned who it was that truly had their spiritual priorities straight when it came to revering the dead:

> *To us the ashes of our ancestors are sacred and their resting place is hallowed ground. You wander far from the graves of your ancestors and seemingly without regret...Your dead cease to love you and the land of their nativity as soon as they pass the portals of the tomb and wander away beyond the stars. They are soon forgotten and never return. Our dead never forget this beautiful world that gave them being...*

[40] Chief Seattle was a real person, but the speech ascribed to him was not his own. The apocryphal speech was written by a screenwriter nearly one hundred years later (Snopes.com, 2007), but has been quoted as fact in numerous publications.

10.3 Repatriation Allows for a Discussion of Wider Priorities

Repatriation and its correspondences with identity and definition are, of course, not the only topics that can be broached by looking through the lens of repatriation. When I sat with a Congolese woman, Honorine, and her elderly mother in the bedroom of their home, it quickly became clear that she did not have much to say about repatriation. She had casually said that she did not think repatriation of Congolese persons was happening all that often through her church, and when it did (as with any death), it was organised after the death occurred, rather than by enlisting the insurance of a burial society during life (her pastor, Pastor Veyi, later confirmed this) (Honorine, Veyi, 2010*pc*). Instead, we discussed her experience as a Congolese woman in South Africa. Honorine did not have many complaints about South Africa, she said, but her electricity had recently been shut off when she was unable to pay her rent on time, which, she said, she felt would not have happened at home, where it would be understood that she would soon have the money. Nonetheless, South Africa was a land of better business opportunity, she thought, and she had started several small businesses for self-support; but without a job presently, it was a challenge. Employment was what she wanted from South Africa, and she thought her chances were better here than at home.

The topic of repatriation was the means by which to have a conversation, in this instance, but it was not a function she seemed to have a great interest in prioritising. Honorine's example underlines what I found to be the overall case in my Johannesburg-based interviews: there was very little negativity expressed in the present tense, whether about repatriation or life in general; tribulations were more often alluded to in the past, whether personal or community-based. Instead, there was a general sense that things were getting better. Repatriation was no longer a confusing long-term process for most, national associations expressed their interest and success in expanding their integration pursuits and community support, ARV access was decidedly improved in the context of health and HIV/AIDS (McCarthy, Moyo, 2010pc), and concerns about post-World Cup threats to foreigners were generally countered by confidence that something like this was unlikely to take place in the inner-city where many migrants are situated (Khamalo, Nare, 2010*pc*). Some of these notes of social progress are easier to fact-check than others (such as improved ARV access), but they nonetheless illustrate the forward-looking nature of many migrants who, as important as repatriation might be, also simply want a job and a stable

life in the here and now.

This interview dynamic was echoed in many interviews of the Native American system, where interviewees, native and non-native, largely communicated with what can only be described as a wary sense of humour and realistic outlook about the path forward from such a lengthy history of marginalisation and continued legal duress. As with Honorine, some interviews stand out in terms of the way in which the conversation clearly expanded beyond repatriation, at points, though the interviews in this system tied repatriation more tightly to any other topic of discussion. Patricia Capone, the Associate Curator of the Peabody Essex Museum at Harvard University, is representative of some of these discussions. She spent some time discussing the relationship between Harvard University and American Indians, especially its Indian College, which is sometimes addressed and explored as an option for native youth with native representatives when repatriation consultations occurred at the university—all prefaced and underlined, she noted, by communication and a desire to learn the needs of communities and address them (Capone, 2010*pc*). She explained:

> *…the law is in a broader context of…national healing and improvement and so we acknowledge that this is one of a lot of different emphases for that nation that comes to visit and that we want to learn about how this fits into them…repatriation is one of a number of things that we all do toward moving our society forward and for tribes. The other things on the plate can be really big—education, health, welfare, big undertakings—so we just, we feel we really want to do a good job in order to understand its context…* (Capone, 2010*pc*).

Through speaking about repatriation, museum, university, tribal and federal employment, bureaucracy and history, all of these institutions, groupings and concepts can be dissected in small part and lend themselves to analysing the present for American Indians. (Patricia Capone's way of thinking, which was common, included a view that repatriation was a tool for bringing the U.S. into a fuller cultural harmony, putting these 'international' repatriations into yet another interesting *national* context.) Further, considering the unfolding of the life of one particular interviewee in their biographical description of themselves could sometimes be taken as a microcosm of the way in which repatriation issues could alternatively lay sedentary and bloom in importance at different times, at different levels of awareness, and in different environments (some examples of these dialogues are found in the chapter on agenthood). At times, repatriation can reflect directly upon other tribal priorities, such as when the process encourages education

initiatives at museums and elsewhere—schools, universities, historic sites (Hemenway, 2010*pc*). Here, awareness of native culture has a chance of broadening. In other cases, repatriation as a workable priority must be negotiated, as it shares limited resources with other tribal concerns that exist and plague especially reservations—poverty, alcoholism, obesity, language loss, and the troubled relationship with the U.S. government that balances sovereignty and reliance were all mentioned in interviews.

10.4 Living Migrants in the Larger Social and Legal Spectrum

Repatriation can also illuminate the way in which migrants locate themselves, and non migrants locate *them* in the larger social and legal fabric of society.

For Native Americans, it could seem that a legal framework is the major one that defines and sets apart Indianness in society, with Native Americans having not only a law on repatriation, but many others, up to an including sovereignty from the United States if they are recognised tribes. This view, however, would be flawed, for laws have history as well as degrees of popularity and usefulness for both those they serve and those they do not, meaning that in reality they are often a reflection of current politics or public sentiment. Tim McKeown offered the following insight on legality and wider social views concerning Indians during his interview:

> *You've called on an auspicious day. It's election day. The last two years—or last twenty-two months—has been reasonably good for Indians. One might anticipate for the next two years might not be so good... If you look back to the opening years of the Bush administration, one of the suggestions was to strip tribes of their sovereignty... there are some people that think that tribes get a free ride, that they get things that ordinary citizens don't get* (McKeown, 2010*pc*).

Despite a law such as NAGPRA, there is still much that can shift in society and politics that may reflect directly or indirectly upon Native Americans. American Indians, for their part, have long known that laws are not generally on their side, and this has resulted in eyeing those that are warily, keeping them in larger context. Edward Halealoha, when seeking international repatriations where NAGPRA does not have governance, for instance, attempts to gain a return from institutions on a deeper, human rights level that does not rely on institutions accepting laws and yielding remains because of them. He does this because he believes that if he presents laws as his main premise for asking for remains (whichever are most relevant or persuasive in that country pertaining to human remains), another law that trumps native rights will always be

found, and applied against any legal evidence he has amassed (Halealoha, 2010*pc*).

Though migrants in and to South Africa certainly face a plentitude of laws that affect their lives and living, it is not as fitting a framework for analysing their place in society via a repatriation study. This framework plays less a role once the person is deceased, and both legal and illegal immigrants to South Africa have potential recourse to repatriation. What emerges instead as a useful lens is looking to the way in which living migrants in South Africa have located themselves *socially*. This was uniquely apparent through my work with the Hotel Yeoville Project, an exhibition space conceived to publicly promote the migrant voices in the community of Yeoville by providing a place in which to create videos, locate homes on an interactive map, photograph oneself with a loved one, or promote a business or community group through an online advertisement. Much like the social network that seems to exist between those that are passionate about repatriation in the United States, African foreign nationals appeared strongly interconnected, such that numerous individuals could refer me to national groups that had large enough populations in South Africa to contemplate patterns of process in repatriation. Between the individuals who came through the space to show support or investigate, the listings that ended up on the Hotel Yeoville website (which also linked to sites like the African Diaspora Forum) and those that visited or contributed to the project years in advance of its opening, Johannesburg began to seem as if it were a much smaller neighbourhood. This was a good jumping off point, and from here, the constantly changing net of mobile phone numbers and physical locations of people involved in community work was only fully navigable through such informal networks, following leads from others (including contacts at the African Centre for Migration and Society), sending texts, and re-scheduling meetings in a useful but flexible world where most people were accessible if you were patient and willing. It is interesting to note that, unlike the community agents in South Africa, funeral parlours seemed much less interconnected to one another, unable to give as many resources as individuals. It is likely that this has something to do with their business, and the fact that all of these places of work noted that they already knew their clientele and did not need to reach out via advertising to the community; this could also mean they were sustainable in other ways and did not need to covort with similar businesses. Further interview suggestions did come from funeral parlours, and the individuals within them gave some of the most illuminating and focused interviews (and personal

recommendations led to some that were less useful to this study), but there was a decided difference between the connectivity of the two agents groups. In this assessment, then, we can see in a small way the way in which migrant groups organise and appear to an outsider.

Despite these knowledgeable networks and plans of actions that migrants have created, and the way in which, in my case, they were able to be generously accessed, not everything to report is of a positive nature, of course. In both locations featured in this study, a mentality that migrants are socially needy persists. One needs only to look to newspapers preceding the 2010 World Cup to see animosity in print and on film in the city, or listen to Tim McKeown's words above (McKeown worked in the National NAGPRA Office for almost twenty years, and thus had a reasonable overview of the situation) to see that negative undercurrents exist in the lives of living migrants and former migrants. The ability to repatriate—especially when the process is one that most citizens in these respective countries are either unaware of or unconcerned with—cannot change the social mileu overnight, and sometimes it cannot change things at all. On the other hand, new obligations—social, legal and political—are emerging, directed towards migrants. To have a museum employee state that they will treat remains in the museum as if they were their own, and do so because they believe that it is "part of being a museum professional" (Teeter, 2010*pc*), is a definite leap from the socially accepted collection policies discussed in the literature review of this research report, even if Teeter does not represent all museum employees. Likewise, a figure like Paul Verrain, in Johannesburg, has garnered enough press—and accepted enough migrant persons to live within the Central Methodist Church—to draw the attention of everyone from academics to practitioners who see connections between satisfactory treatment of minorities and immigrants and an overall healthy society. Does such advancement locate itself in the social, political or legal spectrum? It is likely it is located with them all.

10.5 Closing Remarks

Given the nature of this research report, which acted as an overview of a system that is at once of personal and of community and nation-wide significance, it is easy to wonder whether the right tracks of analysis have been taken, and whether all of the voices who have added comment have been strung together in a meaningful way. These interviews and the lens they help to hold up to migrant life give some indication of why a study of repatriation is a particularly meaningful way

to assess these contemporary lives. While other questions directly questioning current migrant lives without any other focus could produce useful and interesting information, there are several reasons why this study appears to have been helpful. Firstly, though it is not unique to a study of repatriation, it is difficult to ask sensitive questions outright, as well as difficult to find a barometer for interpreting the resulting general information that would come from simply asking, *How is your community doing*? Presenting a desire to learn a system within a community's frame of reference instead, and one that greatly interests the researcher as a way of understanding larger issues, allows for the revelation of much information that an interviewee might not think to reveal outright, or would find challening to reveal without a guiding line of questioning. In addition to this more general assistance, the study of repatriation is to some degree a study of the life cycle. In its ability to illustrate some benchmarks of the human condition, we find a way to differentiate migrant end-of-life practices from non-migrants, who are all involved in what is a regulated process in one way or another. Beyond simply showing that living migrants may undertake a repatriation on behalf of someone they are affiliated with, such a study reveals social, political and legal structures involved in processes that do not occur for normative citizens of a state. A study of repatriation necessarily asks living communities to comment on and explain their particular brand of closure, a subject that no one is likely to know or care more about than these individuals and groups. Any priorities or problems, innovations or systematic failures that are revealed at once comment upon the process itself and the climate in which the living migrants operate. Taking one without the other either strips factual information from context, or takes a reading of a community without a larger applicable purpose.

In light of this, I would like to close this section with a portion of a narrative that epitomises the possibilities of taking individual interviews and using them towards gaining a firmer understanding of a process that itself cuts across time, distance and culture. At many points this paper has asked what the significance of repatriation is, especially for those that undertake the process as agents, and what it reveals about living migrants. My penultimate interview, with Sonya Atalay, speaks to all of these issues. Her words reveal an intimate perspective on the circumstances of history that have lead to repatriation in the here and now, and the place that living migrants may find themselves when they contribute to it:

...Well, for me, all of this work of repatriation goes back to the prophecies that we had that were given by some of our powerful spiritual leaders long back before [European] contact even happened. We were told a whole series of things...We were told a group of light skinned people would come and forever change how we are. And you know that in fact is what caused a lot of our migration to happen in the first place, and a lot of the movement came from those prophecies, and where we settled came from those prophecies, and how we knew where to settle came from that...bringing these objects home...that was something that my ancestors said long ago would happen...I think for us it's really powerful to see this happening and it's awesome to know that you're living in a time that you can see it all happen. It's all linked, it's not just the remains...That was a part of the prophecy that all of the cultural knowledge would come back...So, yeah, I think there are a lot of problems, undoubtedly. I'm not trying to paint a rosy picture where one doesn't exist, but I think we see in this the kernels of hope for our future...There are times you feel in your life that you are in the right place. I am in exactly the right place at the right time, you just feel that rightness of presence and I think what I feel as an Ojibwekwe person seeing repatriation and the way it's happening, seeing these new CUI regulations, seeing what's happening globally with repatriation. I have that feeling, that culturally broader level, not just an individual level but a cultural level where we are where we're supposed to be (Atalay, 2010*pc*).

SECTION 11. CONCLUSIONS

11.1 Chapter Description

This final section will discuss ethical considerations and methodological challenges, revisit the main objectives of the research, and report overarching conclusions in the study of human remains repatriation systems and the lives of living migrants. Lastly, there will be brief mention of directions future related research could take, based upon the findings of this report.

11.2 Ethical Considerations

Ethics clearance for this research project was sought and received, and my initial concerns centred around how interviewees might feel about dicussing a serious, personal and potentially culturally loaded process with an outsider and researcher as well as any possible repercussions for interviewees or their work or business that might occur through participating.

Interviewees, however, both in the United States and South Africa, were largely very open about the nature of the repatriation process and their role within it—institutionally, culturally and personally. Though such a topic often required a sound and lengthy introduction—which was offered via telephone and email, respectively—interviewees showed a great readiness to help answer questions and provide a context for their views and experiences with repatriation. It was only very rarely that an interviewee declined to answer a question during an interview, and many interviewees expressed that they wished they could offer more insight on questions that they had either not considered before or did not have the resources to answer definitively. Conversations were generally fluid and relatively informal, and when personal information was shared between interviewer and interviewee, it did not seem to disrupt the interviews—on the contrary; it sometimes encouraged interesting tangents that have found their way into this research report. The proposed interview questions were the best guide for navigating conversation, but I was also able to interject my own opinions and ask questions about material other interviewees had supplied during interviews without compromising the nature of the interviews. To speak to the concern of negative repercussions for participants, it is my belief that my presence was no cause for concern among any of the agents I interviewed; in South Africa community members referred each other to me rather freely and funeral employees held a solid place with strong rapport in

their local communities, and noted that they had not experienced any real problems concerning xenophobia or anything in this vein. Likewise, for American Indians, if I was granted an interview, this meant that they agreed to the conditions expressed in the consent form, and if people were uncomfortable (which a few were), they declined or passed on other possible interviewees to me, knowing there were many who did feel at liberty to have these discussions. Those that participated with any reservations made clear what they could not comment on due to politics or employment, for instance, but even this was a rare occurrence and withheld little that was of great importance to this research. Neither did anyone express substantial concerns about the content of this paper in its final draft form, which was supplied to all interviewees that I was able to contact in February of 2011.

11.3 Methodological Challenges in Brief

This study faced numerous methodological challenges, some structural and theoretical in the initial stages of research and the later writing of the report, and some practical while carrying out the research. In the initial creation of this research project, finding the correct wording for the various types of migrants this paper addresses was a difficult task, and the decision to call American Indian persons "former migrants" in particular was chosen less for its perfect fit that for its abbreviation of all the implied, former displacements of Indian people and the strong cultural affiliation many maintain with their ancestors. Structurally, the construction of such a research focus proved difficult because of the overlapping nature of each established category of meaningful comparison (cultural affiliation, temporal issues and land/place). Following these concerns were those of finding a balance between the necessary descriptive elements of the research and the need for strong analytical conclusions that would make the comparative nature of the research useful. The aim was to build chapters that were somewhat distinct, yet at the same time built on information from their predecessors. Lastly, when culling material from the interviews, of which there were many, it proved difficult to recall each instance of a topic mentioned in interview, and to reference the person as such. Therefore some references represent a common finding in the interviews, rather than noting the only instance of evidence. Some unreferenced material should be taken to be common knowledge, and any concerns with this should be directed at the author.

Practically, other difficulties arose. Perhaps the biggest shortfall during conducting interviews was the difficulty of finding families of the deceased in South Africa with which to discuss repatriation. This was attempted through several funeral parlours and the MSF clinic—all of whom said it could be arranged—but none came to fruition, perhaps because in part because of logistical difficulties on both our sides, lack of time and the unusual nature of the request. I was also hesitant to ask for further connections to be made on my behalf after lengthy, helpful interviews. Thankfully, other interviewees themselves often provided their personal views on repatriation, covering some of the information that would have been sought through such familial consultations. Lastly, this study was unable to look with perfect equitability on all the stages and into all the corners of repatriation. As the analysis developed, it became apparent that the final steps of repatriation (those that happen when the body is returned to its place of origin) were less studied than other stages. This was in part due to scope and access, but as the aforementioned essay in *Zimbabwe's New Diaspora* commented upon, it may become essential to know more about what happens when the body is turned over to the family if we are to understand repatriation.

11.3 Re-Visiting the Research Objectives

Who are the agents involved within two distinct human remains repatriation systems?

Section Five of this report, Repatriation and Agency, clarifies findings on agents and agenthood in great detail. In Native American systems, museums, the government, tribes or representatives of tribes and anthropologists and archaeologists form the key agents involved in repatriation. In Johannesburg's system, funeral parlours, the government, and a group that contains the family of the deceased, the community of the deceased and/or burial schemes/socieites are the key participants, along with certain pre and post-players. These identified agents differed somewhat from the expected agents, and this matter is discussed in Section Three, Research Methodology.

Around which key themes do these agents and systems most meaningfully compare?

Section Five first introduces initial parallels and contrasts between the two systems' agents, in a practical and theoretical sense. From here, after conducting the literature review and interviews, three comparative themes for the given repatriation systems and their agents were identified: cultural affiliation issues, temporal issues, and place/land-based issues. These form sections

seven, eight and nine of the report, and are brought together further in the following section, The Lives of Living Migrants. The reason these three comparative themes were needed and selected are addressed both theoretically in introductory chapters and more practically within the chapters on these themes themselves.

What can a study of human remains repatriation illuminate about the position that living migrants (and living former migrants) hold in the nation from which the body is being repatriated?

Section Ten, The Lives of Living Migrants, discusses examples of the ways in which an examination of repatriation systems offers a lens through which to look at the living. The section offers three primary ways of grouping these findings: this study assists in generally defining the living migrant, providing an opportunity for a wider discussion of prioritised migrant concerns, and helping place both migrants and non-migrants in the wider social and legal spectrum of their respective societies. This section closes by also discussing the way in which repatriation or a more focused study helps create elicit information that otherwise would be less forthcoming, as well as acting as a barometer for interpreting this generalised information more effectively. It is also noted that as this is a study of life cycle, we are therefore able to differentiate end-of-life practices from non-migrants, who share regulated burial processes in one way or another. Any priorities or problems, innovations or systematic failures that are revealed at once comment upon the process itself and the climate in which the living migrants operate.

Locate each repatriation system within its historical context:

The history of repatriation is covered in several ways in this research project. Firstly, a historical context for migration and museum literature as they relate to a need for repatriation and a need for a particular analysis of repatriation can be found in Section Four, the Literature Review. Further, this topic is discussed both directly and indirectly within numerous chapters that take history as well as the history of institutions and groups into consideration; the sections on normative repatriation, cultural affiliation, temporal issues and place all do so.

Locate each repatriation system in the context of death-and-burial systems and beliefs:

No entire section of the paper was dedicated to this pursuit. This is largely because such systems and beliefs were important to each of the analytical chapters and because examining the

repatriation processes itself uncovered such findings along the way, which were better stated in varying contexts rather than isolating them in one. Death and burial beliefs contribute to everything from the need for repatriation itself to a framework for cultural affiliation (such as in responsibility to relatives and ancestors). They also act as a way in which to compare two systems that often prioritise repatriation despite different cultural and historical situations.

Establish what a "normative" repatriation entails in both systems, to the degree possible:
Section Six, A Normative Repatriation, is devoted to answering this question. In order to answer this fully, the section attempted to answer four questions: Who is being repatriated? Where do bodies go? Who are bodies for? and What is the general process of repatriation? In this part of the research, it was important to clarify the normative situation in each system clearly, though some attention was paid to comparisons across systems.

Establish elements of comparison that allow for a meaningful analysis of both human remains repatriation systems and the wider insights on agenthood, repatriation and the lives of the living the process may illuminate.
This was an objective that was established in order to answer one of the core questions. The elements of comparison that guided the analytical chapters are noted above. Separate sections of the paper were established to discuss agenthood such that it could be understood in general early in the report, in more depth within the analytical sections, and in culmination in the final section.

Establish a firm theoretical and practical rationale for the examination of human remains repatriation as a way to uniquely study the lives of the living.
This was an objective that was established in order to answer one of the core questions. The answer to this question built throughout the research report, beginning within the literature review, in which it was established that death and repatriation were not were not well connected in African migration literature and that museum literature did not offer a wide assessment of agenthood, nor reflect on the "re-integration" of remains in the sense of considering the living. The answer was found more deeply within the section The Lives of the Living, and is summarised above in the answer to the core objective concerning what a study of human remains repatriation can illuminate about the position of living migrants.

11.4 Overall Conclusions

This report has been arranged in such a way that each section illuminates different conclusions that act in response to numerous questions the research report initially laid out. In lieu of the great detail in which they could be discussed, this last section will speak only to the widest of themes or conclusions that this paper has been organised around. For more specific findings and conclusions, of which there are many, please consult the conclusion portions of each section and the above summaries of the proposed answers to the original research objectives.

This paper has attempted to take the pulse of a process that links two near-certainties of life, movement and death. If a person themselves has not moved to meet any number of criteria that could be used to define them as a migrant, their near or distant ancestors have, forging into new territory, temporarily relocating for practical or opportunistic reasons, or being displaced by others or a changing environment or economy. Here, an investigation of two 'types' of migration stories have been followed, and brief histories of Indian (double) displacement in the United States and the arrival of various foreign nationals in South Africa[41] have been presented in order to frame the larger focus, repatriation. It has been established that when the finality of death comes for these two particular 'groups,' despite their differences, *a sense of finality is in question because these deceased bodies are now located outside of their place or origin*, a troubling predicament in the cosmology of many.

Why? In beginning to form this research report, a passage from an article concerning museum repatriation of objects helped give direction because its point of view resonated as a deep, important and unique one, into which the themes I had been considering covering could begin to be folded and explored. This article was David Rudenstine's *Rightness and Utility of Voluntary Repatriation in Cultural Property: The Hard Question of Repatriation*, wherein he conceptualises repatriation as something that, if left undone, could be paramount to a continued injustice related to any ethically questionable displacement of object of patrimony from their

[41] Examples of this taken from interviews include Cameroonians and Morroccans coming for business and education opportunities (Habib, Nteumagne, 2010*pc*), Nigerians leaving what they consider a corrupt political system for better opportunity (Adesina, 2010*pc*), and a decreased number of Ivorians seeking South Africa, due to the difficulties faced here balanced with more stability at home (Gbaffou, 2010*pc*).

location. I found this applicable to the repatriation of human beings to some degree. (In one of the systems studied here forced migrants (perhaps displaced during life and then again in death) have actually been museum property, as objects have, and certainly feel subjugation and a complicated relationship with museums and the U.S. government reflected in the need for the return of their ancestors. In the other case, these individuals have sometimes suffered social, physical or financial problems as migrants to a foreign nation that encourage the desire to return home in life to avoid dying in a foreign country or, even if they have come voluntarily, their family face potential shame in the home country for failing to organise the duty of bringing a relative home and leaving them unjustifiably on foreign soil.) At other times in both systems, repatriation is simply not prioritised or becomes a compromised process (if it is not legally allowed, if a tribe is spiritually uninterested in the implications of working with the deceased or returns repatriated bodies to locations that are known to not be places of origin, or the culturally affiliated simply do not have the resources to repatriate and bury a person in their adopted country). *Most, however, are using culturally appropriate tools to realise the priority of repatriation, expediently caring for the bodily remains or bones, and ascribing a theoretical and spiritual importance to the work.*

The choice was made to begin the report by noting the way repatriation systems operated, identifying what a normative repatriation was as well as the typical agents involved, at first through speculation and research and then through further research and an extensive set of interviews with agents that referred one another to the research project. *The aim was to carry this report from one that delivered necessary, descriptive data to one that could begin to provide analytical insight into both the connections between varying repatriation systems and agents and the wider uses of such research*.

The way in which repatriation is carried out can be meaningfully compared across a number of themes, including those that this paper explores: cultural affiliation, temporal issues and place. Much has been written about these three themes, and this conclusion will not attempt to commit them to paper again. They were chosen, however, for their ubiquitous nature in a wide variety of interviews. In brief, cultural affiliation allowed for a jumpstarting association and spiritual or cultural need for repatriation. Temporal issues explained in part how repatriation had unfolded

historically and how expediency and expectation play a role in the process. Lastly, place and land issues concentrated the investigation of repatriation on the way in which practical and theoretical relationships with land better explain the process and the people involved.

As the paper has mentioned numerous times, the agents of repatriation were the informants of this research, and among these agents were the relatives of the deceased; sometimes migrants, migrant communities or former migrants themselves. As repatriation must necessarily be done by the living, and because it was established that a relative of some relation or affiliation must be present in the repatriation process for it to proceed, we can say *that repatriation can reflect on the lives of living migrants*. Agents might directly describe their own migrant environment as representatives of the deceased, or information may come more indirectly from agents less connected to migrant communities but yet well-versed in their struggles or history through their familiarity with process. The discussion of repatriation, the last section of this paper has shown, is one that contributes to a greater understanding the societal definition of migrants, reveals wider priorities as repatriation advances or recedes as one in varying circumstances, and places migrants and former migrants in a wider legal and social spectrum illuminated by looking closely at one particular process in which they are involved.

Not only does this research report link migrants and repatriation, it links fields of study. It is worthy to consider that no field of study functions without the knowledge found in others, and this report has traced one possible trajectory of such inter-field communication. Therefore it should come as no real surprise that encountering a museum exhibit, which today is increasingly unlikely to contain human remains (though it might), can unearth a host of issues of great concern to students of migration studies. Likewise, those in the museum sector might gain insight for how to conduct their particular brand of repatriation by looking to the lessons of failed voluntary repatriations or successful integration of migrant communities among South Africans, the latter of which many of whom my interviewees purported to be amongst. Turning again to the links between repatriation and migration, we see some of the same battles waged against lack of resources or against even ignorance among other citizens unconcerned with the issues facing migrant communities. The strongest link we have uncovered here, however, appears to be a

commitment to angling and organising to make the migrations taken in life—voluntary or involuntary—harmonise with expectations after death.

11.5 Future Research

Conducting this research has brought several topics to light for future research. The Native American system of repatriation featured what we referred to as international repatriations, in that bodies were transferred from one sovereign nation to another under U.S. law. However, there is perhaps much that is national about these repatriations, and this paves the way for further research. For, native persons are also involved with repatriating remains from around the world, where no national law quite the same as NAGPRA exists, though some countries have related policies on remains in museums, human tissue policies or more general human rights legislation that affect their relationship with such work. Such international repatriation is an area worthy of further consideration; indeed, several interviewees initially thought that this was what I was researching before we spoke. This focus would extend beyond the relatively more well-trod systems studied here while possibly reinforcing some of the same themes with a wider set of data. A further consideration of domestic repatriations in South Africa, as well, might bring a fuller understanding of the process, as well a wider definition of migration (including those who are not cross-border migrants, but migrants all the same).

Another avenue of research that would be revealing was discussed lightly in this paper, but without conclusion. A closer inspection of how landholding and land ownership affect repatriation would be of interest to the fields of both migration and museum studies. How much land repatriating parties have and how their access to it affects the number or success of claims would take land issues a step further, as well as revealing more clearly the closure of the repatriation process, which was a noted oversight of this research.

Thirdly, another area of interest would be found in changing the parameters of study. Studying particular tribes or African nations and their history and present relationship with repatriation, singly or in comparison, could yield more thorough insights to the process and the belief systems surrounding it, as could following a few individuals cases from beginning to end. At the same time, following non-migrants and their burials processes contemporaneously could act as a more

thorough investigation of the theoretical and practical divisions between migrants and non-migrants when they bring a body to its final resting place.

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INTERVIEWEES (UNITED STATES)

INTERVIEWEE	POSITION/ ASSOCIATION	DATE & DURATION/ LOCATION	CONTACT DETAILS	NOTES OF INTEREST
Sonya Atalay	Assistant Professor of Anthropology, Indiana University Member of the NAGPRA Review Committee	3 December 2010 1 hr. 20 min Bloomington, Indiana	(812) 856 2638 satalay@indiana.edu	anishinabe-Ojibwe
Bill Billeck	Program Manager, Repatriation Office, Department of Anthropology, National Museum of Natural History (Smithsonian Institution)	15 October 2010 53 min. Washington, D.C.	(202) 633 0865 billeckb@si.edu	
Susan Bruning	Assistant Professor of Arts and Law, Meadows School of the Arts, Division of Arts Administration, Southern Methodist University Chair of Repatriation Committee, Society for American Archaeologists PhD Candidate, Anthropology, Southern Methodist University	15 September 2010 58 min. Dallas, Texas	(214) 768 7972 sbruning@smu.edu	
Patricia Capone	Associate Curator, Peabody Essex Museum of Archaeology and Ethnography, Harvard University	7 December 2010 1 hr. 9 min. Cambridge, Massachusetts	(617) 496 3702 pcapone@fas.harvard.edu	
Alan Downer, Tim Begay, Tony Joe	All: Navajo Nation Historic Preservation Office Alan Downer: Navajo Nation's Historic Department Manager Tim Begay: Traditional Culture Program, Navajo Cultural Specialist Tony Joe: Traditional Culture Program, Supervisory Anthropologist	12 October 1 hr. 17 min. Window Rock, Arizona	(928) 871 7197 alan.downer06@gmail.com tonyjoe99@yahoo.com timothy_begay@yahoo.com	Alan: involved with drafting of NAGRA legislation, and regulations implementing it Tim and Tony: Native persons

T.J. Ferguson	Professor of Practice, Department of Anthropology, American Indian Studies Program, The University of Arizona Member of The Smithsonian Institution's Native American Repatriation Review Committee Owner and operator of Anthropological Research LLC (research company)	7 September 2010 55 min. Tucson, Arizona	(520) 626 9864 tjf@wildblue.net	
Wenonah Haire	Executive Director, Catawba Cultural Center	22 October 2010 1 hr. 11 min. Rock Hill, South Carolina	(803) 328 2427, ext. 224 wenonahh@ccppcrafts.com	Native person
Edward Halealoha Ayau	Executive Director, Hui Malama I Na Kupuna O Hawai'i Nei (Group Caring For The Ancestors of Hawai'i)	5 November 2010 1 hr. 5 min. Honolulu, Hawaii	halealoha@wave.hicv.net	Native person
Eric Hemenway	NAGPRA/Living Museum Specialist, Gijigowi Bipskaabiimi Department, Little Traverse Bay Bands of Odawa Indians	24 September 2010 1 hr. 20 min. Harbor Springs, Michigan	odawaninni@hotmail.com	Anishnaabe/ Odawa Runs a website, *Tribal Repatriation Specialist*, http://repatriationspecialist.wordpress.com
John Johnson	Vice President of Cultural Resources, Chugach Alaska Corporation Member of The Smithsonian Institution's Native American Repatriation Review Committee	4 October 2010 31 min. Alaska	(907) 261 0355 jjohnson@chugach-ak.com	Chugach
Keith Kintigh	Associate Director and Professor, School of Human Evolution and Social Change (Anthropology), Arizona State University	10 September 2010 52 min. Tempe, Arizona	(480) 965 6909 kintigh@asu.edu	Involved in writing NAGPRA legislation
Tim McKeown	Program Analyst (Litigation), Office of Historical Trust Accounting, U.S. Department of the Interior Formerly with the National	2 November 2010 1 hr. 9 min. Washington, D.C.	(202) 254 2121 smallerscope@msn.com	

	NAGPRA Program U.S. National Park Service (NPS) U.S. National Park Service (NPS)			
Steve Nash	Department Chair and Curator of Archaeology, Denver Museum of Nature and Science	8 September 2010 37 min. Denver, Colorado	(303) 370 6056 stephen.nash@dmns.org	
Helen Robbins	Repatriation Director, The Field Museum	14 October 2010 1 hr. 4 min. Chicago, Illinois	(312) 665 7317 hrobbins@fieldmuseum.org	
Alyce Sadongei	Assistant Curator for Native American Relations, Arizona State Museum	14 October 2010 1 hr. 6 min. Tucson, Arizona	(520) 621 4500 sadongei@email.arizona.edu	Native person
David Tarler	Enforcement and Training Coordinator and Designated Federal Officer, NAGPRA Review Committee, National Park Service National NAGPRA	17 September 2010 1 hr. 9 min. Washington, D.C.	(202) 354 2108 David_Tarler@nps.gov	
Wendy Teeter	Curator of Archaeology, Fowler Museum at UCLA Research Fellow, UCLA Cotsen Institute of Archaeology Lecturer, UCLA American Indian Studies	5 October 2010 1 hr. Los Angeles, California	(310) 825 1864 wteeter@arts.ucla.edu	
John R. Welch	Associate Professor and Canada Research Chair in Indigenous Heritage Stewardship, Department of Archaeology and School of Resource and Environmental Management, Simon Fraser University, British Columbia, Canada Associate Faculty, Arizona State Museum and Western Apache Cultural Atlas Field School, University of Arizona and White Mountain Apache Tribe, Arizona Formerly Archaeologist and Historic Presevation Officer, White Mountain Apache Tribe, Arizona	23 September 2010 55 min. Vancouver, British Columbia	(778) 782 6726 welch@sfu.ca	

Gordon Yellowman	Member of The Smithsonian Institution's Native American Repatriation Review Committee Language Coordinator, Cheyenne and Arapaho Tribes	October 2010 submitted by email (at his request)	gyellowman@c-a-tribes.org	Native person, Biography here: http://anthropology.si.edu/rrc/members/
Melinda Young	Tribal Historic Preservation Officer, Lac du Flambeau Band of Lake Superior Chippewa Indians	8 November 2010 1 hr. 6 min. Lac du Flambeau, Wisconsin	(715) 588-2139 mjyoung@ldftribe.com	Native person
Attempted Interviews (selected)	Person(s)/Organisation	Location/Workplace	Reason for contact, etc.	
	Numerous THPOs (Tribal Historic Protection Officers) (20 plus)	National	"...officially designated by a federally-recognized Indian tribe to direct a program approved by the National Park Service and the THPO must have assumed some or all of the functions of State Historic Preservation Officers on Tribal lands." (from http://www.nathpo.org)	
	Tim White (Professor, Department of Integrated Biology), Anthony Garcia (Anthropology Museum repatriation specialist)	University of California, Berkeley	Tim White is generally regarded as being opposed to NAGPRA (see letter to the National NAGPRA Review Committee: http://www.bioanth.org/NAGPRA/t-white.htm), Mr. Garcia is appointed to work on repatriation cases for the Hearst Museum of Anthropology	
	Tohono O'odham Nation	Arizona, U.S.A. and Mexico	The O'odham are a nation today divided into four federally recognized bands; their historic roaming grounds include land in both (what is today) Mexico and the U.S.	
	Nell Murphy, Dave Thomas	American Museum of Natural History, New York City		
	Chip Colwell-Chanthaphonh	Curator of Anthropology and NAGPRA Officer, Denver Museum of Nature and Science,		

		Denver, Colorado		
	White Wolf James	Assistant Curator of Native American Art, History and Culture, Eiteljorg Museum of American Indians and Western Art		
	Association on American Indian Affairs	Rockville, Maryland		
	Alan Goodman, Shelby Tisdale, Jane Buikstra, Andrea Hunter	Members of The Smithsonian Institution's Native American Repatriation Review Committee		

INTERVIEWEES
(SOUTH AFRICA)

INTERVIEWEE	POSITION/ASSOCIATION	DATE & DURATION/ LOCATION	CONTACT DETAILS	NOTES OF INTEREST
Prince Adesina	Secretary, Nigerian Union of Gauteng	22 October 2010 50 min. Yeoville, Johannesburg	076 692 8060 princeguy7@yahoo.com	Nigerian
Anonymous	Large Multi-Branch Funeral Parlour of South Africa	13 August 2010 47 min. Johannesburg		South African
Busani Mpofu	Company Bookkeeper, Kings and Queens (Funeral Parlour)	7 October 2010 47 min. New Doornfontein, Johannesburg	011 402 4804 073 108 4184 kings.queens@telkomsa.net	South African
George Chiwa	Caretaker, Medecins Sans Frontieres (MSF) Health Clinic	6 October 2010 55 min. CBD, Johannesburg	073 229 5568 msfocb-johannesburg-clinic@brussels.msf.org	Zimbabwean
Flavien Gagoum Nteumagne	Active member of ARGMAS – Cameroonian community	3 September 2010 28 min. Braamfontein, Joahnesburg	078 286 8407 flavieno@live.co.za	Cameroonian
Marc Gbaffou	Chair of Ivorian Community	14 August 2010 48 min. Yeoville, Johannesburg	011 487 1666 marcgbaffou@yahoo.ca	Ivorian
Ahmed Habib	CEO of Union of Arab Communities in South Africa, President of Moroccan Association of South Africa	20 October 2010 1 hr. 2 min. Johannesburg	082 961 4510 082 440 8723 habibrsa@hotmail.com moroccanassociation@gmail.com	Moroccan
Honorine	new member, Congo Heart of Africa member of Heirs of Promises Sanctuary Church	11 September 2010 37 min. Bellevue, Johannesburg		Congolese
Bienvenu Ingila	Chairperson, Congo Heart of Africa	2 September 2010 45 min.	082 667 5969 bienvenuingila@yahoo.co.uk	Congolese

		Yeoville, Johannesburg		
Brian Jennings	Bolokanani Brokers and Consultants	11 November (via telephone)	011 420 2200 082 458 2038 bolokan@mweb.co.za	Funeral insurance offered in agreement with the South African post office (see brochure from his company in appendix)
Dhanisa Khamalo	Ministry to the Zimbabwean Immigrants	8 November 2010 32 min. Braamfontein, Johannesburg	082 269 4482/86 dpkcmm@yahoo.com	Zimbabwean
Neil Kight	Thom Kight & Co (PTY), Ltd. (Funeral Parlour)	6 October 2010 55 min. Vrededorp, Johannesburg	011 837 5531 tkight@mweb.co.za	http://thomkightfuneraldirectors.co.za
Jean Pierre Lukamba	Chairperson, Refugee Help Desk	6 September 2010 42 min. Yeoville, Johannesburg	083 875 1256 refugeesa@gmail.com	Congolese
M.K. Massasanya	MK Massasanya and Associated Funeral and Assurance Agencies	4 September 2010 46 min. + further short meetings Hillbrow, Johannesburg	083 764 5284	South African, began the Zimbabwe Residents Association of South Africa
Rev. Louis Guduza	Mzilikazi Burial Society	23 October 2010 32 min. Hillbrow, Johannesburg	074 653 4760	Zimbabwean
Kerrigan McCarthy	TB/HIV Technical Advisor, HIV Management Cluster – Johannesburg (including for Nazareth House in Yeoville) Reproductive Health and HIV Research Unit (RHRU), Johannesburg	2 September 2010 47 min. Hillbrow, Johannesburg	(011) 358 5447 kmccarthy@rhrhu.co.za	South African
Benita Moyo	Social Auxiliary Worker,	9 November 2010	benitamoyo@gmail.com	Congolese

	Nazareth House Student Social Worker 3rd year	31 min. Yeoville, Johannesburg		
Nkosinathi Kwanike Nare (NK)	Owner, NK Funeral Homes	15 July 2010 55 min. Berea, Johannesburg	082 360 7870 nkosink@yahoo.com	Zimbabwean
Petunia	Senior Consultant and Administrator, Wings of Deliverance (Funeral Parlour)	8 September 2010 (not recorded) Marshalltown, Johannesburg	Office: 011 334 2088 Dorane (Manager): 082 416 7897	
Preyalan Pillay	Founder, One For All Funeral Society	20 October 2010 56 min. (not recorded, via telephone)	072 388 8971 011 852 0770 funeralsociety@gmail.com info@funeralsociety.co.za http://www.funeralsociety.co.za/	Had posted their services on the South African Gumtree
Willie Venter	Journalist, Lowveld Media Group	November 2010 (not recorded, via telephone) Nelspruit, South Africa	013 754 1646 071 874 3253 willie@lowvelder.co.za	
Gabriel Veyidiaka (Pastor Veyi)	Pastor, Heirs of Promises Sanctuary Church	5 October 2010 37 min. Parktown, Johannesburg	072 726 1062 gabrielveyi@gmail.com	Congolese
Attempted Interviews (selected)	Person(s)/Organisation	Location/Workplace	Reason for contact, etc.	
	Department of Home Affairs Mohammed Hassan, Debea Gaboutloeloe, Mpilo Nkomo, Dr. Rector Elmuatasim Ibrahimali Numerous chairs of national associations in South Africa , through the African Diaspora Forum Tatho Bonogo	South Africa IOM (International Organization for Migration, Mesina) Sudanese Association http://www.adf.org.za/useful_contacts.htm Nzamo Funerals	 Closer to Zimbabwean border, some expressed having experience with living or assistance with deceased repatriation Funeral parlour used by Ivorian	

			community according to interviewee Marc Gbaffou (declined to be interviewed)	
	Refugee Aid Organisation Jesuit Refugee Services		Was told that both did some repatriation services (reported by Jean Pierre Lukamba of the Refugee Help Desk), but they do not. David, the Regional Director of JRS notes that as of last year they do not assist, as it was too expensive, though they undertook the process once with the UN, and they now refer Zimbabweans that come to them to the Refugee Aid Organisation. The Refugee Aid Organisation refers them to the UN when there is a suitable case for repatriation, according to Pamela, a Protection Officer in Pretoria.	
	Paul, Regional Funeral	Regional Funeral, Berea, Johannesburg	Contact previously established by FMSP	
	Pastor Kitutu	Pastor, Christians for Peace in Africa, Congolese	Recommended by Bienvenue Ingila	
	Avbob Funeral	Milpark, Johannesburg	Had appointment, but did interviewee did not arrive	www.avbob.co.za
	Numerous persons	Lindela Repatriation Centre	To determine whether they could offer information on the process that occurs when a migrant person dies within Lindela	
	Rapson	Rapson Funeral	Contact previously established through FMSP	

GENERAL INTERVIEW TEMPLATE (UNITED STATES)

Your Background and Role

How is repatriation entering your life in the present? How did you come to the point and position(s) in which you are functioning today?

Which of your involvements are most effective for repatriation and NA issues, or most fulfilling (museum, teaching, tribal learning community), or maybe just comment upon how they weave together?

Which tribes are you most familiar? Are you native?

Where were you when NAGPRA was being written? What was the political and social climate for Native American rights at this time? Was there a pre and post-museum positioning?

Do you have a guiding principle in regards to repatriation?

Meaning of Repatriation

Do you have a general sense of differences in European and Native treatment of remains in museums? The history of collection in your museum or others you have worked in?

Is repatriation just compliance at this point, legally, or are some giving up more of a fight? Were there pioneers or today models of people working well?

How do you weigh scientific knowledge?

Can you explain how your museum feels about repatriation? Are they active in seeking repatriation compliance historically?

Is repatriation about migration home? For you, or your tribe, is it more about rights and respect, or is a restored physical location after displacement still a key concern?

Are either human remains or sacred objects a priority to tribes, to the museum are they separated?

In your opinion, are there certain tribes for whom repatriation is highly important, moreso than others? Are there certain tribes for which the process is easy and well-worn?

Are there any examples of contemporary or past contention between tribes over repatriation, or examples of tribes working together to bring a repatriation about? Are there geographical chasms between groups and knowledge of them?

How do you feel about the relationship between non-federally recognised tribes and repatriation? Is it a big issue?

Process and Relationships

Can you provide some examples of museum-Indian agreements in which remains or objects will stay in a museum collection, but their treatment may change?

Can you walk me through a repatriation you've been involved with, from your perspective?

Have you been involved in ceremony in regards to the repatriation of remains? Who was involved, and how was the ceremony decided upon?

What is your relationship with the U.S. government like?

The Future

Does NAGPRA stand alone as a rights-based legislation for American Indians, or do you feel there are others that are similarly proactive in the realm of US-Indian relations?

What is your opinion on what needs to be changed/addressed in NAGPRA/repatriations in the future? Is there a space for voicing these concerns, or concerns of particular communities?

How do you feel about the new culturally unidentified objects/remains legislation that will be introduced? What are the implications for tribes?

How does repatriation rank compared to other concerns? Is this one thing that's going well, where there isn't other stuff? What is the future of repatriation?

Is it one person leading, what about the next generation?

The big question: How are Native American *doing*?

Contacts

Can you think of any other tribal representatives or museums that you have worked with that would be willing to speak with me about repatriation?

GENERAL INTERVIEW TEMPLATE (SOUTH AFRICA)

[This template, prepared for funeral parlours employees, was adapted throughout the interview process for other agents.]

WHO ARE THE AGENTS OF REPATRIATION & WHAT ARE THEY ABOUT?

a. Parameters of Businesss
    i. How you started
    ii. How do you define a migrant?
    iii. What proportion of your clients are or were migrants? What proportion repatriated successfully?
b. Identifying the Role of Agents
    i. The Repatriation Itself
        1. Is there a typical or normal repatriation?
        2. Can you chose one recent case and walk me through the general steps: How the family decided to do it, What legal preparation took place, What basic economic costs were involved, Who went with the body, and how you knew it was "complete"?
    ii. Morgues
        1. You have your own morgue: Is this typical? Did you bring one about because you thought it was important?
        2. When bodies get "stuck" in a mortuary, is that just neglect, or as you say, fear of not going through all the proper channels trying to reach family?
    iii. Burial Societies
        1. How did you first connect with burial societies? What is the relationship like now?
        2. Do you encourage their establishment?
        3. Are you a part of a burial society yourself?
    iv. The Government
        1. How does the paperwork differ between a South African burial for a migrant and a repatriation?
        2. Do you feel that Home Affairs plays an active role in your business?
    v. Your Role Amongst Agents & in Society
        1. How would you rank your importance as an agent in the repatriation process?

a. Are you the most important for your knowledge of both the death process, in counselling or setting matters straight, and in an understanding of the SA legal process?
b. To which agents do you feel beholden? The government? The city? The family?
c. How do you know a repatriation is complete?
d. Do you see any trend in people—other than economically—wanting to stay buried in SA increasingly?
e. What would happen in the community if your business ceased to exist?

II. THE CONNECTION BETWEEN THE LIVING RELATIVES & THE DECEASED IN SOCIETY

a. Personal Connections
    i. How much do you know about your clients, on the level of biography, personal qualities, the nature of their work, death, or family life? Do people express things of this nature to you?
    ii. How much does your own "biography" relate to your business: Does it get you business and connections, limit them in other ways?
b. Sentiments Toward Migrants in SA
    i. The 2008 attacks: Did they affect the joining of burial societies or the like?
    ii. The 2010 threats: How seriously have you taken them, on a personal/professional level?
    iii. Have you had any trouble with your business, and have you encountered any trouble in repatriating former migrants from the SA gov?
    iv. Does the involvement of Home Affairs in repatriation lead you to believe the government has any particular position on the repatriation of the dead?
c. Death in South Africa
    i. What are the belief systems you encounter?

III. ASKING FOR RESOURCES

a. May I have copies of any of the paperwork you use in a repatriation?
    i. Copy of the Repatriation Paper from Home Affairs
b. Can you name the burial societies or other groups you work with that might wish to speak on this subject?
c. Can you put me in touch with former clients that would be willing to speak about their experience?
d. Who are two people I shouldn't miss the chance to talk to?

INTERVIEW CONSENT FORM

Research Project:
"(Un)Rest in Peace: The Agents of Human Remains Repatriation Systems and the Lives of the Living"

Background:
You are invited to participate in a research project being undertaken by Brittany Wheeler, in her pursuit of completing a Masters of Arts (MA) in Forced Migration Studies at the University of the Witwatersrand in Johannesburg.

The aim of this research study is to identify and examine the agents responsible for human remains repatriation in two differing systems. Further, it seeks to assess the connection between the ways in which persons of the same ethnic or national group as the deceased are treated in *life* in the United States and South Africa, respectively.

Supervision on this project will be supplied by 1) Tara Polzer, Senior Researcher at the Forced Migration Studies Programme at the University of the Witwatersrand, who may be reached at tara.polzer@wits.ac.za or on 083 379 5395 2) Lorena Núñez-Carrasco, post-doctoral fellow at FMSP, who may be reached at lorena.nunez-casrasco@wits.ac.za or on 082 472 8679.

Brittany Wheeler, the researcher, may be reached at hej_brittany@yahoo.se or on 071 874 3253.

- Your participation in this interview is ***voluntary***.
- If you would like to discuss the nature of the use of this interview, you are welcome to do so with the researcher or either of her supervisors before, during or after the interview.
- If at any time you feel uncomfortable with the interview process or a particular question, please request that the interview be ceased or the question skipped.
- If you wish for your contribution to this research to be confidential for any reason, you may request that it be made so to the researcher.
- If at any point during the research you wish to withdraw from being a part of the project, you may request that your interview be omitted from any reports and/or destroyed.
- A transcript of the interview(s) in which you participated will be made available to you upon request.
- This interview will take place in person, via email, or via telephone. Please discuss your preference for the type of interview you would be most comfortable having conducted.
- The researcher will provide you with information concerning the length of your particular interview before the interview is scheduled.

I consent to being interviewed by the researcher (Brittany Wheeler).

Full name (*please print*) _____

Signature and Date (*please sign*) _____

RECORDING CONSENT FORM

Research Project:

"(Un)Rest in Peace: The Agents of Human Remains Repatriation Systems and the Lives of the Living"

Background and Contact Points for Project:

You are welcomed to participate in a research project being undertaken by Brittany Wheeler, in her pursuit of completing a Masters of Arts (MA) in Forced Migration Studies at the University of the Witwatersrand in Johannesburg.

The aim of this research study is to identify and examine the agents responsible for human remains repatriation in two differing systems. Further, it seeks to assess the connection between the ways in which persons of the same ethnic or national group as the deceased are treated in *life* in the United States and South Africa, respectively.

Supervision on this project will be supplied by 1) Lorena Núñez-Carrasco of the Forced Migration Studies Programme, who is conducting research in the same field, and may be reached at lorena.nunez-casrasco@wits.ac.za or on 082 472 8679 2) Senior Researcher at FMSP Tara Polzer, who may be reached at tara.polzer@wits.ac.za or on 083 379 5395.

Brittany Wheeler, the researcher, may be reached via email at hej_brittany@yahoo.se or via telephone on 071 874 3253.

May the researcher (Brittany Wheeler) record this interview?

- If you would like to discuss the nature of the use of these recorded interviews, you are welcome to do so with the researcher or either of her supervisors.
- It is not required that the interview be recorded: recording is ***voluntary***.
- If at any time you feel uncomfortable with the interview being recorded, please request that the recording be ceased, and it will be stopped immediately.
- If you wish for your contribution to this research to be confidential for any reason, you may request that it be made so to the researcher.
- If at any point during the research you wish to withdraw from being a part of the project, you may request that your interview tapes be omitted from any reports and/or destroyed.
- A transcript of the interview(s) in which you participated will be made available to you upon request.

☐ I consent to having my interview recorded by the researcher (Brittany Wheeler).

☐ I prefer not to have my interview(s) recorded.

Full name (*please print*) _____

Signature and Date (*please sign*)_____

THE PAPERWORK OF REPATRIATION (SOUTH AFRICA)



Umnyango wezempilo no Kuthuthukiswa Komphakathi
Lefapha la Maphelo le Tshebeletso le Ntshetsopele ya Sechaba
Department of Health and Social Development
Departement van Gesondheid en Maatskaplike Ontwikkeling

Forensic Pathology Service& Medico Legal Services
28 Harrison Street JOHANNESBURG 2000
P.O.Box 7128 JOHANNESBURG 2001
Enq: Ms C Finger
Tel: (011) 689 5541
Fax: (011) 689 5555

THE MANAGER
ASSOCIATED FUNERALS

NAME OF DECEASED:

PASSPORT/ID NO'S:

CAUSE OF DEATH:

PLACE OF DEATH: JOHANNESBURG-SOUTH AFRICA

DATE OF DEATH:

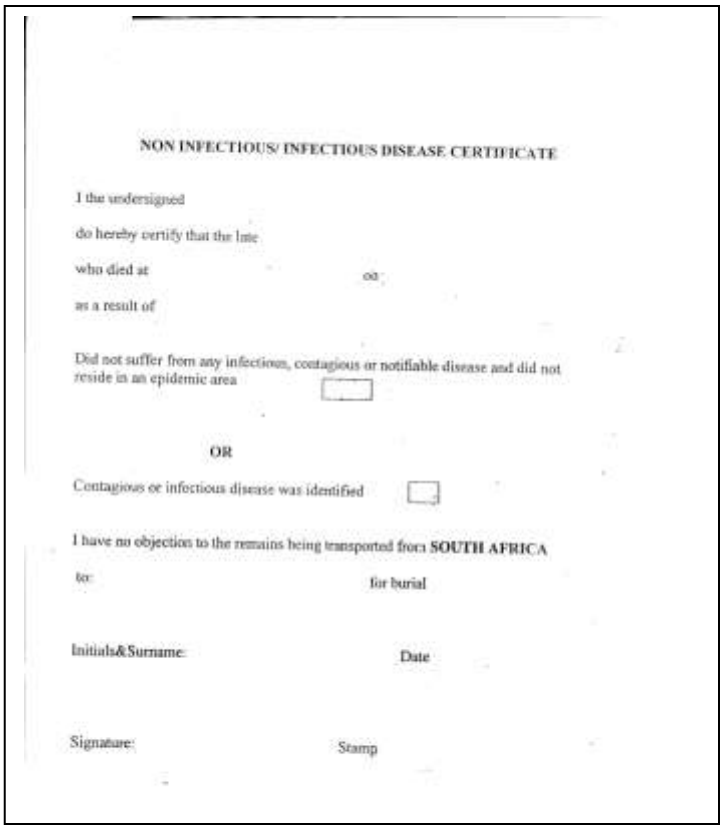
Permission is granted for the Exportation of human remains from JOHANNESBURG -SOUTH AFRICA to CAMEROON of the remains of the above-mentioned

THE REMAINS MUST BE EMBALMED AND PLACED IN A HERMETICALLY SEALED COFFIN AND THE NECESSARY HEALTH PRECAUTIONS ADHERED TO.

GAUTENG DEPARTMENT OF HEALTH
MEDICO LEGAL LABORATORY
20 OCT 2010
PRIVATE BAG X086
MARSHALLTOWN 2107
FORENSIC PATHOLOGY SERVICES

pp DR M MAZIDI
CEO-FORENSIC PATHOLOGY SERVICE&MEDICO LEGAL SERVICES

We aim to be a service providing internationally recognized and independent investigations of death. We will be seen as an organization that serves the interest of justice through the application of standardized scientific methods ensuring accuracy of results.



NON INFECTIOUS/ INFECTIOUS DISEASE CERTIFICATE

I the undersigned

do hereby certify that the late

who died at on

as a result of

Did not suffer from any infectious, contagious or notifiable disease and did not reside in an epidemic area ☐

OR

Contagious or infectious disease was identified ☐

I have no objection to the remains being transported from SOUTH AFRICA

to: for burial

Initials&Surname: Date

Signature: Stamp



Ambassade de la République Démocratique du Congo
à Pretoria

N/ Ref : 132. 102. CHLR/FOOB2/FU/ARDC-PTA/2010

TO WHOM IT MAY CONCERN

Permission is hereby granted by the Embassy of the Democratic of Congo in Pretoria for the body of to be repatriated to the Democratic Republic of Congo.

Your assistance will be appreciated.

Pretoria, 20th October 2010

Komba L. Kiyoko

Second Counselor



High Commission for the Republic of Cameroon in South Africa

Le Haut Commissariat pour la République du Cameroun en Afrique du sud

80 Marais Street Brooklyn 0181

Tel 012 460 0597 / 012 460 0341 • Fax 012 460 7942

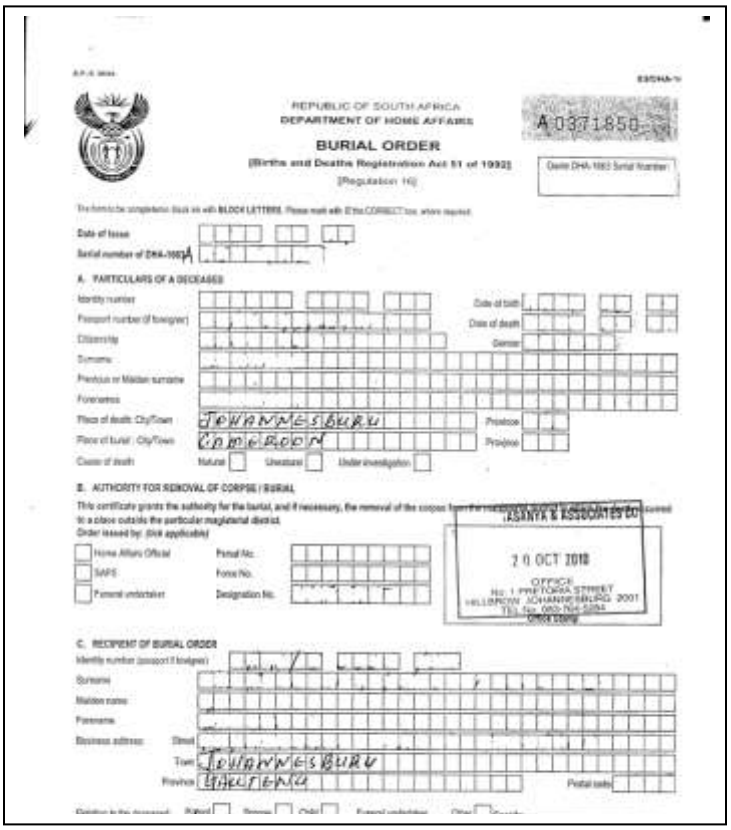
NF 14/FS/CON/RHR/HCP/2010 Pretoria, 20 October 2010

TO WHOM IT MAY CONCERN

REPATRIATION OF THE HUMAN REMAINS OF THE LATE

We hereby grant authorization to repatriate to Cameroon for burial, the remains of the late who died in Johannesburg, South Africa on the 18 October 2010 on condition that the body is embalmed and placed in a hermetically sealed metal container in a stout wooden box.

BERTIN DOUKAGNE
First Secretary in charge of Consular Affairs



REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF HOME AFFAIRS

A 0371850

BURIAL ORDER

[Births and Deaths Registration Act 51 of 1992]

[Regulation 16]

Date of issue

Serial number of DHA-1663A

A. PARTICULARS OF A DECEASED

Identity number

Date of birth

Passport number (if foreigner)

Date of death

Citizenship

Gender

Surname

Previous or Maiden surname

Forenames

Place of death: City/Town JOHANNESBURG Province

Place of burial: City/Town CAMEROON Province

Cause of death Natural Unnatural Under investigation

B. AUTHORITY FOR REMOVAL OF CORPSE / BURIAL

Order issued by: (tick applicable)

Home Affairs Official Postal No.

SAPS Force No.

Funeral undertaker Designation No.

ASANYA & ASSOCIATES CC
20 OCT 2010
OFFICE
No. 1 PRETORIA STREET
HILLBROW JOHANNESBURG 2001
TEL No. 083-764-5284

C. RECIPIENT OF BURIAL ORDER

Identity number (passport if foreigner)

Surname

Maiden name

Forename

Business address: Street

Town JOHANNESBURG

Province GAUTENG Postal code



No. 0153756

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF HOME AFFAIRS

UNABRIDGED DEATH CERTIFICATE

(Issued in terms of Act 51 of 1992)

Certified a true extract from the death register of:

1. Identity Number
2. Surname
3. Forenames in full
4. Date of birth: Year Month Day
5. Gender
6. Occupation
7. Marital status
8. Country of birth
9. Nature of pension
10. Residential address

PARTICULARS OF DEATH

11. Date of death: Year Month Day
12. Place of death
13. Cause of death
14. Duration of disease or last illness
15. Name of medical practitioner
16. Intended place of burial

INFORMANT

17. Capacity
18. Signed by

DEPARTMENT OF HOME AFFAIRS
(Official date)
2010 - 11 - 02

Director-General: Home Affairs



REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF HOME AFFAIRS

NOTICE OF DEATH / STILL BIRTH

[Births and Deaths Registration Act 51 of 1992]

1663A268672

A. PARTICULARS OF THE DECEASED



Embalming Certificate

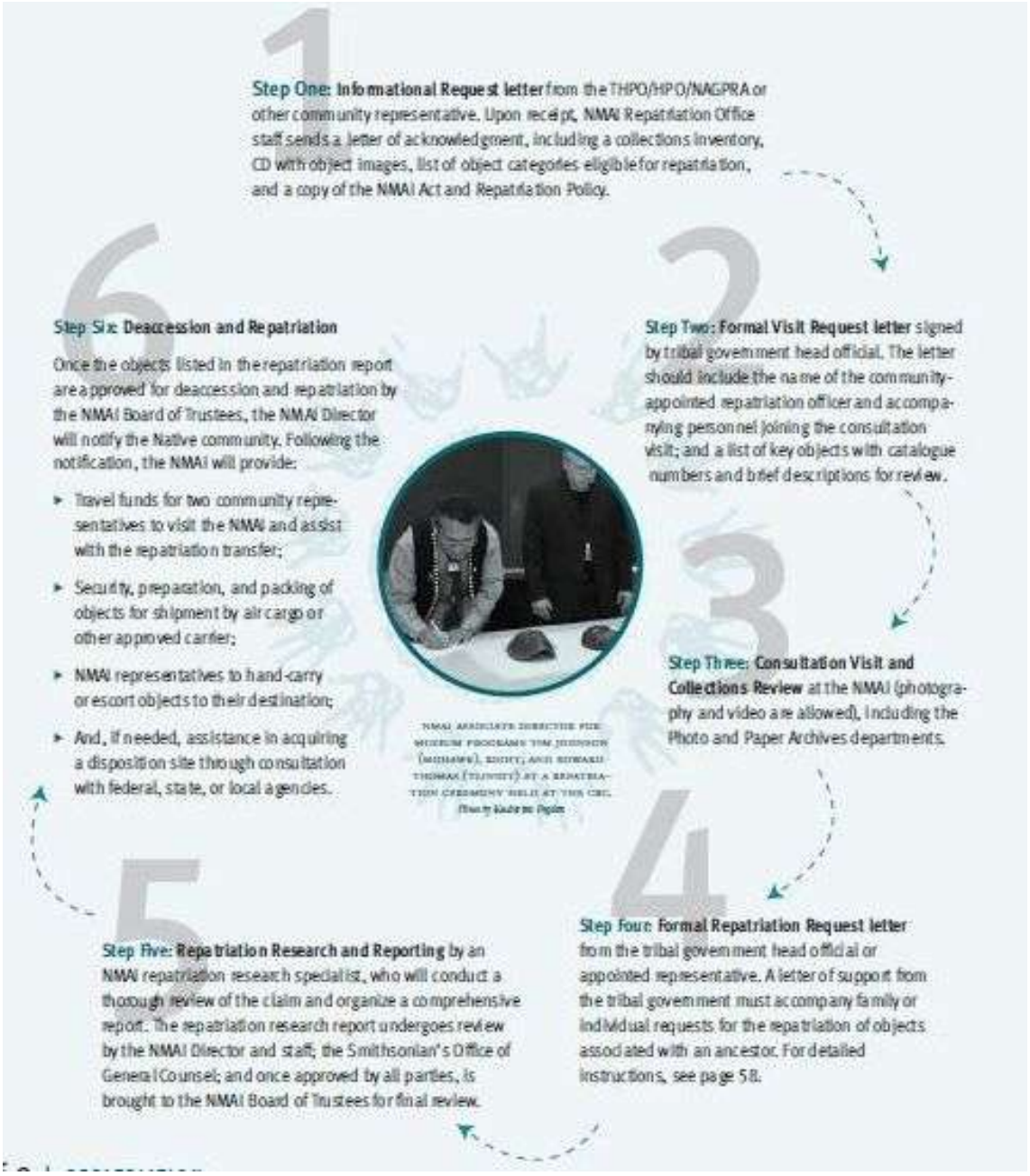
This is to certify that the remains of the late

Ref. No.:
Case No.:
Date:
Name of Company:

Signed:

[The paperwork found in this section was provided by MK Massasanya of *MK Massasanya and Associates*.]

THE PAPERWORK OF REPATRIATION (UNITED STATES)



Though it is not legal paperwork, this page from the National Museum of the American Indian's NMAI *Program Guide* shows a useful abbreviated version of the repatriation process they follow: http://www.nmai.si.edu/collaboration/files/NMAIProgramGuide_ENG_repat.pdf

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: [Controlling Institution, City, State *(if different from Possessing Institution)***]** and **[Possessing Institution, City, State]**

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of **[human remains and/or associated funerary objects]** *(choose appropriate categories)* in the **[possession/control]** of **[Museum/Federal agency, City, State]**. The human remains **[and/or associated funerary objects]** were removed from **[succinct description of localities involved – county/counties and state(s)]**.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains **[and associated funerary objects]**. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by **[Museum/Federal agency]** professional staff in consultation with representatives of **[alphabetized listing of the consulted Indian tribe(s) (use Federal Register: http://edocket.access.gpo.gov/2009/pdf/E9-19124.pdf) or Native Hawaiian organization(s)]**.

In **[date(s) of removal],** human remains representing a minimum of **[number]** individuals were removed from **[name of site]** in **[County, State].** *(Include information regarding the circumstances surrounding the removal and all subsequent transfers until the item came into the museum/Federal agency's possession.)* No known individuals were identified *(unless there is a named individual)*. The **[total number]** associated funerary objects are **[types of object --** *i.e., pottery, tools, beads, cradleboards, jewelry, etc; and* **number of the types of each object** *– i.e. 5 pottery sherds, 7 tools, 50 beads.***]** *or* No associated funerary objects are present.

[Paragraph here should give dates and additional circumstances known about the human remains, or any known earlier group/phase and how/why these individuals have been determined to be Native American. The lines of evidence for present-day cultural affiliation with the earlier identifiable group (especially if precontact) should be presented -- i.e., any historical records, continuity of occupation, continuity of ethnographic materials (pottery, basketry, etc.). Tribal evidence of cultural affiliation should also be presented -- i.e., oral history/tradition, manner of interment, known/named village/camp, etc].

[Repeat the above two paragraphs in notices covering more than one accession or site for the same culturally affiliated Indian tribe(s)/Native Hawaiian organization.]

Officials of the **[Museum/Federal agency]** have determined that, pursuant to 25 U.S.C. 3001(9)-(10), the human remains described above represent the physical remains of **[total number in notice]** individuals of Native American ancestry. *(omit the following sentence if not applicable)* Officials of the **[Museum/Federal agency]** also have determined that, pursuant to 25 U.S.C. 3001(3)(A), the **[total number in notice]** objects described above are reasonably believed to

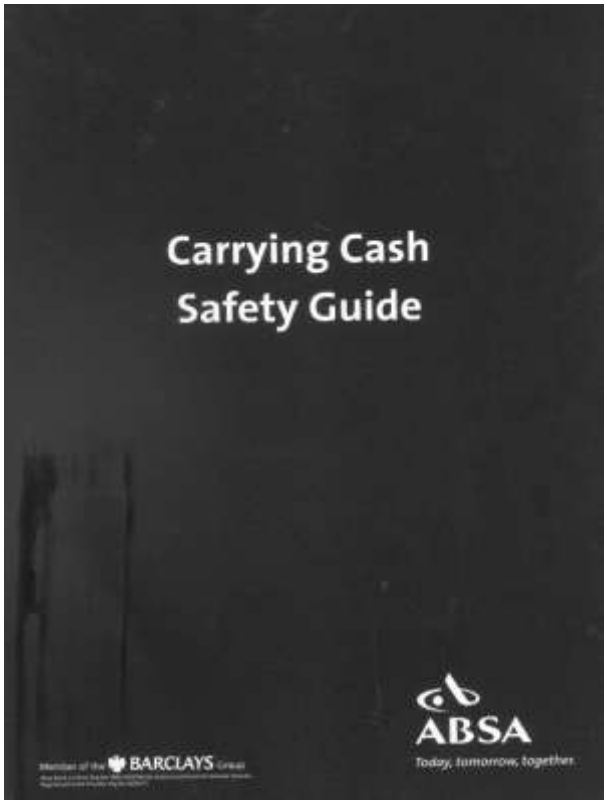
have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.) Lastly, officials of the **[Museum/Federal agency]** have determined that, pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the **[culturally affiliated tribe(s) – listed alphabetically, use Federal Register: http://edocket.access.gpo.gov/2009/pdf/E9-19124.pdf].**

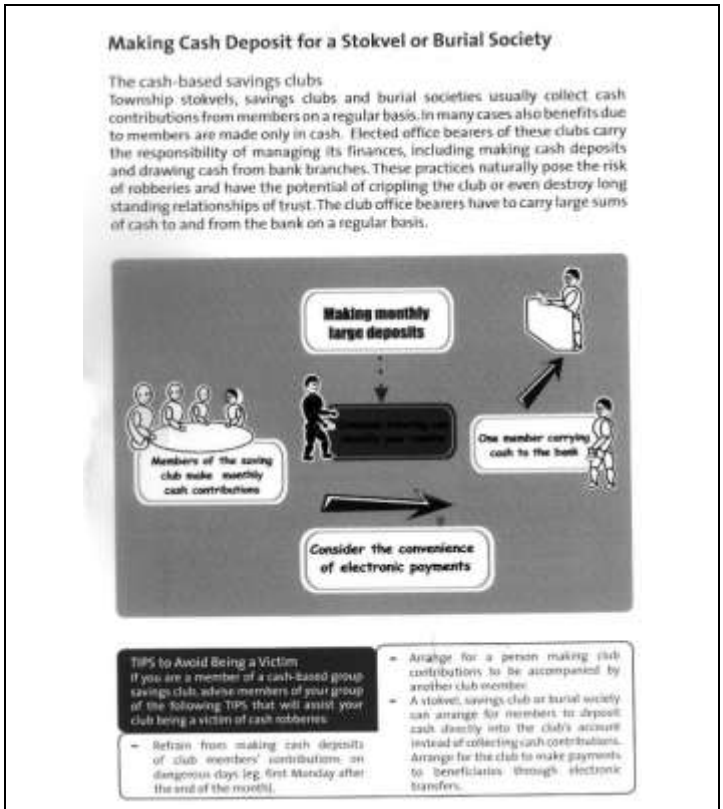
Representatives of any other Indian tribe that believes itself to be culturally affiliated with the **[human remains and/or associated funerary objects]** should contact **[responsible official], [Museum/Federal agency, Street, City, State, Zip]**, telephone **(XXX) XXX-XXXX**, before [insert date 30 days following publication in the Federal Register] (*Federal Register calculates this date*). Repatriation of the **[human remains and/or associated funerary objects]** to the **[culturally affiliated tribe(s) – alphabetized listing using Federal Register listing: http://edocket.access.gpo.gov/2009/pdf/E9-19124.pdf or Native Hawaiian organization(s0]** may proceed after that date if no additional claimants come forward.

[Museum/Federal agency] is responsible for notifying **[alphabetized listing of the consulted and culturally affiliated Indian tribes Federal Register: http://edocket.access.gpo.gov/2009/pdf/E9-19124.pdf or Native Hawaiian organizations]** that this notice has been published.

[The Notice of Inventory Completion Template, and other forms relevant to U.S. repatriation are available on the National NAGRA website: http://www.nps.gov/history/nagpra/documents/index.htm]

THE BURIAL SOCIETY: IN PLAIN SIGHT





Making Cash Deposit for a Stokvel or Burial Society

The cash-based savings clubs

Township stokvels, savings clubs and burial societies usually collect cash contributions from members on a regular basis. In many cases also benefits due to members are made only in cash. Elected office bearers of these clubs carry the responsibility of managing its finances, including making cash deposits and drawing cash from bank branches. These practices naturally pose the risk of robberies and have the potential of crippling the club or even destroy long standing relationships of trust. The club office bearers have to carry large sums of cash to and from the bank on a regular basis.

TIPS to Avoid Being a Victim

If you are a member of a cash-based group savings club, advise members of your group of the following TIPS that will assist your club being a victim of cash robberies:

- Refrain from making cash deposits of club members' contributions on dangerous days (eg. first Monday after the end of the month).
- Arrange for a person making club contributions to be accompanied by another club member.
- A stokvel, savings club or burial society can arrange for members to deposit cash directly into the club's account instead of collecting cash contributions. Arrange for the club to make payments to beneficiaries through electronic transfers.



SECTION 1: To be completed by all applicants, 71 years and younger.

PLEASE INDICATE THE COVER YOU REQUIRE

DOUBLE COVER = R11.5/MONTH
SINGLE COVER = R06.00/MONTH

APPLICANT'S DETAILS:

SURNAME | FIRST NAMES | TEL NO | SA ID | DATE OF BIRTH | MARITAL STATUS | SEX | POSTAL ADDRESS | SUBURB | TOWN | PROVINCE | POSTAL CODE

FAMILY BENEFIT:

SECTION 2: Only the details of the Applicant's spouse (husband or wife only) must be completed here. Your spouse can only be added if he/she is 65 or younger. Only the Applicant and one spouse can join. If not married, leave spouse's details blank.

SPOUSE'S SURNAME	SPOUSE'S FIRST NAMES	HUSBAND/WIFE	DATE OF BIRTH	SA ID NUMBER / LESOTHO OR SWAZILAND PASSPORT NO

SECTION 3: Only the Applicant's or his/her spouse's own or legally adopted children can be added here. Children can only be added if they are 21 years or younger. However if they are studying full-time at a recognised institution, they can be added up to age 25 inclusive, whereafter they must apply for their own cover.

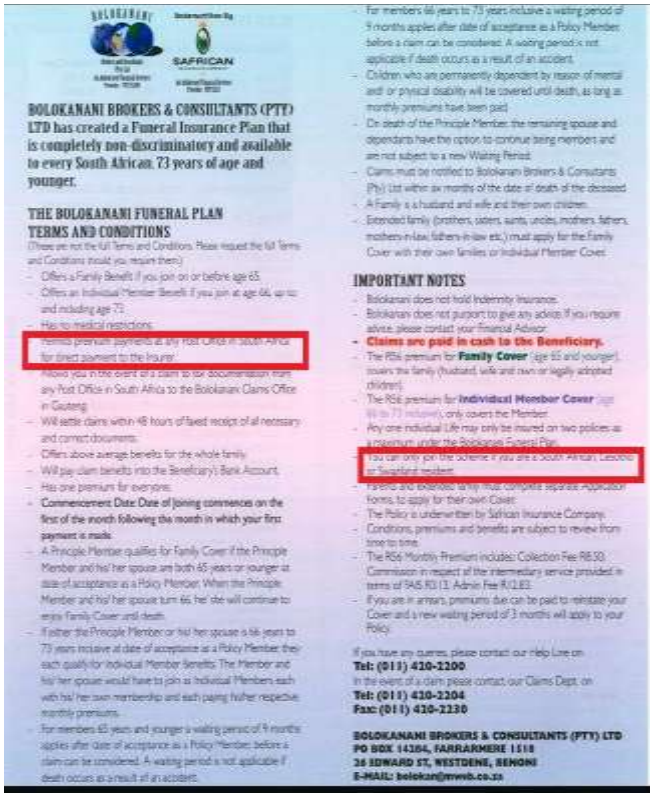
SURNAME OF CHILD	FIRST NAMES OF CHILD	DATE OF BIRTH	SA ID NUMBER / LESOTHO OR SWAZILAND PASSPORT NO

SECTION 4: Nominated Beneficiary Details

SURNAME	FIRST NAMES	TEL NO	SA ID NUMBER / LESOTHO OR SWAZILAND PASSPORT NO	RELATIONSHIP

I declare that I understand the Benefits and Conditions of the Bolokanani Funeral Plan and warrant that the above information is true and correct, and I confirm that I have not been given financial advice. I will abide by the Rules of the Policy and I accept that a claim will be rejected if premiums are in arrears. I also declare that I understand the method of payment is only by cash to any Post Office as the authorised Collection Agent. Bolokanani reserves the right to accept the applicant and dependants on the Policy. If after 14 days after submitting this application you do not receive your policy documents and you do not advise us in writing, it is assumed that you have received your policy documents. By signing this document, I give written consent that all my confidential information may be used by Bolokanani and Safrican on a third party for any purpose unless advised in writing to the contrary. Bolokanani does not hold indemnity insurance.

SIGNATURE OF APPLICANT | DATE



BOLOKANANI BROKERS & CONSULTANTS (PTY) LTD has created a Funeral Insurance Plan that is completely non-discriminatory and available to every South African 73 years of age and younger.

THE BOLOKANANI FUNERAL PLAN TERMS AND CONDITIONS

(These are not the full Terms and Conditions. Please request the full Terms and Conditions should you require them.)

- Offers a Family Benefit if you join on or before age 65.
- Offers an Individual Member Benefit if you join at age 66, up to and including age 73.
- Has no medical restrictions.
- Premium payments at any Post Office in South Africa for direct payment to the Insurer.
- Allows you in the event of a claim to use documentation from any Post Office in South Africa to the Bolokanani Claims Office in Gauteng.
- Will settle claims within 48 hours of fax/e receipt of all necessary and correct documents.
- Offers above average benefits for the whole family.
- Will pay claim benefits into the Beneficiary's Bank Account.
- Has one premium for everyone.
- **Commencement Date: Date of Joining commences on the first of the month following the month in which your first payment is made.**
- A Principle Member qualifies for Family Cover if the Principle Member and his/her spouse are both 65 years or younger at date of acceptance as a Policy Member. When the Principle Member and his/her spouse turn 66, he/she will continue to enjoy Family Cover until death.
- If either the Principle Member or his/her spouse is 66 years to 73 years inclusive at date of acceptance as a Policy Member they each qualify for Individual Member Benefits. The Member and his/her spouse would have to join as Individual Members each with his/her own membership and each paying his/her respective monthly premiums.
- For members 65 years and younger a waiting period of 9 months applies after date of acceptance as a Policy Member, before a claim can be considered. A waiting period is not applicable if death occurs as a result of an accident.
- For members 66 years to 73 years inclusive a waiting period of 9 months applies after date of acceptance as a Policy Member, before a claim can be considered. A waiting period is not applicable if death occurs as a result of an accident.
- Children who are permanently dependent by reason of mental and/or physical disability will be covered until death, as long as monthly premiums have been paid.
- On death of the Principle Member, the remaining spouse and dependants have the option to continue being members and are not subject to a new Waiting Period.
- Claims must be notified to Bolokanani Brokers & Consultants (Pty) Ltd within six months of the date of death of the deceased.
- A Family is a husband and wife and their own children.
- Extended family (brothers, sisters, aunts, uncles, mothers, fathers, mothers-in-law, fathers-in-law etc.) must apply for the Family Cover with their own families or Individual Member Cover.

IMPORTANT NOTES

- Bolokanani does not hold Indemnity Insurance.
- Bolokanani does not purport to give any advice. If you require advice, please contact your Financial Advisor.
- **Claims are paid in cash to the Beneficiary.**
- The R06 premium for **Family Cover** (age 65 and younger), covers the family (husband, wife and own or legally adopted children).
- The R56 premium for **Individual Member Cover** (age 66 to 73 inclusive), only covers the Member.
- Any one individual Life may only be insured on two policies as a maximum under the Bolokanani Funeral Plan.
- You can only join the scheme if you are a South African, Lesotho or Swaziland resident.
- Parents and relatives of the Principle Member must complete separate Application forms to apply for their own Cover.
- The Policy is underwritten by Safrican Insurance Company.
- Conditions, premiums and benefits are subject to review from time to time.
- The R56 Monthly Premium includes: Collection Fee R8.50, Commission in respect of the intermediary service provided in terms of SAS 103 (3) Admin Fee R12.83.
- If you are in arrears, premiums due can be paid to reinstate your Cover and a new waiting period of 3 months will apply to your Policy.

If you have any queries, please contact our Help Line on
Tel: (011) 420-1200
In the event of a claim please contact our Claims Dept. on
Tel: (011) 420-1204
Fax: (011) 420-1230

BOLOKANANI BROKERS & CONSULTANTS (PTY) LTD
PO BOX 14384, FARRARMERE 1518
26 EDWARD ST, WESTDENE, BENONI
E-MAIL: bolokan@mweb.co.za

[Top images] The large South African-wide bank, Absa, publishes a *Cash Carrying Safety Guide*. On page four, the book highlights suggestions for depositing the money from a burial society. The text notes that "burial societies usually collect cash contributions from members on a regular basis. In many cases also benefits to members are made only in cash," both displaying some knowledge of the burial society system and implying that they are a prevalent enough societal function to include within their published bank literature.

[Bottom images] Brian Jennings, an interviewee in this research project, supplied the burial scheme offers that his company, *Bolokanani Brokers and Consultants*, offer through the post offices of South Africa. The boxes that frame particular text in the last image refer to the limited inclusion: persons from South Africa, Swaziland and Lesotho. In interview, Jennings expressed the reason behind the inclusion of these groups, and the inability of them to cover other foreign nationals: these groups, he said, lived like South Africans; they had similar mortality rates, and free trade between them.