

# Restoring Rights to the Deceased: Repatriation of the Disinterred through Amendments of Legislation



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## Introduction

The field of anthropology, in this contemporary age, is pushing to become unbiased, non-racialized, and decolonized. There is much effort being put forth in order to allow people their entitled human rights. However, there is a group of individuals that face a lack of respect and mistreatment daily: the deceased. Deceased individuals, especially those of color or unknown kinship, are at the mercy of those that unearth them. It is important for the field of anthropology to take into consideration: why are the dead not respected like living individuals, what sort of legislation is currently in place to protect them and their relatives, what legislation does the United States lack, and why is this all relevant?



## Literature Review

- Currently, NAGPRA is the only federal legislation protecting deceased individuals and affiliated cultural artifacts.
  - However, NAGPRA only protects federally recognized Native American groups, making it very limited.
- There is not yet an official law for the protection of African American bodies, but the government is looking to implement an African American Burial Grounds Study Act.
- Official organizations that oversee research, such as IRBs, are hesitant to involve themselves in certain work with the deceased.
- Osteology and the study of genetics can offer an important stepping stone for the field of anthropology.



## Conclusion

There is not enough being done for the rights of the deceased. There must be amendments in several different areas to restore humanity to the dead as well as their living kin:

- Federal law must improve NAGPRA legislation to make it more effective.
- There must be more legislation to protect bodies of every ethnicity and affiliation.
- Official research organizations must become more involved in protecting and repatriating disinterred bodies.
- There must be a focus on the development of the study of genetics in order to improve their ability to identify deceased individuals as well as advance the completeness of a national osteological database.

