Histories Held Hostage:

The Ethical Implications of the Smithsonian's Human Remains Collection, Moving Forward, and Acknowledging Historic Institutional Wrongdoings

Ella Grady

CMLT 210: The History and Politics of Modern Museums

May 6, 2024

Introduction

Museums have had a long tradition of being keepers and formers of history and culture but have also played an important role in ethical deliberations, particularly as the shadowy past confronts modern values. Among the many challenges faced by museums, few have been as contentious as the management and retention of human remains in their collections. This essay focuses on the Smithsonian Institution's collection of brains, which includes remains obtained from Native American nations, Alaskan Native and Native Hawaiian communities, Black Americans, and many other cultures. Of particular interest for this essay are the remains of Filipino individuals who died while on exhibit at the 1904 World Fair and who remain in the collection. Collected by Aleš Hrdlička, a prominent figure in early 20th-century physical anthropology, these remains are steeped in the complex legacies of colonialism, racial science, and racist ideologies.

Aleš Hrdlička's role at the Smithsonian as the head of their division of physical anthropology was key, as he led the establishment of the racial brain collection. As the curator, his work reflected broader historical attitudes of his time, often dismissing overt racial prejudices in the name of scientific inquiry. This essay will explore the ethical and curatorial challenges involved in continuing to maintain such collections, particularly those acquired through dubious circumstances, with links to colonial supremacy and racial theories. Museums, like the Smithsonian, must navigate the delicate balance between historical preservation and the necessity of respecting the dignity of the deceased, especially in the context of historical injustices. Through a detailed examination of the Smithsonian's past practices under Hrdlička, current policies, and surrounding discussion of the broader debate, this paper will focus on moving the museum forward with the debates around the ethics of human remains collections in

mind. It will take a specific focus on the issue of repatriation and the involvement of descendant communities in these decisions, utilizing the Smithsonian's Filipino brain collection as a primary case study, aiming to illustrate both the historical context of such collections and the ongoing ethical debates shaping contemporary museums globally.

Literature Review

Throughout the research process, many sources were compiled and examined for relevance to the central argument on balancing scientific curiosity, respect of human identity, and acknowledgement of racist and colonial beliefs that led to the collection of many of these remains. The literature reviewed and covered in this section is grouped into three main categories: historical context, debate arguments, and institutional policy and prior actions.

In the mid to late nineteenth century, researchers, like Samuel George Morton, were interested in studying human anatomy to find evidence of racial rankings that would place Caucasians as superior. Morton looked at skulls, measuring volume and calculating the average cranial capacity for each race as a signifier of intelligence and superiority, placing Caucasians at the top, a practice that has come to be known as scientific racism (Fabian 2010, 2). Morton's work and beliefs were not isolated, but rather a product of the time as many sought to find ways to justify the systems that subjugated minority individuals as legitimate and necessary due to the inherent inferiorities they hoped to prove. Morton and others, including Aleš Hrdlička, sought remains to measure and use to prove their beliefs, and collected them through what are now reflected upon as dubious methods. Aleš Hrdlička, building upon Morton's ideas, became a leading expert on race and human variation, believing that his collection of body parts would help him decipher racial differences and intelligence levels, operating on the belief that race determined a person's intelligence and physical characteristics (Redman 2016, 194-195). For

example, he was recorded as testifying that it would be difficult to assimilate Japanese individuals in Hawaii, as they were not as intelligent when compared to White individuals (Dungca, Healy, and Tran 2023).

In understanding the debates surrounding repatriation and the curation of human remains, several pieces of literature were examined. Most of the literature was more heavily aligned with those in favor of considering the ethics and potential for repatriation, but there were mentions of the arguments of the opposition. For those opposed to repatriation of remains, many hold the view of the "Dead-Are-Gone," that the deceased have no moral relevance in discussions today, and there is no one left feeling the harm that can arise from continuing to place these remains on exhibit (Dickerson & Ceeney 2015, 93; Shelbourn 2013, 61). Other arguments for retaining collections of human remains focus on the scientific or academic benefit that comes from being able to study them (Smith 2004, 407; Alberti et al. 2009, 135; Shelbourn 2013, 64). The majority of the literature refutes these points, with arguments in favor of repatriation, or honoring the wishes of the descendant communities, focusing on respecting the beliefs and wishes of those communities and the deceased's own beliefs (Dickerson & Ceeney 2015, 94; Smith 2004, 408; Alberti et al, 2009, 140). Furthermore, some of the literature delves into the importance of repatriation and restoration of dignity to give back control over perceptions of identity to the minority communities (Smith 2004, 408; Jacobs 2009, 76). In summary, the literature surrounding the debates focuses on the contrast of valuing scientific research and understanding with moral considerations over treating human remains as the people they were.

In focusing on examples of policies and repatriation cases, literature specifically on the Smithsonian brain collection is limited. There is some work available on the Native American Grave Protection and Repatriation Act (NAGPRA) and the Smithsonian's policies to repatriate

the remains of Native Americans, Native Hawaiians, and Alaskan Natives. These pieces discuss the process of repatriation of the Smithsonian collection, notably started by the Indigenous community of Kodiak Island in 1989 (Gulliford 1996, 135), the eventual passage of NAGPRA (Gulliford 1996, 121), and the benefit these situations had for Native communities' efforts for repatriation. There is also existing literature on the broad, overall history of the brain collection, with Aleš Hrdlička's own writings on his collection (Hrdlička 1916, 739), as well as contemporary discussions from mass media news publications on how to handle the remains (Dungca and Healy 2023). What is not readily available, however, are academic discussions or information about the remains not covered by NAGPRA, such as Black Americans, Filipinos, and the remains of others sourced from Hrdlička's international contacts. From the limited information understood and available on these groups, this essay argues for the Smithsonian, and related institutions with similar collections, to continue the process of repatriation and reckoning with their past of colonial curation of remains from communities not explicitly covered by law.

Case Study

The Smithsonian's collection of Filipino brains was mainly collected during and after the 1904 World Fair in St. Louis, where country exhibitions brought individuals from colonized regions, including the Philippines, as living exhibits, primarily as an example of American superiority over primitive, colonized cultures (Parezo and Fowler 2007, 2). Given the vastly different environment of St. Louis, the number of people living on the fairgrounds, and the limitations of medicine in 1904, it was, unfortunately, inevitable that some people participating in the exhibits would die during the fair. Hrdlička saw these deaths as an opportunity to increase his collection of human remains at the Smithsonian, acquiring remains under the claim of scientific advancement (Parezo and Fowler 2007, 310). This context is critical as it highlights the

intersection of colonialism, racism, and science, providing a backdrop against which the ethical considerations of such collections must be assessed.

The brains, and other body parts, were collected under ethically dubious circumstances, often without the consent of the individuals or their families. The acquisition was justified through racial science, under the belief that studying these brains could provide insights into racial hierarchies—a belief now discredited and condemned. From the World Fair, Hrdlička acquired the remains of at least four Filipino individuals, taking their brains and other body parts back to the Smithsonian to become part of his collection for understanding racial differences and hierarchies (Parezo and Fowler 2007, 320).

The Smithsonian has partaken in various repatriation efforts as part of a broader movement toward addressing historical injustices within museum practices. For example, many of the remains of Native Americans, Native Hawaiians, and Alaskan Natives have been repatriated under NAGPRA (Smithsonian Institute 2023). The repatriation of the Filipino brain collection, however, presents unique challenges, especially due to the lack of legislation requiring repatriation. These include identifying descendant communities, navigating diplomatic and logistical issues with the Philippines, and dealing with the lack of clear legal frameworks for repatriation in cases where the remains were collected so long ago and under exploitative conditions (Smith 2004, 407; Bunch 2023).

The response from Filipino communities and stakeholders to the Smithsonian's handling of the collection has been mixed. Some see repatriation as a necessary step towards reconciliation and healing, emphasizing the importance of returning the remains to their homeland for proper respect and burial (Ortega 2024, 1040). Others demand a more comprehensive approach, including historical acknowledgment of the circumstances under which

the remains were collected and broader reparative measures (Murray 1996). Since the summer of 2023, the Smithsonian, after a Washington Post investigation and publication, established a new Human Remains Task Force, specifically to answer the question of how to handle Hrdlička's collection. The task force has implemented new guidelines for the institution – such as the need for informed consent for research on the deceased, – pushed the institution to return the majority of the remains to descendent communities by 2030, and restricted the use of destructive sampling (Ortega 2024, 1040).

This case study highlights several key lessons for future curatorial considerations. First, it highlights the importance of ethical design and community engagement in the curation of sensitive collections. Museums need to both act as stewards of history, as well as ethical entities that consider the dignity of the individuals in their collections. Second, the Smithsonian's experiences reflect the need for clear policies and procedures guiding repatriation efforts, such as legislation like NAGPRA for communities not indigenous to America, and particularly for those involving colonial legacies. These policies should be flexible enough to adapt to the specific contexts of different communities and robust enough to provide a framework for action even in complex cases. Lastly, this case demonstrates the potential of repatriation to serve as a form of restorative justice, offering museums a way to address past wrongs actively, while fostering dialogue and understanding between cultures.

Discussion

Having investigated the Smithsonian's handling of its brain collection, and specifically the remains of Filipino individuals collected from the 1904 World Fair, this section reevaluates the ethical implications with a fresh perspective. The insights of this case study discussion shed light onto the conditions under which remains were historically collected by the Smithsonian and

similar institutions in the 19th and 20th centuries, and the ongoing efforts to address their contentious legacy, demonstrating the need for a broader reflection on how museums address ethical concerns resulting from colonial practices.

Ethical debates around these collections often revolve around the need for dignity and respect for the deceased, particularly in cases where remains were obtained through exploitative means or through colonial power exertions. The Smithsonian case highlights the need for policies that not only address the logistical aspects of repatriation but also the ethical imperatives to rectify historical injustices. To write these policies and make decisions on best practices, it is important to understand the needs of the cultural communities from which these remains were sourced. For example, one of the main proponents pushing for repatriation and recognition of the wrongs committed to the Filipino community, Janna Añonuevo Langholz, has spent several years working to grant permanent recognition of the participation of Filipinos in the World Fair by the City of St. Louis, but also to trace the histories of those individuals and find the remains Hrdlička collected (Langholz 2024). Her work has focused on how to represent and recognize these people, and how to approach repatriation and resolution of this issue. In thinking about designing laws and policies to handle repatriation cases beyond NAGPRA, including the voices and contributions of members of the descendant communities, associated researchers, and activists is necessary to best understand the needs and values that will properly respect the dignity of the deceased who have for so long been treated like objects for scientific purposes.

The interest in balancing historical preservation with the moral and ethical demands of repatriation is complicated in cases like the Smithsonian. Many are hesitant to push for general repatriation, such as some scientists and researchers who believe the scientific benefit of continued work with technological developments is worth maintaining the collection (Redman

2012, 189). While the scientific and educational value of such collections cannot be dismissed outright, the rights and wishes of descendant communities must take precedence in these cases, particularly when considering the reasons these collections were amassed originally. Hrdlička was interested in proving the racial superiority of white people and grew his collection to find evidence of that. While there are certainly other things that can be learned from studying human remains, the unethical acquisition of many of these remains is enough to outweigh that potential. Ultimately, the remains in these collections belonged to human beings, and these people were not treated with dignity, and the requirement of what the Smithsonian task force has now established as their foundational principle: the need for informed consent (Ortega 2024, 1040). The insights gained from the Smithsonian's brain collection and repatriation discussions highlight the potential conflicts between keeping artifacts for research and education versus returning them to their rightful communities as acts of restitution and reconciliation.

Considering the future of the Filipino brains at the Smithsonian illustrates the importance of involving descendant communities in every step of the decision-making process related to curation and repatriation. Following the Washington Post exposé, the Smithsonian announced, in August of 2023, plans to coordinate with the Philippine Embassy to repatriate Filipino remains to the National Museum in Manila but have of yet to make any further statement on their progress (Philippine Village 2024). Furthermore, some feel this is not enough, as there was no work put into finding descendants to release the remains to and ensure proper reburial, as was intended and hoped for by the Smithsonian task force (Philippine Village 2024; Bunch 2023). This approach is not merely about consultation but involves active participation and often power-sharing, which can lead to more equitable and just outcomes. The decisions cannot be made exclusively by the Smithsonian and cannot be done quickly in an effort to save face. Effective engagement requires transparency, ongoing dialogue, and a commitment to listening and

adapting to the needs and desires of those communities, something that thus far, has not been shown in the Smithsonian's case of the Filipino brain collection.

Drawing on the specific examples of engagement and repatriation discussed in this case, there are lessons to be learned for future museum practices. These include the importance of establishing clear, ethical guidelines for the acquisition and handling of human remains and the need for a robust framework to guide the repatriation process, such as NAGPRA and Smithsonian policies on repatriating Indigenous remains. Such frameworks should be flexible enough to handle the complexities of individual cases while providing enough structure to ensure consistent and fair practices, as not every case will be as easily traceable or simple to repatriate. Furthermore, the case study serves as a reminder of the potential of repatriation to act as a form of restorative justice. It highlights how museums, by acknowledging past wrongs and actively working to address them, can foster reconciliation and healing, as repatriation is important, but so is acknowledging the wrongs committed, something the Smithsonian has acknowledged subtly through the task force and several statements, but not satisfactorily to reconcile the damaging past of Hrdlička's collections and racial science. By doing so, the Smithsonian can move forward, evolving their roles from passive custodians of artifacts to active participants in cultural and historical rectification, something that will prove to be more important as greater focus on historical missteps come to light and interest in representation grows.

Conclusion

This exploration into the ethical and curatorial dilemmas faced by museums, particularly the Smithsonian Institution's handling of its collection of human remains, underscores a critical intersection of historical scholarship, ethics, and societal values. The heart of this discussion is central to the Filipino community and the cultural history, but it extends beyond this community

and the academics, and into the heart of communal identity and cultural heritage for the majority of the United States, as part of the nation's history to reckon with. It challenges museums to evolve from being mere repositories of artifacts into institutions actively engaging in ethical stewardship and cultural reconciliation. The implications of this discussion should resonate with a diverse audience. For descendant communities, the ideas presented in this essay champion their right and align with the goals of participation in decisions about their own heritage, while granting respect to their ancestors' dignity—issues of fundamental human rights and respect. For museums, it serves as a push to redefine practices around sensitive collections, balancing scientific research with ethical responsibilities, furthering efforts to maintain public trust and relevance in a rapidly changing landscape. For policymakers and legal frameworks, it highlights the necessity of developing clear, enforceable guidelines that can navigate the complex legacy of historical collections and ensure fair treatment across diverse communities. For individual museumgoers, it demonstrates and encourages the importance of critical analysis and understanding of museum histories and the background of collections.

Literature on the Smithsonian brain collection is limited, and work and discussion of the remains of Filipino individuals, in particular, is essentially nonexistent. By focusing on and highlighting the remains of these individuals, this work aims to fill that gap and recognize the stories of this community. Through shedding light on this gap in the work on the Smithsonian's murky past, and especially the treatment of this cultural group throughout history, this paper hopes to inspire others to educate themselves, discuss, and further investigate this topic. For example, to continue to address the ethical concerns of collections of human remains, future research should further explore collaborative frameworks involving descendant communities, not only in discussions but in the governance of cultural heritage as well. Additionally, an

international consensus on the treatment of human remains could pave the way for more uniform and just practices worldwide, ensuring that the dignity of the deceased is upheld across borders.

In conclusion, the management of human remains in museum collections is not just an issue of academic debate, but a profound societal concern that questions the collective morality and chosen values. Moving forward, decisions made will inevitably shape the legacy of cultural institutions and, more importantly, the respect accorded to the diverse histories and identities that make up the global community. Engaging with these challenges is not only necessary, but also crucial for those who care about justice, history, and the future of cultural understanding.

References

Alberti, Samuel J.M.M., Piotr Bieńkowski, Malcolm J. Chapman, and Rose Drew. 2009. "Should We Display the Dead." *Museum & Society* 7 (3): 133–49. https://journals.le.ac.uk/ojs1/index.php/mas/article/view/144/158.

Bunch, Lonnie G., III. 2023. "What Comes Next for the Smithsonian's New Human Remains Task Force." *Smithsonian Magazine*, November 28, 2023. Accessed April 27, 2024. https://www.smithsonianmag.com/blogs/office-of-the-secretary-of-the-smithsonian/2023/11/30/what-comes-next-smithsonian-new-human-remains-task-force/.

Dickerson, Adam B., and Erika R. Ceeney. 2015. "Repatriating Human Remains: Searching for an Acceptable Ethics." In *The Ethics of Cultural Heritage*, by Tracy Ireland and John Schofield, 89–104. Springer. http://goddard40.clarku.edu/login?url=https://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=883243&site=ehost-live&ebv=EB&ppid=pp_89.

Dungca, Nicole, and Claire Healy. 2023. "Revealing the Smithsonian's 'Racial Brain Collection.'" *The Washington Post*, August 23, 2023. Accessed April 27, 2024. https://www.washingtonpost.com/history/interactive/2023/smithsonian-brains-collection-racial-history-repatriation/.

Dungca, Nicole, Claire Healy, and Andrew Ba Tran. 2023. "The Smithsonian's 'Bone Doctor' Scavenged Thousands of Body Parts." Document - Gale Academic OneFile. August 17, 2023. https://link.gale.com/apps/doc/A761193714/AONE?u=mlin_c_clarkunv&sid=sitemap&xid=a4a64df2.

Fabian, Ann. 2010. *The Skull Collectors: Race Science and America's Unburied Dead*. EBook. University of Chicago Press. http://goddard40.clarku.edu/loginurl=https://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=343987&site=eds-live&ebv=EB&ppid=pp_Front_Cover.

Gulliford, Andrew. 1996. "Bones of Contention: The Repatriation of Native American Human Remains." *The Public Historian* 18 (4): 119–43. https://doi.org/10.2307/3379790.

Hrdlička, Aleš. 1916. "The Brain Collection of the U. S. National Museum on JSTOR." *Science* 44 (1143): 739. https://www.jstor.org/stable/1641562.

Jacobs, Jordan. 2009. "Repatriation and the Reconstruction of Identity." *Museum Anthropology* 32 (2): 83–98. https://doi.org/10.1111/j.1548-1379.2009.01038.x.

Langholz, Janna Añonuevo. 2023. "1,200 Lives and Deaths at the World's Fair." Janna Añonuevo Langholz. April 23, 2023. Accessed April 27, 2024. https://www.jannalangholz.com/1200-lives-and-deaths.

Murray, Tim. 1996. “Reckoning With the Dead: The Larsen Bay Repatriation and the Smithsonian Institution.” *Antiquity* 70 (267). https://link.gale.com/apps/doc/A18299506/AONE?u=mlin_c_clarkunv&sid=ebsco&xid=d6d8b325.

Ortega, Rodrigo Pérez. 2024. “Smithsonian Urged to Speed Repatriation of Human Remains.” *Science* 383 (6687): 1040. https://doi.org/10.1126/science.adp0472.

Parezo, Nancy J., and Don D. Fowler. 2007. *Anthropology Goes to the Fair: The 1904 Louisiana Purchase Exposition*. EBook. *JSTOR*. University of Nebraska Press. https://www.jstor.org/stable/j.ctt1djmg8d.

Philippine Village Historical Site. 2024. “Cemetery.” 2024. Accessed April 27, 2024. https://www.philippinevillagehistoricalsite.com/cemetery.

Redman, Samuel J. 2012. “Human Remains and the Construction of Race and History, 1897-1945.” PhD dissertation, University of California, Berkeley. https://escholarship.org/content/qt3dn9w2zj/qt3dn9w2zj_noSplash_04cb19d28968a761129395c92b83730a.pdf.

Redman, Samuel J. 2016. “Scientific Racism and Museum Remains.” In *Bone Rooms: From Scientific Racism to Human Prehistory in Museums*, 188–226. Harvard University Press.

Shelbourn, Carolyn. 2013. “Burial Archaeology: Reflections on the Law, Policy and Ethics of Research on Human Remains and ‘Digging the Dead.’” *Art, Antiquity & Law* 18 (1): 59–75. http://goddard40.clarku.edu/login?url=https://search.ebscohost.com/login.aspx?direct=true&db=vth&AN=89593331&site=eds-live.

Smith, Laurajane. 2004. “The Repatriation of Human Remains – Problem or Opportunity?” *Antiquity* 78 (300): 404–13. https://doi.org/10.1017/s0003598x00113043.

Smithsonian Institute, Benjamin Marcus, and Linda St. Thomas. 2023. “Statement on Human Remains at the Smithsonian Institution.” Press release. Smithsonian Institution. January 25, 2023. Accessed April 27, 2024. https://www.si.edu/newsdesk/releases/statement-human-remains-smithsonian-institution.