

# Repatriation of the Mapungubwe human remains: an overview of the process and procedure

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## Introduction

Mapungubwe is an Iron Age site (AD 1000 - 1300) situated in the far northern part of the Limpopo Province. The Mapungubwe cultural landscape is known for its rich collection of archaeological sites and objects (golden rhinoceros, golden sceptre) as well as for being a record of past cultural development yielding important scientific knowledge. The human remains originally excavated from Mapungubwe received much attention recently because they were perceived as a high-profile example of the need for transformation of colonial and apartheid era scientific practices. The need for recognition by many groups and communities as the descendants of Mapungubwe provided a driving force for the repatriation of the Mapungubwe human remains. Calls from many spheres of society, government and some scientists for the institutions holding Mapungubwe remains to be pro-active in the repatriation process went unheeded as legislation for repatriation was inadequate and did not provide firm guidelines, assign responsibilities or define terms sufficiently. A process of claim, counter-claim, negotiation and compromise not only had to set the procedure for the Mapungubwe repatriation, but being the first of its kind it also had to set the national precedent.

## Draft regulations on Section 41 of the National Heritage Resources Act (NHRA)

Proposed regulations and guidelines dealing with repatriation and restitution were circulated for comment by the South African Heritage Resources Agency (SAHRA 2004). Some issues regarding the guidelines were raised by UP:

1. Definition of "community" and "body" in the terms of who are eligible to lodge a claim was not clear
2. Section 41(2) of the NHRA calls for regulations regarding the establishment of *bona fide* interest, but no requirements for *bona fide* interest is addressed in the draft.
3. The draft failed to provide a clear definition of what is meant by a movable heritage resource, thus proposing that hominids and human remains should be considered as movable objects affected by the process of restitution.

The failure of SAHRA to address important issues relating to repatriation of human remains, prompted the Department of Anatomy to formulate a policy which was accepted as the formal University of Pretoria Repatriation Policy (Table 1).

Table 1: The University of Pretoria: Repatriation policy (summarized)

University of Pretoria: Repatriation Policy	
<i>Claimant groups/communities</i>	Write letter of request: stipulating which remains are being claimed
<i>Representatives (claimant groups/communities)</i>	Provide proof that they are acting on behalf of specific group/community
<i>Publicize the proposed repatriation to include all possible stakeholders</i>	Through public consultation once <i>bona fide</i> interests are established
<i>Negotiate issues such as:</i>	Repatriation, reburial, transfer of ownership
<i>Holding institute seek legal compliance: SAHRA</i>	Once repatriation and compromise between community and relative institute is accepted legal compliance will relieve institute of responsibility for remains
<i>Problems at this stage</i>	Addressed by appropriate minister for further consultation
<i>Storage of remains after repatriation</i>	SAMA and ICOMOS standards must be upheld for the duration of storage
<i>Funding of repatriation (transport, reburial, ceremonies etc.)</i>	Responsibility of claimant groups/communities and NOT the relevant holding institute

## The Mapungubwe Steering Committee (MSC)

The Mapungubwe Steering Committee was established in order to structure a body that would negotiate and arrange all details pertaining to the repatriation of the Mapungubwe remains. The Mapungubwe Steering Committee consisted of claimant groups, government institutions with a stake in the Mapungubwe sites (such as the Departments of Environment and Tourism and Arts and Culture, South African National Parks and the Limpopo Provincial Government and Local Governments), compliance agencies (SAHRA) and holding institutions (such as the Universities of Pretoria and the Witwatersrand and the National Cultural History Museum). UP was called on to attend these meetings and present information relating to the human remains since it held the bulk of the remains in question.

## Claims, counterclaims, negotiations and compromise

The first formal claim from groups represented in the MSC for the reburial of the remains were received by UP in May 2007. Issues with the claim were discussed by the MSC and a new "joint claim" was drafted in July 2007. The UP acting as custodian responded by accepting the claim, but qualified its acceptance by stating their concerns for the other remains not directly from Mapungubwe hill and the issue of possible misrepresentation by other claimant groups. The MSC undertook a concerted effort to include San representatives and held consultations with Botswana and Zimbabwean government representatives. San representation was facilitated by an addendum to the 6 July 2007 claim. UP drafted a letter to SAHRA stating all abovementioned concerns and seeking legal compliance for repatriation. This was granted thus relieving the University of Pretoria of all legal requirements set out in the original permit for the curation of the remains.

## Curation, documentation and packaging: implementing the arrangements for reburial

The remains were re-documented in the most thorough way possible using the Buikstra and Ubelaker (1994) format. Special interest was paid to recording the dentition, oral pathologies, non-metric characteristics, observable taphonomic influences and all palaeopathologies. A thorough inventory, including photographs, was made (Fig.1). The end-product of this documentation consists of a hardcopy database, containing the original recording sheets and photos, a CD database as well as a photographic catalogue of the remains.

Once all the remains had been documented, they were sealed into individual bags with an identifying tag. Boxes made from high-density polyurethane were used as coffins. One individual went into one box and each box was numbered and that number corresponded to the skeleton number (Fig.2). A total of 143 individuals were prepared for re-burial. High-density foam was cut out to fit perfectly into the boxes as an added form of protection from movement in the boxes during transport (Fig.2). A last layer of foam was placed on top. The lids were then welded shut to achieve an airtight seal.



Figure 1: Illustration of the re-documentation process with an example illustrating how the remains were photographed

Reburial was at the agreed principal sites. The graves, except for Mapungubwe hill, were constructed of brick walls with a concrete floor and roof. A manhole was placed in the roofs of these structures to place the containers through and to also provide future access should it be required. At K2 the structures were built in the Gardner 1936-39 test trench (Fig.3 left), and at Schroda the grave was built in the rehabilitated donga (Fig.3 right). The Mapungubwe grave was constructed in the Jones and Schofield 1934 trench 5, but no brick and concrete structure was erected. The sandstone and concrete walkway over the trench was removed and the containers were placed directly in the trench. A compromise was thus achieved between the community and UP to have the remains reburied in the site directly and the long term preservation of the remains placed in the sandbag stabilization measures (Fig.4).



Figure 2: The preparation of the "coffins" with a close-up view (right) of how the individuals were packed in each box (one individual per box)



Figure 3: Reburial sites at K2 (left) in the Gardener 1936 - 39 test trench and at Schroda (right) in the rehabilitated donga



Figure 4: Re-burial site on Mapungubwe hill (Jones-Schofield 1934 Trench 5) illustrating the sandbag stabilization underneath the walkway

## Discussion

From our experience with the repatriation we are of the opinion that a pro-active approach is the best way to successfully accomplish the return of human remains to their place of origin. By initiating frank and open discussions with communities who have an interest in the human remains held by institutions, the effort can be focused on achieving the best solution for the specific situation, without the political baggage and pressure. Even with our best intentions and what we thought was a fairly water-tight policy on repatriation, we had to compromise on many aspects. The whole issue of who are *bona fide* communities and who could represent these communities remained problematic and is likely to happen again in future repatriations. In the end, from a scientific point of view, we were happy that the remains were not destroyed or buried in such a manner that they could never be assessed again. As it currently stands, it is hoped that the remains will remain undamaged for many years, although this will need to be followed up regularly by inspections of the burial vaults in order to see whether they are still watertight etc, and the remains undamaged. Heritage practitioners, institutions holding archaeological remains and government authorities still face many challenges regarding repatriation, but with a sense of openness, compromise and honesty many of the current issues can be resolved.

## Reference

Buikstra, J.E. & Ubelaker, D.H. 1994. Standards for data collection from human skeletal remains. *Arkansas Archeological Survey Research Series* no 44.

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